

City Council Minutes
December 28, 2015

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	Young	Ptl.	12/24/15	11:17
Matthew Vachon	Young	Ptl.	12/24/15	14:05
Beverly Uhlenhake	Jones	Ptl.	12/25/15	04:05
Jerry Goss	Young	Ptl.	12/24/15	14:14
Kevin O'Connell	Young	Ptl.	12/24/15	11:23

CITY COUNCIL SPECIAL MEETING

Monday, December 28, 2015 8:00 A.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)
- B. Awards, Petitions, Public Comments**
 1. Public Comments.
- IV. Recess for Public Hearing.**
 1. Application for PR Mexican Restaurants LLC d/b/a Pepino's Taco Stand at 513 South Main Street, for a State of Maine Restaurant Class I, II, III and IV (malt, spirituous and vinous) liquor license.
- V. Adjourn Public Hearing and Continue with Regular Meeting.**
- C. Consent Calendar.**
 1. (2015-B061) RESOLVE, Approve State of Maine Class I, II, III and IV (malt, spirituous and vinous) Liquor License for PR Mexican Restaurants LLC d/b/a Pepino's Taco Stand, 513 South Main Street.
(Councilor Vachon)
 2. (2015-B062) RESOLVE, Amend the Schedule of City Council Regular Meetings to Change the January and March Regular Meeting Dates. (Councilor Ferris)
- D. Monthly Reports.** (none)
- E. Nominations, Appointments, Elections.** (no items)
- F. Unfinished Business.** (no items)

- G. New Business.** (no items)
 - H. New Items with Leave of Council.**
 - I. ADJOURN.**
- ***

B. Awards, Petitions, Public Comments.

1. PUBLIC COMMENTS.

There were no public comments.

Recess for Public Hearing.

Chairman Uhlenhake said the City Council would recess for a public hearing and after the public hearing would return to the special meeting and take up the rest of the items on the agenda.

The public hearing was called to order by Chairman Uhlenhake.

The city clerk called the roll:

Councilor Ferris	-	present	Chairman Uhlenhake	-	present
Councilor O’Connell	-	present	Councilor Goss	-	absent
Councilor Vachon	-	present			

Chairman Uhlenhake declared a quorum present.

Chairman Uhlenhake read the notice for the public hearing.

**CITY OF BREWER
PUBLIC NOTICE**

Notice is hereby given that the Brewer City Council will hold a public hearing on Monday, the 28th day of December , 2015at 8 a.m. in the Council Chambers at Brewer City Hall to consider the application of:

1. PR Mexican Restaurants LLC d/b/a Pepino’s Taco Stand at 513 South Main Street, for a State of Maine Restaurant Class I, II, III and IV (malt, spirituous and vinous) liquor license.

This application is available for public inspection at the office of the **Brewer City Clerk (989-7050)** and this notice is posted on the bulletin board at Brewer City Hall.

City Council Minutes
December 28, 2015

Any person may attend this public hearing and speak on this application. Written comments may also be submitted. The deadline for submission of written comments is 8:00 a.m. on the date of the hearing. Written comments should be addressed to Brewer City Council, c/o City Clerk, 80 No. Main Street, Brewer, Maine 04412.

Pamela J. Ryan
City Clerk

Posted December 22, 2015
City Hall Bulletin Board

There were no comments from the public present either for or in opposition of issuing a liquor license to PR Mexican Restaurants LLC d/b/a Pepino's Taco Stand.

Chairman Uhlenhake asked the City Clerk if she had received any written comments. The City Clerk said she had not and that the city inspectors had all approved the liquor license.

Councilor O'Connell moved that the written reports from the city inspectors be accepted and placed on file. The motion was seconded and passed by a 4 to 0 vote.

Public Hearing adjourned at 4:32 p.m.

The city clerk called the roll and a quorum of the council were present.

Chairman Uhlenhake said the special meeting would resume at this time.

C. Consent Calendar.

ACTION: Councilor O'Connell moved that the two resolves on the consent calendar be adopted.

The motion was seconded and passed by a 4 to 0 vote.

City Council Minutes
December 28, 2015

2015-B061

December 28, 2015

TITLE: RESOLVE, APPROVE STATE OF MAINE RESTAURANT CLASS I, II, III AND IV LIQUOR LICENSE PR MEXICAN RESTAURANTS LLC D/B/A PEPINO'S TACO STAND, 513 SOUTH MAIN STREET.

filed December 22, 2015
by Matthew Vachon

WHEREAS, PR Mexican Restaurants LLC d/b/a Pepino's Taco Stand, 513 South Main Street has applied to the State of Maine, Bureau of Liquor Enforcement, for a Restaurant Class I, II, III and IV (malt, spirituous and vinous) liquor license; and

WHEREAS, the Brewer City officials have reviewed this application and done background checks on the applicant and have submitted recommendations to the City Council on this application; and

WHEREAS, after considering their recommendations the City Council finds as follows:

1. The applicants have not been convicted of any Class A, Class B, or Class C crime;
2. The licensed premises and its use are in compliance with all local zoning ordinances and other land use ordinances not directly related to liquor control;
3. There is no record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by person patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises which unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;
4. There is no record of repeated incidents of record of breaches of peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; and
5. There is no record of the applicants having a violation of any provisions of Title 28-A, M.R.S.A. (Liquor Laws).
6. A determination by the municipal officers or county commissioners that the purpose of the application is not to circumvent the provisions of Section 601.

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council approves the application of PR Mexican Restaurants LLC d/b/a Pepino's Taco Stand, 513 South Main Street, for a State of Maine, Bureau of Liquor Enforcement, for a Restaurant Class I, II, III and IV (malt, spirituous and vinous) liquor license.

SUMMARY

Applicants for new liquor licenses need approval from the City Council before the State of Maine will approve and issue them.

City Council Minutes
December 28, 2015

2015-B062

December 28, 2015

TITLE: RESOLVE, AMEND THE SCHEDULE OF CITY COUNCIL REGULAR MEETINGS TO CHANGE THE JANUARY AND MARCH REGULAR MEETING DATES.

filed December 22, 2015
by Joseph Ferris

WHEREAS, the City Council, at its annual meeting held on November 17, 2015, adopted Resolve 2015-B057 establishing dates of its regular monthly meeting for 2016; and

WHEREAS, Tuesday, January 12, 2016 and March 8, 2016 were established as the dates for the January and March, 2016 regular Council meetings; and

WHEREAS, all members of the City Council will not be available to attend these Council meetings;

NOW, THEREFORE, BE IT RESOLVED, that Council Resolve 2015-B057, be amended by changing the date of the regular meeting for the month of January from Tuesday, January 12, 2016 to Tuesday, January 26, 2016 at 6:00 p.m. and for the month of March from Tuesday, March 8, 2016 to Monday, February 29, 2016 at 6:00 p.m.

SUMMARY

Due to conflicting schedules of some City Council members, the January and March regular council meetings will be rescheduled so that all Councilors will be available to attend.

Chairman Uhlenhake said since there were no other items to be taken up on the agenda she would accept a motion for adjournment.

ACTION: Councilor O’Connell moved that the meeting be adjourned. The motion was seconded and passed by a 4 to 0 vote. The meeting adjourned at 4:37 p.m.

ADJOURNED, ATTEST: _____ Pamela J. Ryan
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine