

City Council Minutes

October 10, 2017

Regular Meeting
City Hall Council Chambers

Tuesday, October 10, 2017
6:00 p.m.

The regular meeting was called to order by Chairman Kevin O'Connell. The City Clerk called the roll:

Councilor Vachon-present
Councilor Goss-present
Councilor Ferris-present

Councilor Uhlenhake-present
Chairman O'Connell-present

Chairman O'Connell declared a quorum present. City Manager Bost and City Solicitor Dearborn were also present.

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

Chairman O'Connell 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, October 10, 2017 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/Kevin O'Connell

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	R. Freeman	Ptl.	10/6/17	16:25
Matthew Vachon	S. Bost	C.M.	10/6/17	4:15 pm
Beverly Uhlenhake	R. Hogan	C.C.	10/6/17	4:00 pm
Jerry Goss	R. Freeman	Ptl.	10/6/17	16:10
Kevin O'Connell	R. Hogan	C.C.	10/6/17	3:40 pm

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CITY COUNCIL REGULAR MEETING
Tuesday, October 10, 2017 6:00 P.M.
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 September 12, 2017 Regular Meeting** (Councilor Goss)
- B. Awards, Petitions and Public Comments.**
- C. Consent Calendar.**
 - 1. (2017-A151) ORDER, Accept Proceeds from Sale of Scrapped Metal and Appropriate for Use. (Councilor Uhlenhake)
 - 2. (2017-A152) ORDER, Accept Donations to the Brewer Parks & Recreation Department for Fall & Winter Programs. (Councilor Ferris)
 - 3. (2017-A153) ORDER, Authorize Purchase of Water Meters for Water Department. (Councilor Vachon)
 - 4. (2017-A154) ORDER, Accept Donations to the Brewer Library Department for Books (Councilor Goss)
 - 5. (2017-A155) ORDER, Accept Donations to the Brewer Parks & Recreation Department for Fall Programs. (Councilor Uhlenhake)
 - 6. (2017-A156) ORDER, Authorize Purchase of a Replacement Pick-up Truck for the Brewer Water Department (Councilor Ferris)
 - 7. (2017-A157) ORDER Accept Donation to the Brewer Fire Department for the Flag Fund (Councilor Vachon)
 - 8. (2017-A158) ORDER Accept Donation to the Brewer Parks & Recreation Department for Brewer Days Event (Councilor Goss)
 - 9. (2017-A159) ORDER Authorize the Purchase of a Replacement Pumper Engine for the Fire Department (Councilor Uhlenhake)
- D. Monthly Reports.** (Councilor Ferris)
- E. Nominations, Appointments, Elections.**
- F. Unfinished Business.**
 - 1. (2017-C016) Amend Chapter 19 of the City of Brewer Ordinance, Article 5, Section 506, Schedule 3. (Councilor Vachon)
 - 2. (2017-A150) ORDER, Convene in Executive Session Pursuant to Title 36, M.R.S.A. §841(2)(A) on a hardship/poverty matter. (Councilor Ferris)
- G. New Business.**
 - 1. (2017-C017) Amend the General Assistance Ordinance to Incorporate Changes in Maximum Benefits (Councilor Goss)
 - 2. (2017-A160) ORDER, Convene in Executive Session Pursuant to Title 1, M.R.S.A. §405 (6)(E) on a legal matter with the City Attorneys. (Councilor Uhlenhake)

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H. New Items with Leave of Council.

I. ADJOURN.

A. Minutes of September 12, 2017 Regular Meeting

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

B. Awards, Petitions, Public Comments

Mayor O'Connell recognized Jade and Copper, the Brewer Public Library "Dog Ears" program dogs. Library Director Katie Conner introduced the dogs and explained the program and what a huge success it has been in helping struggling readers gain skills and confidence in reading.

C. Consent Calendar

ACTION: Councilor Vachon moved that the orders on the consent calendar have passage.

The motion was seconded and passed by unanimous vote.

2017-A151

October 10, 2017

TITLE: ORDER, ACCEPT PROCEEDS FROM SALE OF SCRAPPED METAL AND APPROPRIATE FOR USE

Filed September 14, 2017
By Beverly Uhlenhake

WHEREAS, Public Works has received a check from Corey Recycling in the amount of \$253.20 from the sale of scrap metal from its maintenance shop; and

WHEREAS, Public Works desires to use these unanticipated proceeds to supplement its equipment maintenance budget;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith orders the \$253.20 proceeds from the sale of this scrap metal be deposited into FY18 account 0106604-300490 (Public Works – Misc Revenue) and appropriated for expenditure from FY18 0116641-504200 (Vehicle Maintenance and Repair).

Statement of Fact

The scrap metal referred to in this order comes entirely from the equipment maintenance shop's activities which is why we respectfully request these funds be rolled back into the parts account for the maintenance shop.

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2017-A152

October 10, 2017

TITLE: ORDER, ACCEPT DONATIONS TO THE BREWER PARKS
AND RECREATION DEPARTMENT FOR THE ANNUAL
BREWER DAYS CELEBRATION

Filed September 12, 2017
By Joseph Ferris

WHEREAS, the Brewer Parks & Recreation Department has received donations of \$300.00 from Bangor Tire Company, Inc., for support of this year's Brewer Days Celebration; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donors that these donations be appropriated and expended to supplement Brewer Days;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts these generous donations and directs that the donated funds be receipted to account 0200000-320000-71002 (Brewer Days Contributions); and

FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from account 0200000-520000-71002(Brewer Days Expense).

NOTE: The Brewer Parks and Recreation Director sends a letter of acknowledgement and appreciation on behalf of the City Council to these businesses for their generous donations.

STATEMENT OF FACT

This order accepts a contribution to the City of Brewer Parks & Recreation Department, and authorizes the expenditure of this contribution to support Brewer Days celebration

2017-A153

October 10, 2017

TITLE: ORDER, AUTHORIZE PURCHASE OF WATER METERS
OR WATER DEPARTMENT

Filed September 19, 2017
By Matthew Vachon

WHEREAS, the water department is replacing older failing/failed meters and remotes with new meters meeting current EPA Lead rules and

WHEREAS, this is a planned item for replacement at the minimum rate of 5.4% yearly and was included in the Water Departments FY18 CIP approved by Council in June 2017

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NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to EJ Prescott's in the amount of \$19,520.00 for the purchase of a 160- 5/8 inch water meters;

BE IT 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 the Water Department CIP account 0571003-573012, titled, "Replace meters 5.4% per year".

STATEMENT OF FACT

This order purchases 160 meters to supply our annual meter replacement program as approved in the FY18 CIP.

2017-A154

October 10, 2017

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

Filed September 14, 2017

By Jerry Goss

WHEREAS, the Brewer Public Library has received a contribution of \$50.00 from Roberta J. Lynch; 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 this contribution totaling \$50.00 and authorizes their deposit into account 0107204-300420 (Library Contributions/Donations) and expenditure from account 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.

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.

2017-A155

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TITLE: ORDER, ACCEPT DONATIONS TO THE BREWER PARKS

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AND RECREATION DEPARTMENT FOR FALL
PROGRAMS (SOCCER)

Filed September 15, 2017
By Beverly Uhlenhake

WHEREAS, the Brewer Parks & Recreation Department has received donations of \$100.00 from Port Harbor Marine, Inc., for support of this year's Brewer Fall Programs (Soccer); and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donors that these donations be appropriated and expended to supplement Brewer Fall Soccer;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts these generous donations and directs that the donated funds be receipted to account 0107123-300328; and

FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from account 0117121-506130 (Fall/Program League).

NOTE: The Brewer Parks and Recreation Director sends a letter of acknowledgement and appreciation on behalf of the City Council to these businesses for their generous donations.

STATEMENT OF FACT

This order accepts a contribution to the City of Brewer Parks & Recreation Department, and authorizes the expenditure of this contribution to support Brewer Fall Soccer Program.

2017-A156

October 10, 2017

TITLE: ORDER, AUTHORIZE PURCHASE OF A REPLACEMENT
PICKUP TRUCK FOR WATER DEPARTMENT

Filed September 20, 2017
By Joseph L. Ferris

WHEREAS, Bids were solicited, received and evaluated for the purchase of a pickup truck to replace Water Department unit #750 a 2006 GM ½ ton regular cab; and

WHEREAS, Darlings Auto mall, of Maine provided the City with the lowest of the five (5) bids received in the amount of \$27,959.00;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Darlings Auto mall in the amount of \$29,547.00 for the purchase of a 2018, ½ ton Dodge pickup truck, \$27,959 for the truck and \$1,588.00 for the extended warranty; and

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BE IF FURTHER ORDERED, that the funds for this purchase be charged to the FY18 CIP account # 0571003-573036 titled "750 4 wheel drive 1/2 ton Meter Truck", approved in the FY18 CIP budget.

BE IT FURTHER ORDERED, that the City Manager, or his designee, is authorized to sell, recycle or dispose of the 2006 ½ ton GM unit #750 by means that would be in the best interest of the City of Brewer; and

BE IT FURTHER ORDERED, that any funds received from the sale or disposal of the above mentioned items be receipted to the Water Department Sale of Asset account (0700006-300410) and used to augment the Water Department's general capital reserve account (0700000-110805).

Statement of Fact

The replacement of truck #750 was approved in the FY18 CIP budget; this order authorizes the purchase of the replacement truck. This order also allows us to sell the current truck and place any proceeds into the capital account.

2017-A157

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

filed September 20, 2012
by Matthew Vachon

WHEREAS, the Brewer Fire Department has received a contribution of \$20.00 from Richard Rosa; and

WHEREAS, it is the recommendation and request of the Public Safety Director and the donor that this donation be appropriated and expended to supplement and support the purchase of new American flags for the City of Brewer.

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts this contribution totaling \$20.00 and authorizes its deposit into account 02000000-32000-50001 (American Flag account) and expenditure from account 02000000-52000-50001 (American Flags).

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 Fire Department.

STATEMENT OF FACT

This order accepts a contribution to the City of Brewer Flag fund, and authorizes the expenditure of this contribution to support the purchase of new flags.

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TITLE: ORDER, ACCEPT DONATIONS TO THE BREWER PARKS

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AND RECREATION DEPARTMENT FOR THE ANNUAL
BREWER DAYS CELEBRATION

Filed September 26, 2017

By Joseph Goss

WHEREAS, the Brewer Parks & Recreation Department has received donations of \$500.00 from Machias Savings Bank, for support of this year's Brewer Days Celebration; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donors that these donations be appropriated and expended to supplement Brewer Days;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts these generous donations and directs that the donated funds be receipted to account 0200000-320000-71002 (Brewer Days Contributions); and

FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from account 0200000-520000-71002(Brewer Days Expense).

NOTE: The Brewer Parks and Recreation Director sends a letter of acknowledgement and appreciation on behalf of the City Council to these businesses for their generous donations.

STATEMENT OF FACT

This order accepts a contribution to the City of Brewer Parks & Recreation Department, and authorizes the expenditure of this contribution to support Brewer Days celebration

2017-A159

October 10, 2017

ORDER AUTHORIZE THE PURCHASE OF A REPLACEMENT PUMPER ENGINE FOR
 THE FIRE DEPARTMENT

Filed October 6, 2017

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, it is imperative that this order become effectively immediately upon its passage to allow this purchase to commence without delay; 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;

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WHEREAS, the Brewer Fire Department has taken its primary engine, Engine 301, out of service due to enhanced frame corrosion and is currently using the spare, Engine 302, a 1990 Pierce Arrow pumper, as its primary response vehicle; and

WHEREAS, at 27 years of service, Engine 302 had been slated for replacement and is experiencing increased mechanical issues due its advanced age; and

WHEREAS, to ensure adequate emergency response capabilities, the Fire Department recommends the City immediately purchase a replacement Class A pumper; and

WHEREAS, the Fire Department has solicited and evaluated quotes for such engines available for immediate delivery; and

WHEREAS, the Fire Department recommends the City purchase a “demo” 2016 Pierce Saber pumper, which was the lowest cost of the used-only-for-demonstration-purposes models that fit the needs of the City and is available for immediate delivery;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the purchase of the 2016 Pierce Saber pumper demo engine for \$450,000 delivered; and

BE IT FURTHER ORDERED, that this purchase shall be charged to account 0510132-551234 (Fire Engine 302 Replacement) and paid for with current cash flow and be added to the anticipated spring 2018 bond issue for financing; 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 purchase of this equipment.

STATEMENT OF FACT

With Engine 301 out of service due to corrosion problems and backup Engine 302, a 1990 pumper, experiencing increasing mechanical issues, the Brewer Fire Department is recommending the City immediately purchase a replacement pumper to ensure adequate emergency response capabilities. The Fire Department recommends purchase of a \$450,000 2016 Pierce Sabre “demo” model available for immediate delivery to fulfill this need. The City anticipates financing this purchase by adding it to the bond issue it planned for spring 2018

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

No items

F. Unfinished Business

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2017-C016

September 12, 2017

Title: AMEND CHAPTER 19 OF THE CITY OF BREWER ORDINANCE, ARTICLE 5, SECTION 506, SCHEDULE 3.

Filed August 24, 2017
By Matthew Vachon

Be it ordained by the Brewer City Council that the Brewer City Traffic Code shall be amended by changing Chapter 19, Article 5, Section 506, Schedule 3, by adding:

(58) The intersection of Silk Street and Crescent Street, with the vehicular traffic stopping on Crescent Street.

Statement of Fact

This ordinance amendment adds a stop sign to the end of Crescent Street at Silk Street per the request of a resident in the area, due to safety concerns that have developed over the years.

ACTION: Councilor Vachon moved that the proposed ordinance amendment be enacted.

The motion was seconded and passed by unanimous vote.

Mayor O'Connell asked for a motion from the Council for a leave of Council to put Order 2017-A150 as the last agenda item for the meeting.

Councilor Uhlenhake moved that Order 2017-A150 be moved to the last item of the agenda.

The City Clerk polled the Council, all were present.

The motion was seconded and passed by unanimous vote.

G. New Business

2017-C017

October 10, 2017

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

Filed October 1, 2017
By Jerry Goss

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

A. Amend Chapter 11GA, Appendix A entitled 'Overall Maximums' to read, in part, as follows:

APPENDIX A	Basic Necessities: Maximum Levels of Assistance	
No. in Household	Monthly	(Change to)
1	\$703	\$714

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2	\$777	\$788
3	\$981	\$994
4	\$1,227	\$1,242
5	\$1,437	\$1,506
6	\$1,512	\$1,581
*Each additional person	\$75	\$75

B. Amend Chapter 11GA, Appendix B entitled 'Food Maximums' to read, in part, as follows:

Current:

APPENDIX B No. In Household	Food Maximums: Weekly	Maximum Levels of Assistance Monthly
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169
*Each additional person	\$146 monthly	

Change to:

APPENDIX B No. In Household	Food Maximums: Weekly	Maximum Levels of Assistance Monthly
1	44.65	192
2	81.86	352
3	117.21	504
4	148.84	640
5	176.74	760
6	212.33	913
7	234.65	1,009
8	268.14	1,153
*Each additional person	\$144 monthly	

C. Amend Chapter 11GA, Appendix C entitled 'Housing Maximums' to read, in part, as follows:

Current:

Bedroom #	UNHEATED		HEATED	
	Weekly	Monthly	Weekly	Monthly
0	125	539	149	640
1	135	583	164	707
2	173	744	209	898
3	219	944	263	1,132
4	255	1,097	308	1,326

Change to:

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Bedroom #	UNHEATED		HEATED	
	Weekly	Monthly	Weekly	Monthly
0	129	556	152	654
1	140	600	168	721
2	184	790	213	917
3	225	969	268	1,152
4	275	1,180	326	1,403

D. Amend Chapter 11GA, Appendix D entitled 'Electric' to read, in part, as follows:

Current:

Electric Utility Maximums

With Electric Hot Water

No. In Household	Weekly	Monthly
1	\$20.08	\$86.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

Change to:

Electric Utility Maximums

With Electric Hot Water

No. In Household	Weekly	Monthly
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

ACTION: Councilor Goss moved that the order be enacted.

The motion was seconded and passed by unanimous vote.

2017-A160

October 10, 2017

TITLE: ORDER, Convene in Executive Session Pursuant to Title 1, M.R.S.A. §405 (6)(E) on a legal matter with the City Attorneys.

Filed October 5, 2017
By Beverly Uhlenhake

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

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2017-A150

October 10, 2017

TITLE: ORDER, Convene in Executive Session Pursuant to Title 36, M.R.S.A. §841(2)(A) on a hardship/poverty matter.

Filed August 14, 2017
By Joseph Ferris &
Jerry Goss

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

Chairman O'Connell stated that the executive session on the legal matter would include City Council members, the City Manager, Charlie Gilbert and the City Solicitor.

Chairman O'Connell stated that the executive session on the hardship/poverty matter would include City Council members, the City Manager, and the City Solicitor.

Chairman O'Connell said that the regular meeting would resume after the executive session and take up no more items except to adjourn.

The regular meeting adjourned at 6:15 p.m. for City Council members to go into executive session.

The regular meeting was called back to order by Chairman O'Connell.

The City Clerk called the roll:

Councilor Vachon – present
Councilor Goss – present
Chairman O'Connell – present

Councilor Uhlenhake – present
Councilor Ferris – present

Chairman O'Connell 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.

ADJOURNED, ATTEST: _____ Ronda J. Hogan
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine