

City Council Minutes
January 13, 2015

Regular Meeting
City Hall Council Chambers

Tuesday, January 13, 2015
6:00 p.m.

The regular meeting was called to order by Chairman Matthew Vachon
The city clerk called the roll:

Councilor Ferris	-	present	Councilor Goss	-	present
Councilor Uhlenhake	-	present	Chairman Vachon	-	present
Councilor O'Connell	-	present			

Chairman Vachon declared a quorum present. City Manager Bost and City Solicitor Dearborn were also present.

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

Chairman Goss 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, January 13, 2015 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/Matthew Vachon
Mayor and Chairman of the City Council

or _____
Majority of the City Council

a true copy, attest: s/Pamela J. Ryan
City Clerk

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	N. Feero	Sgt.	01/09/15	1810
Matthew Vachon	P. Ryan	CC	01/09/15	4:05pm
Beverly Uhlenhake	N. Feero	Sgt.	01/09/15	1815
Jerry Goss	P. Ryan	CC	01/12/15	10:00am
Kevin O'Connell	P. Ryan	CC	01/09/15	3:30pm

CITY COUNCIL REGULAR MEETING
Tuesday, January 13, 2015 6:00 P.M.
Brewer City Hall Council Chambers

- I. Call to Order.** (Mayor Vachon)
- II. Roll Call.** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America.**
(Mayor Vachon)
- A. Minutes of December 9, 2014 Regular Meeting.** (Councilor Ferris)
- B. Awards, Petitions, Public Comments**
 - 1. (2015-B001) RESOLVE, Recognize and Commend Abby Sargent, Jessica Sargent, Torri Openshaw and Jaclyn Cyr for Their Efforts to Raise Community Awareness and Funds for Cancer Research.
(Councilor O’Connell)
 - 2. (2015-B002) RESOLVE, To Reiterate the Brewer City Council’s Non-Support of the I-395 and Route 9 Connector Project and to Continue to Support The No Build Option. (Mayor Vachon and Councilors Uhlenhake, Goss Ferris and O’Connell)
 - 3. Presentation: FY2014 Audit.
 - 4. Public Comments.
- C. Consent Calendar.**
 - 1. (2015-A001) ORDER Accept Donations to Brewer Programs From Charles “Dusty” and Eleanor Fisher.
(Councilor Goss)
 - 2. (2015-A002) ORDER, Accept Donations to the Brewer Public Library.
(Councilor O’Connell)
 - 3. (2015-A003) ORDER, Accept Walmart Foundation Grant for the Brewer Police Department.
(Councilor Ferris)
 - 4. (2015-A004) ORDER, Set Public Hearing on Proposed Charter Amendment to Add Procedure for Initiating Recall of School Committee Members.
(Councilor Uhlenhake)

5. (2015-A005) ORDER, Approve Language for Ordinance Amendments to the Land Use Code to Amend Section 1107.2 and to Add Sections 1107.3 and 1107.4 Under “Setbacks”, to Article 11, Telecommunication Facilities and to Strike Out Section 1121.3 Under “Exceptions” of Article 11, Telecommunication Facilities of the City of Brewer Charter, Codes and Ordinances be Sent to the City of Brewer Planning Board for Hearing and Review at Their February 2, 2015 Regular Meeting, or the Date to Which the Meeting has been Postponed to, and Their Recommendation to the City Council be Placed on the February 10, 2015 Regular City Council Agenda, or the Date to Which the Meeting has been Postponed to.
(Councilor Goss)
6. (2015-A006) ORDER, Authorize the City Manager, or His Designee, to Negotiate an Option Agreement for a Waterfront Development Project on Hardy Street at the Former Public Works Site.
(Councilor O’Connell)
7. (2015-B003) RESOLVE, Amend the Schedule of City Council Regular Meetings to Change the March Regular Meeting Date. (Councilor Ferris)

D. Monthly Reports. (Councilor Goss)

E. Nominations, Appointments, Elections.

1. Consent Calendar.
 - a. (2015-A007) ORDER, Appoint Joseph M. White as Alternate Health Officer for the City of Brewer.
(Councilor Uhlenhake)
 - b. (2015-A008) ORDER, Appoint Deputy Code Enforcement Officer, Deputy Plumbing Inspector, Deputy Building Inspector and Deputy Electrical Inspector for the City of Brewer.
(Councilor Goss)

F. Unfinished Business.

1. (2014-C024) Amend Chapter 24, Article 1, General Section, Section 104, Jurisdiction , of the City of Brewer Charter, Codes and Ordinances, Entitled “Land Use Code”, by Adding a Section 104.1 Permits.
(Councilor Goss)(posted 12/10/14)

G. New Business.

1. (2015-C001) Amend Chapter 24, Article 4, Performance Standards, Section 420, Multiple Uses on a Single Lot, Items 420.1 and 420.2.
(Councilor O’Connell)

H. New Items with Leave of Council.

I. ADJOURN.

A. Minutes of December 9, 2014 Regular Meeting.

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

B. Awards, Petitions and Public Comments.

2015-B001

January 13, 2015

TITLE: RESOLVE, RECOGNIZE AND COMMEND ABBY SARGENT, JESSICA SARGENT, TORRIE OPENSHAW AND JACLYN CYR FOR THEIR EFFORTS TO RAISE COMMUNITY AWARENESS AND FUNDS FOR CANCER RESEARCH.

**filed January 7, 2015
by Kevin O'Connell**

WHEREAS, Abby Sargent, Jessica Sargent, Torrie Openshaw and Jaclyn Cyr have handed out free hot chocolate annually for the past five years every Friday, Saturday and Sunday night in December before Christmas and Christmas Eve to anyone driving by looking at the holiday lights; and

WHEREAS, these young ladies have shown great initiative and leadership in their effort to raise community awareness and funds for cancer research; and

WHEREAS, they have greatly contributed to the awareness of cancer locally; and

WHEREAS, many recipients give a donation for the steaming cocoa; and

WHEREAS, they have now raised over \$20,000.00 for the Relay for Life of Penobscot County for further cancer research efforts; and

WHEREAS, their actions and dedication to this cause have set the standard for all others to follow;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council hereby recognizes the sincerity of heart and commitment these local young ladies have made to their family, their friends, their neighbors and this community.

ACTION: Councilor O'Connell moved that the resolve be adopted. The motion was seconded and passed.

Councilor O'Connell read the resolve into the record while presenting presenting a plaque to Jessica, Abby and Jaclyn.

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It was the consensus of the City Council members that citizens like these young ladies who give of themselves make the City of Brewer look good.

The young ladies thanked the City Council for the plaque and said they were very honored that the Council recognized them.

The resolve was adopted by unanimous vote.

2015-B002

January 13, 2015

TITLE: RESOLVE, TO REITERATE THE BREWER CITY COUNCIL'S
NON-SUPPORT OF THE I-395 AND ROUTE 9
CONNECTOR PROJECT AND TO CONTINUE
TO SUPPORT THE NO-BUILD OPTION.

filed January 7, 2015
by Matthew Vachon, Jerry Goss
Joseph Ferris, Kevin O'Connell
and Beverly Uhlenhake

WHEREAS, the City of Brewer has been a major supporter of efforts to improve east-west transportation connections in Maine, including the need to extend I-395 in Brewer to meet Route 9 in Eddington/Clifton; and

WHEREAS, the City has gone on record on numerous occasions about the need to take into account local, regional, and statewide transportation considerations in selecting a final route for this important transportation connector; and

WHEREAS, the Maine Department of Transportation (MDOT) has concluded that proposed 2B-2 is the best route for a transportation connection between the current end of I-395 in Brewer to Route 9 in either Eddington or Clifton; and

WHEREAS, the proposed 2B-2 route will have a significantly negative impact on many residential properties; and

WHEREAS, the proposed 2B-2 route impacts a significant amount of wetlands and could cause environmental damage; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby reiterate their non-support of the proposed construction of the I-395 extension to Route 9 (proposal 2B-2); and

BE IT FURTHER RESOLVED, that the City of Brewer still supports the "no-build" option for this project.

ACTION: Councilor Uhlenhake moved that the resolve be adopted. The motion was seconded and passed.

Mayor Vachon read the resolve into the record.

Councilor O'Connell commented that he doesn't understand why the State is still pushing for this when everyone is opposed to it.

The resolve was adopted by unanimous vote.

PRESENTATION OF THE FY2014 AUDIT.

The following attachments are the highlights contained in the audit as presented by Casey Leonard (Runyon Kersteen Ouellette) and Karen Fussell (City of Brewer Finance Director).

PUBLIC COMMENTS.

There were no public comments from the public.

C. Consent Calendar.

ACTION: Councilor Ferris removed order 2015-A006 from the consent calendar.
Councilor Uhlenhake moved that order 2015-A004 be removed from the consent calendar.

Councilor Goss moved that the remaining orders on the consent calendar have passage and resolve 2015-B003 be adopted.

The motion was seconded and passed by unanimous vote.

2015-A001

January 13, 2015

TITLE: ORDER , ACCEPT DONATIONS TO BREWER PROGRAMS
FROM CHARLES “DUSTY” AND ELENOR FISHER.

filed January 7, 2015
by Jerry Goss

WHEREAS, the City has received from Charles “Dusty” and Eleanor Fisher four \$100 donations to the Library, the Parks and Recreation Department, and the Fire and Police Departments to support youth programs;

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby accepts these funds and authorizes their receipt to and appropriation and expenditure from the following accounts in support of youth education and recreation programs:

	<u>Dept</u>	<u>Receipt To</u>	<u>Expend From</u>
\$100	Library	0107204-300420	0117201-502200
\$100	Rec	0107123-300324	0117121-506100
\$100	Police	0105804-300490	0115801-501550
\$100	Fire	0105904-300490	0115921-502900

FURTHER ORDERED, that the City Council thanks the Fishers for their generous donations in support of youth programs in Brewer and directs the City Clerk to send a letter of appreciation to the Fishers for their contribution to the City.

2015-A002

January 13, 2015

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

filed January 7, 2015
by Kevin O'Connell

WHEREAS, the Brewer Public Library has received a contribution of \$130.00 from the MPM Club; and

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

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts this generous contribution totaling \$130.00 and authorizes its 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.

2015-A003

January 13, 2015

TITLE: ORDER , ACCEPT WALMART FOUNDATION GRANT
FOR THE BREWER POLICE DEPARTMENT.

filed January 7, 2015
by Joseph Ferris

WHEREAS, the City of Brewer has received a grant from the Walmart Foundation for \$2,000.00. The Walmart Foundation's grant program provides a wide range of funding for nonprofit organizations; and

WHEREAS, the Walmart Foundation has approved funding for the Brewer Police Department to purchase body armor with the awarded funds;

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 to 0600058-360000-58030 (Walmart Foundation 2014 grant revenue) and expended from 0600058-560000-58030(Walmart Foundation 2014 expense) for the purchase of body armor for the Brewer Police Department.

2015-A004

January 13, 2015

TITLE: ORDER, SET PUBLIC HEARING ON PROPOSED CHARTER AMENDMENT TO ADD PROCEDURE FOR INITIATING RECALL OF SCHOOL COMMITTEE MEMBERS.

filed January 7, 2015
by Beverly Uhlenhake

ORDERED, that a public hearing be held on Tuesday, February 10, 2015 at 6:00 p.m. in the Council Chambers at Brewer City Hall on the following proposed amendment to the Brewer City Charter:

Amend Article IX of the City of Brewer City Charter to read as follows:

**ARTICLE IX.
RECALL**

Any member of the City Council or the School Committee may be recalled and removed therefrom by the electors of the City as herein provided.

SECTION 1. PROCEDURE FOR INITIATING RECALL PETITION.

Any 50 registered voters of the City of Brewer may originate a petition putting into operation the recall process by signing such petition ~~at the office of the City Clerk~~. Whenever requested by 50 such voters, the City Clerk shall prepare the proper recall petition and upon its being signed by said 50 voters, the City Clerk shall file the petition and shall, during office hours for 30 days thereafter, keep the same open for signatures by registered voters of the City, ~~and no such petition shall be signed or presented for signatures at any place other than the Clerk's office~~. At the expiration of said 30 days, the City Clerk shall declare the petition closed and shall, at the first regular meeting of the City council thereafter present to that body, the petition with verification of the number of valid signatures there attached. If the number of valid signatures attached to said petition shall amount to at least 500 signatures of qualified electors registered to vote at the latest regular city election, the City Council shall immediately take the necessary steps to submit to the voters of the city and the recall petition.

SECTION 2. FORM OF BALLOT IN RECALL ELECTION.

The form of the ballot at the recall election shall be as follows:

"Shall City Council member (name of person proposed for recall) be recalled?"

"Shall School Committee member (name of person proposed for recall) be recalled?"

Immediately below such question shall appear in the following order the words "Yes" and "No" and to the right of each word ~~a square~~ an oval within which the voter may cast his or her vote.

SECTION 3. VOTE REQUIRED.

In order for a Council member or School Committee member to be recalled, at least 30% of the total number of qualified electors registered to vote after the close of polls on the date the recall election is held must have voted and a simple majority of said 30% must have voted "Yes". In the event less than 30% of said electors vote or a simple majority of said majority do not vote "Yes", the recall fails.

SECTION 4. ELECTION AFTER RECALL.

A Council member or School Committee member recalled shall serve until his or her successor is duly elected and sworn. If one or more Council members or School Committee members are recalled, the City Council shall declare a vacancy and shall set a time for the holding of a special election not less than 30 days nor more than 60 days after the recall election.

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

Councilor Uhlenhake said the reason she removed this order was to make it clear that the reason for the above charter amendment was to make the charter consistent in the recall procedure for both city council members and school committee members.

The order was passed by unanimous vote.

2015-A005

January 13, 2015

TITLE: ORDER, APPROVE LANGUAGE FOR ORDINANCE AMENDMENTS TO THE LAND USE CODE TO AMEND SECTION 1107.2 AND TO ADD SECTIONS 1107.3 AND 1107.4 UNDER "SETBACKS" TO ARTICLE 11, TELECOMMUNICATION FACILITIES AND TO STRIKE OUT SECTION 1121.3 UNDER "EXCEPTIONS" OF ARTICLE 11, TELECOMMUNICATION FACILITIES OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES BE SENT TO THE CITY OF BREWER PLANNING BOARD FOR HEARING AND REVIEW AT THEIR FEBRUARY 2, 2015 REGULAR MEETING, OR THE DATE TO WHICH THE MEETING HAS BEEN POSTPONED TO, AND THEIR RECOMMENDATION TO THE CITY COUNCIL BE PLACED ON THE FEBRUARY 10, 2015 REGULAR CITY COUNCIL AGENDA, OR THE DATE TO WHICH THE MEETING HAS BEEN POSTPONED TO.

filed January 7, 2015
by Jerry Goss

WHEREAS, an ordinance amendment to the City of Brewer Land Use Code must first be sent to the City of Brewer Planning Board for hearing, review and then a recommendation to the City Council; and

WHEREAS, Article 11, Telecommunication Facilities, Section 1107, "Setbacks", Section 1107.2 needs to be amended and Sections 1107.3 and 1107.4 need to be added to the Land Use Code and Section 1121.3 under Section 1121 "Exceptions" of Article 11, Telecommunication Facilities needs to be deleted from the Land Use Code as follows:

A. 1107 SETBACKS

- 1107.1 All setbacks shall be measured from the base of the tower or structure closest to the applicable property line or structure.
- 1107.2 The ~~facility~~ center line of the tower base shall be set back not less than one hundred ten (110) percent of the total height, including any attached transmitting or receiving devices. Guy wire anchors and facility equipment rooms or vaults shall meet the minimum setback of the zoning districts.

1107.3 Notwithstanding the above, for cantilevered towers not dependent on guy wires for structural support, the center line of the tower base shall be set back not less than fifty (50) percent of the total height, including any attached transmitting or receiving devices if the site is located within the Industrial (IND) zoning district and the applicant submits evidence, prepared by a Maine Licensed Professional Engineer, certifying that the design characteristics of the tower provide a likelihood of catastrophic lateral collapse of essentially nil.

1107.4 Setbacks are not applicable for new facilities proposed to be co-located onto an existing, legally-established telecommunication tower.

B. 1121 EXCEPTIONS

1121.1 Exceptions to the requirements specified within this Article may be granted through issuance of a Waiver by the Planning Board. Such a permit may only be approved if the Planning Board finds, after receipt of sufficient evidence, that failure to adhere to the standard under consideration in the specific instance will not increase the visibility of the facility or decrease public safety.

1121.2 An exception to the requirements for Fire Safety may only be granted upon written concurrence by the Fire Chief.

~~**1121.3** Tower setback requirements may be waived under any of the following circumstances:~~

- ~~1. The facility is proposed to be co-located onto an existing, legally-established telecommunication tower; and~~
- ~~2. Overall, the reduced setback enables further mitigation of adverse visual and other environmental impacts than would otherwise be possible.~~

NOW, THEREFORE, BE IT ORDERED, that the City Council sends the proposed language, listed above, as an amendment to the Land Use Code to the Brewer Planning Board for hearing and review and recommendation to be made to the City Council for the February 10, 2015 Regular City Council Meeting Agenda , or the date to which the meeting has been postponed to.

2015-A006

January 13, 2015

TITLE: ORDER, AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO NEGOTIATE AN OPTION AGREEMENT FOR A WATERFRONT DEVELOPMENT PROJECT ON HARDY STREET AT THE FORMER PUBLIC WORKS SITE.

filed January 7, 2015
by Kevin O'Connell

WHEREAS, the City of Brewer owns the property located at Tax Map 28, Lot 186, off or near Hardy Street; and

WHEREAS, the City has a developer who is interested in the property for the proposed development of a brewery and restaurant; and

WHEREAS, the City of Brewer requires authorization to begin negotiations to enter into an option agreement, as outlined in the attached summary, with Brewer Long Term Investment Associates, LLC, for the new development of the former public works site off or near Hardy Street; and

WHEREAS, the development of the former public works site in the manner contemplated by the Option Agreement is of utmost importance to the City of Brewer and its continued waterfront development; and

WHEREAS, the Brewer City Council on behalf of the City of Brewer, Maine, now wishes to authorize the City Manager, or his designee, to negotiate an Option Agreement and any ancillary documents and agreements, and to perform their respective obligations thereunder, as their interests may appear;

NOW, THEREFORE, BE IT ORDERED, that the City Council authorizes the City Manager, or his designee, to proceed with negotiations with Brewer Long Term Investment Associates, LLC, to execute a final option agreement.

Attachment – Summary list of option agreement negotiations

Option Agreement for Former Public Works Site

- The land is located on tax map 28, lot 186 off or near Hardy Street, also known as the former public works site.
- The City will retain rights to access all utilities and infrastructure located on site for maintenance, repair or replacement; to enter the premises for access for the sewer system pump house for maintenance, repair or replacement; and rights to access the Riverwalk public path/trail.
- Purchase price for the land is ninety thousand dollars (\$90,000).
- Option is granted without consideration for the first 90 days. The Optionee may extend for 90 days after that for \$2,500 with \$2,000 refundable from purchase price. The Optionee may extend a second time for six months for \$7,500 with \$6,000 refundable at the sale.
- The City, at its expense, will provide a Phase I Environmental Assessment (already underway). If the Phase I results warrant additional testing, the City will commission a Phase II Environmental Assessment.
- The City and Developer agree to negotiate in good faith towards a developer agreement that will include:
 - up to \$35,000 in cash from the City to aid in acquisition or improvement of a new access easement from South Main Street.
 - a lease of parking spaces at the site of the former public safety building. possible discontinuance of a portion of Hardy Street to provide additional parking.
 - dedicated parking spaces (5) for the public to access Riverwalk trail.
 - a TIF agreement providing a two year 100% reimbursement Credit Enhancement Agreement.
- Prior to City's obligation to accept option, the Optionee must demonstrate that the LLC is in good standing with the State and has sufficient financing to complete the project, has obtained planning board approval and can complete the project within 24 months.
- Within 2 years from the date of this exercise of option, if the Optionee has not substantially commenced the project, the City has the right to reacquire the property at a purchase price of \$90,000, less any sums paid by the City specifically for this project.
- In addition, for a period of 6 years from the date of conveyance to the Optionee, the City has the right of first refusal to match any bona fide offer made by a 3rd party.

ACTION: Councilor O'Connell moved that the order have passage. The motion was seconded and passed.

Councilor Ferris said the reason he removed this order was that he saw residents who live on Hardy Street in the audience and thought they may have questions about the above project. He asked Development Director D'arcy Main-Boyington to please come forward.

Helen Cowan, 4 Hardy Street, asked what was going to be put there and who the developer was.

Development Director D'arcy Main-Boyington said that a Brewery Brew house was going to be constructed on the lot. She cannot say who the developer is at this time until the option has been finalized

Councilor Goss said that this was a significant step for development of the waterfront.

The order was passed by unanimous vote.

2015-B003

January 13, 2015

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

filed January 7, 2015
by Joseph Ferris

WHEREAS, the City Council, at its annual meeting held on November 18, 2014, adopted Resolve 2014-B071 establishing dates of its regular monthly meeting for 2015; and

WHEREAS, Tuesday, March 10, 2015 was established as the date for the March, 2015 regular 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 2014-B071, be amended by changing the date of the regular meeting for the month of March 2015 from Tuesday, March 10, 2015 to Tuesday, March 17, 2015 at 6:00 p.m.

D. Monthly Reports.

ACTION: Councilor Goss 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.

2015-A007

January 13, 2015

TITLE: ORDER , APPOINT JOSEPH M. WHITE AS ALTERNATE
HEALTH OFFICER.

filed January 7, 2015
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, the City of Brewer's Alternate Health Officer position is vacant at this time and an appointment that is effective immediately needs to be made;

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;

NOW, THEREFORE BE IT ORDERED, that Joseph M. White be appointed as Alternate Local Health Officer for the City of Brewer; and

BE IT FURTHER ORDERED, that this appointment will commence immediately upon the passage of this Order.

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

Mayor Vachon asked Joe White to step up to the podium so he could be Introduced to everyone.

The order was passed by unanimous vote.

2015-A008

January 13, 2015

TITLE: ORDER , APPOINT DEPUTY CODE ENFORCEMENT OFFICER,
DEPUTY PLUMBING INSPECTOR, DEPUTY BUILDING
INSPECTOR AND ELECTRICAL INSPECTOR.

filed January 7, 2015
by Jerry Goss

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 the order becomes effective immediately upon passage so that the positions of Deputy Code Enforcement Officer, Deputy Plumbing Inspector , Deputy Building Inspector and Electrical Inspector may be filled promptly; and

WHEREAS, these fact 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, Joseph M. White has been hired by the City of Brewer to perform as the Deputy for the Code Enforcement Department;

NOW THEREFORE, BE IT ORDERED, that Joseph M. White is herewith appointed Deputy Code Enforcement Officer, Deputy Plumbing Inspector, Deputy Building Inspector and Electrical Inspector for the City of Brewer; and

FURTHER BE IT ORDERED, that these appointments will commence immediately upon the passage of this Order.

ACTION: Councilor Goss moved that the order have passage. The motion was seconded and passed.

The order was passed by unanimous vote.

F. Unfinished Business.

2014-C024

December 9, 2014

TITLE: AMEND CHAPTER 24, ARTICLE 1, GENERAL SECTION, SECTION 104, JURISDICTION, OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES, ENTITLED "LAND USE CODE", BY ADDING A SECTION 104.1 "PERMITS".

ACTION: Councilor Goss moved that the ordinance amendment be enacted. The motion was seconded and passed by unanimous vote.

G. New Business.

2015-C001

January 13, 2015

TITLE: AMEND CHAPTER 24, ARTICLE 4, PERFORMANCE STANDARDS, SECTION 420, MULTIPLE USES ON A SINGLE LOT, ITEMS 420.1 AND 420.2 OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES, ENTITLED "LAND USE CODE".

filed January 7, 2015
by Kevin O'Connell

Be it ordained by the City Council of the City of Brewer in City Council assembled that Chapter 24, Article 4, Performance Standards, Section 420, Multiple Uses on a Single Lot, Items 420.1 and 420.2 of the Charter, Codes and Ordinances of the City of Brewer entitled "Land Use Code" be amended as follows:

ARTICLE 4 – PERFORMANCE STANDARDS

420 MULTIPLE USES ON A SINGLE LOT

No structure shall hereinafter be erected, altered, or utilized if the effect of such erection, alterations, or utilization is to create more than one (1) use on the lot unless the following conditions are met:

- 420.1** The lot ~~improvements meet minimum parking requirements, setbacks, screening, buffering and all performance standards as applicable in the Brewer Land Use Code. has the minimum amount required for the zoning district of continuous frontage on a public way for the first use and fifty additional feet (50') of continuous frontage on a public way for the second use and twenty-five additional feet (25') of continuous frontage for each additional use. (#12)~~

420.2 All ~~of the other~~ requirements of the District in which the uses are located are met, with the exception that uses may be in the same building.

ACTION: Councilor O'Connell moved that one certified copy of the proposed ordinance amendment be filed with the City Clerk for posting. The motion was seconded and passed by unanimous vote.

H. New Items with Leave of Council.

There were none.

Chairman Vachon 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. The meeting adjourned at 6:55 p.m.

ADJOURNED, ATTEST: _____ Pamela J. Ryan
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine