

City Council Minutes
July 25, 2017

Regular Meeting
City Hall Council Chambers

Tuesday, July 25, 2017
6:00 p.m.

The regular meeting was called to order by Chairman Kevin O’Connell. The city clerk called the roll:

Councilor Ferris	-	present	Councilor Goss	-	present
Councilor Vachon	-	present	Chairman O’Connell	-	present
Councilor Uhlenhake	-	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, July 25, 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/Pamela J. Ryan
City Clerk

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	Willey	Sgt.	07/21/17	1901
Matthew Vachon	P. Ryan	CC	07/21/17	3:45 pm
Beverly Uhlenhake	Willey	Sgt.	07/21/17	1910
Jerry Goss	Willey	Sgt.	07/21/17	2110
Kevin O’Connell	Willey	Sgt.	07/21/17	2123

CITY COUNCIL REGULAR MEETING
Tuesday, July 25, 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 May 31, 2017 Special Meeting, June 6, 2017 Regular Meeting , and June 26, 2017 Special Meeting.** (Councilor Goss)
- B. Awards, Petitions and Public Comments.**
 - 1. (2017-B018) RESOLVE, Recognize Companies and Volunteers for Their Contributions to the 2017 Stream Cleanup Program. (Councilor Uhlenhake)
 - 2. Presentation: Application for Federal Funding from the United States Department of Agriculture Rural Development.
 - 3. Public Comments
- IV. Recess for Public Hearing.**
 - 1. Application of MHMHP, Inc. d/b/a Vacationland Inn & Conf. Center, 453 Wilson Street for a State of Maine Class I-A (Hotel, Food Optional) Liquor License.
- V. Adjourn Public Hearing and Continue with Regular Meeting.**
- C. Consent Calendar.**
 - 1. (2017-A106) ORDER, Issue Release Deed to Jeff Brawn and Lance Pinkham for Property Located at 34 Jefferson Street (Tax Map 35, Lot 93). (Councilor Vachon)
 - 2. (2017-A107) ORDER, Accept Donations to the Brewer Public Library. (Councilor Goss)
 - 3. (2017-A108) ORDER, Accept Donations of Books and Materials to the Brewer Public Library and Authorize Sale of Surplus Books and Materials. (Councilor Uhlenhake)
 - 4. (2017-A109) ORDER, Accept Donation to the Brewer Public Library. (Councilor Ferris)
 - 5. (2017-A110) ORDER, Authorize Purchase of a Replacement Grinder for the Water Pollution Control Facility. (Councilor Vachon)
 - 6. (2017-A111) ORDER, Authorize the Purchase of Two Replacement Vehicles for the Brewer Police Department. (Councilor Goss)

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7. (2017-A112) ORDER, Accept Grant from the Edward Byrne Memorial Justice Assistance Grant (JAG) for the Brewer Police Department. (Councilor Ferris)
8. (2017-A113) ORDER, Declare City Property Surplus and Authorize Sale or Disposal of Surplus Property. (Councilor Vachon)
9. (2017-A114) ORDER, Award Contract for the Design and Replacement of the City's Street Lighting System. (Councilor Goss)
10. (2017-A115) ORDER, Authorize Expenditure for Temperature Control Upgrade for the Brewer Auditorium. (Councilor Uhlenhake)
11. (2017-A116) ORDER, Accept Permanent Easement for a New Sidewalk on Parkway South. (Councilor Ferris)
12. (2017-A117) ORDER, Authorize Appropriation of Funds for the Water Enterprise Account Wellness Program. (Councilor Vachon)
13. (2017-A118) ORDER, Authorize Appropriation of Funds for the Sewer Enterprise Account Wellness Program. (Councilor Goss)
14. (2017-A119) ORDER, Authorize Reallocation of Excess Bond Proceeds. (Councilor Uhlenhake)
15. (2017-A120) ORDER, Authorizing Issuance of the City's General Obligation Bonds to Finance the City's FY2018 Capital Improvement Plan and a Tax Levy Therefor. (Councilor Ferris)
16. (2017-A121) ORDER, Authorize Acceptance of Safety Grant Funds. (Councilor Vachon)
17. (2017-A122) ORDER, Authorize Appropriation of Funds Related to Code Enforcement Actions. (Councilor Goss)
18. (2017-A123) ORDER, Authorize the Disposal of the House at 7 Hardy Street at the Brewer Construction Demolition Debris Landfill. (Councilor Uhlenhake)
19. (2017-B019) RESOLVE, Approve State of Maine Class I-A (Hotel, Food Optional) Liquor License to MHMHP, Inc. d/b/a Vacationland Inn & Conf. Center, 453 Wilson Street, Brewer, Maine. (Councilor Ferris)
20. (2017-B020) RESOLVE, Ratify the Brewer Police Department Command Officers Collective Bargaining Contract. (Councilor Vachon)
21. (2017-B021) RESOLVE, Ratify the Brewer Police Department Patrol Collective Bargaining Contract. (Councilor Goss)
22. (2017-B021A) RESOLVE, Ratify the Brewer Fire Fighters Collective Bargaining Agreement. (Councilor Ferris)

D. Monthly Reports. (Councilor Uhlenhake)

E. Nominations, Appointments, Elections.

1. Consent Calendar.
 - a. (2017-A124) ORDER, Reappoint Animal Control Officer and Appoint Alternate Animal Control Officer. (Councilor Uhlenhake)
 - b. (2017-A125) ORDER, Reappoint Stewart Brooks as Health Officer of the City of Brewer. (Councilor Ferris)
 - c. (2017-A126) ORDER, Appoint Ronda J. Hogan as City Clerk and Registrar of Voters of the City of Brewer. (Councilor Vachon)
 - d. (2017-B022) RESOLVE, Declare Results of the June 13, 2017 City of Brewer School Budget Approval Election and State of Maine Referendum Election. (Councilor Goss)

F. Unfinished Business.

1. (2017-C010) Amend Chapter 22, Entitled "Solid Waste & Recycling Ordinance" of the City of Brewer Charter, Codes and Ordinances by Complete Substitution of the Ordinance. (Councilor Goss) (posted 5/10/17)(tabled 6/6/17)

G. New Business.

1. (2017-C012) Amend Chapter 31, Entitled "Sewer and Pre-Treatment Ordinance", Article 12, Schedule of Sewer Rates, Section 1200 of the Charter, Codes and Ordinances of the City of Brewer. (Councilor Uhlenhake)
2. (2017-A127) ORDER, Refer A Proposed Amendment to Chapter 24, Land Use Code, Article 3, Zoning Districts, Section 306.3, Uses Substantially Similar to Permitted Uses, Item 3, Prohibited Uses, Pursuant to Chapter 24, Article 1, Section 108.1 of the City of Brewer Charter, Codes and Ordinances to the City of Brewer Planning Board for a Hearing and Recommendation Prior to the City Council's Regular Meeting on September 12, 2017. (Councilor Vachon)
3. (2017-B023) RESOLVE, Reconsideration of the Resolve 2017-B013 Approve City and School Budgets Appropriation for Fiscal Year 2018. (Councilor Goss)
4. (2017-B024) RESOLVE, Reconsideration of the Resolve 2017-B014 Approve School Budget Appropriation for Fiscal Year 2018. (Councilor Uhlenhake)

H. New Items with Leave of Council.

I. ADJOURN.

A. Minutes of May 31, 2017 Special Meeting, June 6, 2017 Regular Meeting and June 26, 2017 Special 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.

2017-B018

July 25, 2017

TITLE: RESOLVE, RECOGNIZE COMPANIES AND VOLUNTEERS FOR THEIR CONTRIBUTIONS TO THE 2017 STREAM CLEANUP PROGRAM.

filed July 19, 2017
by Beverly Uhlenhake

WHEREAS, the City of Brewer held its 13th Annual Stream Cleanup Event on May 6, 2017; and

WHEREAS, the City's Stream Cleanup Committee, with the help of 104 volunteers from all over the State, conducted a very successful stream cleanup program resulting in over 1.7 tons of trash being collected and disposed of at PERC and recycled at the Brewer Landfill; and

WHEREAS, the stream cleanup program was completed at no cost to the Brewer taxpayer as a result of donations of valuable time, supplies and funds from local businesses and volunteers;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council herewith recognizes and commends the Stream Cleanup Committee, the volunteers and all the local businesses that contributed to the phenomenal success of the 2017 stream cleanup program.

Donations

Dunkin Donuts
Somic America
Jeff's Catering
Olver Associates
NES/NIS
Clisham Construction
Corey's Recycling
Mason's Brewery
Machias Savings Bank
Brewer Federal Credit Union
Tim Hortons
CES
Cyr Bus

Volunteers

Boy Scout Troop 11
Boy Scout Troop 1
Girl Scout Troop 911
Cub Scout Pack 44
Girl Scout Troop 2453
Girl Scout Troop 719
Bart Currie and Family
Geocaching of Maine
Ellen Fisher
4H Ropes and Rhinestones
Kevin O'Connell
Grace Brochu
Tim Brochu

Geaghan's Bros. Brewery
Tiller and Rye
Hannaford
Nichols Plumbing
Cianbro

Penobscot Job Corps
Karen Fussell and Family
CES
Gabby Cyr
Kyle Hogan
Machias Savings Bank (June 5, 2017)
Brewer Fire Department
Brewer Parks and Rec Department
Brewer Public Works
Brewer Environmental Department

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

Councilor Uhlenhake read the resolve into the record and commended the stream cleanup team for their successful program.

Director of Environmental Services Ken Locke said that the cleanup has been successful year after year because they always have the full support of the Brewer administration and most of the same volunteers and donors. He also wanted to recognize the members of the stream cleanup committee: Frank Higgins, Linda Johns, Lou Colburn, Tracy Drew, Bart Currie, Jeremy Caron, David Cote, Amy Cyr, Morgan Small and DJ Hart.

The resolve was adopted by unanimous vote.

Presentation: Application for Federal Funding from the United States Department of Agriculture Rural Development.

CITY OF BREWER PUBLIC NOTICE

Notice is hereby given that the City of Brewer will hold an informational meeting on Tuesday, July 25, 2017 at 6:00 p.m. in the Council Chambers at Brewer City Hall, 80 No. Main Street, Brewer, Maine to discuss intentions to file an application for federal funding from the United States Department of Agriculture Rural Development. The purpose of the application is to finance the wastewater treatment facility and sewer system improvements.

Any interested person may attend this informational meeting and speak on this matter. Written comments may also be submitted. The deadline for submission of written comments is 9:00 a.m. on the date of the meeting. Written comments should be addressed to City Clerk, 80 North Main Street, Brewer, Maine 04412.

Pamela J. Ryan
City Clerk

published July 13, 2017
in the Bangor Daily News

Director of Environmental Services Ken Locke said that the City would file an application for federal funding to finance four projects for the wastewater treatment facility and sewer system improvements. Projects will be done starting 2019 through 2024 involving capital improvement program.

Councilor Ferris asked if the City would have to pay back the funds. Mr. Locke said yes they would but the City is most likely also eligible for grant money too.

PUBLIC COMMENTS.

Councilor Uhlenhake introduced Isse from Djibouti who has been attending the Washington Mendella Fellows program at the University of Maine for the last six weeks.

Recess for Public Hearing.

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

The public hearing was called to order by Chairman O'Connell.

The city clerk called the roll:

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

Chairman O'Connell declared all members were present.

Chairman O'Connell 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 Tuesday, the 25th day of July, 2017 at 6:00 p.m. in the Council Chambers at Brewer City Hall to consider the application of:

1. MHMHP, Inc. d/b/a Vacationland Inn & Conf. Center, 453 Wilson Street, Brewer, Maine for a State of Maine Class I-A (Hotel, Food Optional) 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.

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 4:00 p.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

published July 17, 18 and 19, 2017
in the Bangor Daily News

Chairman O'Connell asked the City Clerk if any written comments had been received for the public hearing. The City Clerk did not receive any written comments pertaining to the public hearing and all of the City Inspectors approved the issuance of this license.

Councilor Ferris made a motion to have the inspection approval reports be placed on file and become part of the record. The motion was seconded and passed by unanimous vote.

Chairman O'Connell adjourned the public hearing. (6:19)

The City Clerk called the roll and all members of the council was present.

Chairman O'Connell said the regular meeting would resume at this time.

C. Consent Calendar.

ACTION: Councilor Ferris removed order 2017-A114 from the consent calendar.

Councilor Vachon moved that the rest of the orders on the consent calendar have passage and the resolves be adopted.

The motion was seconded and passed by unanimous vote.

2017-A106

July 25, 2017

TITLE: ORDER, ISSUE RELEASE DEED TO JEFF BRAWN AND LANCE PINKHAM FOR PROPERTY LOCATED AT 34 JEFFERSON STREET (TAX MAP 35, LOT 93).

filed July 19, 2017
by Matthew Vachon

ORDERED, that a municipal release deed be issued to Jeff Brawn and Lance Pinkham for property located at 34 Jefferson Street releasing to them all rights, title and interest the City of Brewer may have acquired in the property located on 34 Jefferson Street (City Tax Map 35, Lot 93) by virtue of City of Brewer tax or sewer liens recorded in the Penobscot County Registry of Deeds in the following volumes and pages:

Volume	Page	Volume	Page
11855	305	12168	331
12506	201	12848	33
13228	100	13569	111
12408	56	12584	227
12747	127	12932	130
13119	242	13339	1
13490	4	13635	344
14307	172		

AND FURTHER ORDERED, that the City Manager, or his designee, is herewith authorized to execute the said municipal release deed on behalf of the City of Brewer, Maine.

NOTE: A total of \$23,511.39 in principal was collected, along with \$3473.96 in interest and \$920.75 in costs.

STATEMENT OF FACT

This order authorizes the City Manager to release all legal claims the City has to the property and returns it back to the owner(s).

2017-A107

July 25, 2017

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

filed July 19, 2017
by Jerry Goss

WHEREAS, the Brewer Public Library has received a contribution of \$25.00 from Clare Payne, and a contribution of \$50.00 from Paradis Shop'n Save in Brewer to supplement and support the purchase of new books for the City of Brewer Public Library; and

WHEREAS, it is the recommendation and request of the Library Director and the donors that these contributions be appropriated and expended as requested by the donors; and

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts these generous contributions totaling \$75.00 and authorizes their deposit in 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 to support the purchase of new books.

2017-A108

July 25, 2017

TITLE: ORDER, ACCEPT DONATIONS OF BOOKS AND MATERIALS TO THE BREWER PUBLIC LIBRARY AND AUTHORIZE THE SALE OF SURPLUS BOOKS AND MATERIALS.

filed July 19, 2017
by Beverly Uhlenhake

WHEREAS, from time to time the Brewer Public Library receives donations of books and materials; and

WHEREAS, some of the books and materials received are ones the Library already has or does not need; and

WHEREAS, from time to time the Library reviews its collection and retires books that are no longer in use; and

WHEREAS, the Library would like to offer such unneeded books and materials to the public in exchange for a donation to the Library;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts the donations of books and materials it may receive throughout the year; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the Library Director to identify throughout the year books and materials that are unneeded and Council declares such items to be surplus and further authorizes the Library to offer the items to the public in exchange for a donation to the Library; and

FURTHER ORDERED, that the Council hereby directs that these proceeds be deposited in revenue account 0107204-300410 (Library Sale of Assets) and that these proceeds be appropriated for expenditure from expense account 0117201-502750 (Books) for the purpose of replenishing Library inventory with more current and requested items.

NOTE: This is an annual order.

STATEMENT OF FACT

This annual order anticipates the sale of surplus books and materials throughout the year and authorizes the use of the sale proceeds to fund the purchase of new books.

2017-A109

July 25, 2017

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

filed July 19, 2017
by Joseph Ferris

WHEREAS, the Brewer Public Library has received a contribution of \$232.98 from the Brewer Public Library Association to supplement and support the purchase of new DVDs for the City of Brewer Public Library; and

WHEREAS, it is the recommendation and request of the Library Director that this donation be appropriated and expended as requested by the donor;

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts this contribution totaling \$232.98 and authorizes its deposit into account 0107204-300420 (Library Contributions/Donations) and expenditure from account 0117201-502770 (Library Non-Print Materials).

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 a contribution to the City of Brewer Public Library, and authorizes the expenditure of this contribution to support the purchase of new DVDs.

2017-A110

July 25, 2017

TITLE: ORDER, APPROVAL FOR THE PURCHASE OF A NEW GRINDER
FOR THE WATER POLLUTION CONTROL FACILITY.

filed July 19, 2017
by Matthew Vachon

WHEREAS, the grinder, was installed during an upgrade at the Facility in 1996; and

WHEREAS, the grinder works in a very harsh environment, has been repaired several times, and is well past its useful life; and

WHEREAS, the grinder is a necessary piece of equipment which prevents debris from plugging and damaging three primary sludge piston pumps; and

WHEREAS, bids were not solicited for this grinder, as Franklin Miller, Inc. is the sole source for purchase to replace the existing grinder with the same Franklin Miller grinder;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order with Franklin Miller, Inc. in the amount of \$17,575.00 for the purchase of a Franklin Miller Taskmaster Grinder, Model TM851206; and

BE IT FURTHER ORDERED, that the cost of this purchase shall be charged to account number 0817702-503200, Reserve Machinery and Equipment; 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 contractor services for this project.

STATEMENT OF FACT

This piece of equipment is 21 years old, a major maintenance issue, is past its useful life and needs to be replaced.

2017-A111

July 25, 2017

TITLE: ORDER, AUTHORIZE THE PURCHASE OF TWO REPLACEMENT VEHICLES FOR THE BREWER POLICE DEPARTMENT.

filed July 19, 2017
by Jerry Goss

WHEREAS, the FY18 approved Capital Improvement Program included funding for replacement of two Police vehicles: one vehicle for primary patrol use and one vehicle for unmarked police use; and

WHEREAS, bids were solicited for two new vehicles to be placed in service and the best option bids were received from Darling's Ford in Bangor; and

WHEREAS, these vehicles are currently in stock and available for purchase from Darling's Ford eliminating the normal twelve week ordering and delivery estimated time from the other vendors; and

WHEREAS, the bids consisted of one 2017 Utility Police Interceptor Sport AWD with a lighting and siren package, at a cost of \$29,932, with a trade in allowance for a 2012 Chevy Tahoe valued at \$5,558, for a total purchase price for the new patrol vehicle of \$24,374; and a 2017 Ford Explorer, at a cost of \$32,180, with a trade in allowance for a 2007 Chevy Trailblazer at \$4,500, for a total purchase price of \$27,680 for the new unmarked police vehicle; and

WHEREAS, the bid prices do not include the cost to equip the vehicles;

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby authorizes the City Manager or his designee to sign a purchase order with Darling's Ford of Bangor for the amount of its bid price and authorizes the appropriation and expenditure of this amount from capital account 0510132-511200 (Police Vehicles), and capital account 0510132-511205 (Police Vehicles – Other) to fund the purchase of the vehicles described above; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure from CIP account 0510132-511200 (Police Vehicles) the funding necessary to cover the cost of painting and equipping the patrol vehicle (estimated to be approximately \$15,250), and from CIP account 0510132-511205 (Police Vehicles – Other) the funding necessary to cover the cost of equipping the unmarked vehicle (estimated to be approximately \$2,150.33). However, such expenditures shall not exceed funding available as approved in the FY18 CIP; and

FURTHER ORDERED, the City Council hereby declares the Police Department's Police Department's 2012 Chevy Tahoe Police Pursuit Vehicle (VIN 1GNLC2E08CR175628) and the 2007 Chevy Trailblazer Unmarked Police Vehicle (VIN# 1GNLDT13S272301841) surplus and authorizes the City Manager or his designee to dispose of the vehicle by allowing for trade in to offset the purchase price of the new Police vehicles; 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 supplies for this project.

STATEMENT OF FACT

Bids for the patrol vehicle were solicited from four vendors: Darlings Ford (\$24,374 w/ trade in); Quirk Auto Group (\$27,479 w/trade in); Yankee Ford (\$28,308 w/ trade in); and Stoneham Ford (\$38,766). Bids consisted of vehicles that needed to be ordered and manufactured with an estimated twelve week delivery time, and vehicles that were currently in stock. Police Interceptor Utility Vehicles that needed to be manufactured had specifications that did not include the lights and siren package, a \$3,415 value, that Darling's Ford and Quirk Auto Group had in stock.

Bids for the unmarked police vehicle were solicited from three vendors: Darlings Ford (\$27,680 w/ trade in); Quirk Auto Group (\$31,845 w/trade in); and Varney Ford (\$32,567 w/ trade in). Bids consisted of vehicles that needed to be ordered and manufactured with an estimated twelve to fourteen week delivery time, and vehicles that were currently in stock.

2017-A112

July 25, 2017

TITLE: ORDER, ACCEPT GRANT FROM THE EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)
FOR THE BREWER POLICE DEPARTMENT.

filed July 19, 2017
by Joseph Ferris

WHEREAS, the Brewer Police Department has been awarded a grant from the Edward Byrne Memorial Justice Assistance Grant (JAG) as part of the Penobscot County Local Direct Award for 2017; and

WHEREAS, the Brewer Police Department will use the approved \$2480.00 in federal funds to purchase less lethal launchers, training materials and impact rounds; and

WHEREAS, the Brewer Police Department will train all patrol officers in the use of the less lethal equipment;

NOW, THEREFORE, BE IT ORDERED, that these funds be deposited into the FY17 Byrne/Jag Lethal L&P Revenue Account 0600058-360000-58042 and expenditures be hereby authorized from the FY17 Byrne/Jag Lethal L&P Expense Account 0600058-560000-58042.

STATEMENT OF FACT

The Brewer Police Department received an award of \$2480.00 from the Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase less lethal launchers, training materials, and impact rounds. Once the items have been purchased, all patrol officers will be trained in their use and the launchers will be carried in patrol vehicles. Less-lethal technologies give police an alternative to using other physical force options that potentially are more dangerous to officers and suspects

2017-A113

July 25, 2017

TITLE: ORDER, DECLARE CITY PROPERTY SURPLUS AND AUTHORIZE SALE OR DISPOSAL OF SURPLUS PROPERTY.

filed July 19, 2017
by Matthew Vachon

WHEREAS, property belonging to the City of Brewer has been identified as being no longer useful to the City;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council declares the following Water Department equipment as surplus: 4.5x7ft American shoring trench box, and one Wachs Travl Vac 300; and

BE IT FURTHER ORDERED, that the City Manager, or his designee, is authorized to sell, recycle or dispose of all equipment 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 capital reserve account (070000-110805).

STATEMENT OF FACT

This order allows the sale or disposal of equipment which is no longer used or needed and allocates the proceeds to future capital replacement.

2017-A114

July 25, 2017

TITLE: ORDER, AWARD CONTRACT FOR THE DESIGN AND REPLACEMENT OF THE CITY'S STREET LIGHTING SYSTEM.

filed July 19, 2017
by Jerry Goss

WHEREAS, proposals were solicited, received and evaluated to inventory and replace the city's existing street lighting system with new LED fixtures; and

WHEREAS, the proposal review committee consisting of the City Engineer, Assistant City Engineer, Finance Director, City Planner and Water Department Director chose Tanko Streetlighting, Inc. of San Francisco, CA as the preferred contractor for this project based on the review criteria stipulated in the RFP; and

WHEREAS, the City Council approved the FY 2018 CIP with a project for LED Street Lights funded at \$450,000.00;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith authorizes the City Manager, or his designee, to execute a contract with Tanko Streetlighting, Inc. of San Francisco, CA in an amount not to exceed \$400,000.00 for the replacement of the City's street lighting system under such terms and conditions as he or she believes to be in the best interests of the citizens of the City of Brewer; and

BE IT FURTHER ORDERED, that all costs associated with this project shall be charged to CIP account 0510113-551308 (Street Light Acquisition & LED Conversion); 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 supplies for this project.

STATEMENT OF FACT

This order awards a contract for the inventory, design and replacement of the city's street lighting system. The existing high pressure sodium system is currently owned by Emera and rented to the city on a monthly, per fixture basis. Before the installation phase of this contract begins, the city will negotiate the purchase of the existing fixtures from Emera Maine based on buyout provisions which are expected to be approved by the PUC later this summer. A separate Council order will be prepared for this Emera buyout once the final costs have been identified.

ACTION: Councilor Ferris move that the order have passage. The motion was seconded.

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Councilor Ferris asked City Engineer Frank Higgins to explain the street lighting project.

City Engineer Frank Higgins said this was a project to design and replace fixtures and replace lights with LED bulbs for Brewer's street lights. Emera will still own the poles and wires – the City will own the arm and fixture on the pole.

By replacing the bulbs with LED lighting the City could save thousands of dollars a month . There are still several questions to be determined by PUC such installation of fuses, contractor training and establishing fair market value for fixtures.

Chairman O'Connell said he would not vote on this order.

The order was passed by a 4 to 0 vote (Chairman O'Connell abstained).

2017-A115

July 25, 2017

TITLE: ORDER, AUTHORIZE EXPENDITURE FOR TEMPERATURE CONTROL UPGRADE FOR THE BREWER AUDITORIUM.

filed July 19, 2017
by Beverly Uhlenhake

WHEREAS, the operating system for the heating controls at the Brewer Auditorium needs to be upgraded; and

WHEREAS, the current controller at the facility is no longer supported or manufactured by the factory; and

WHEREAS, the new system will not be reliant upon JAVA, when the industry stops supporting the JAVA protocol; and

WHEREAS, this upgrade will also include the replacement of the field controllers along with existing space sensors and will be integrated into the new system; and

WHEREAS, this upgrade is budgeted in the FY 2018 CIP;

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby authorizes the expenditure of \$17,200.00 to fund the system upgrades listed above to be executed by Maine Controls, Inc.; and

BE IT FURTHER ORDERED, that the costs for this project shall be charged to the CIP account 0510134-551433 (Auditorium Heating Software); 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 supplies and contractor services for this project.

STATEMENT OF FACT

The Director of Parks & Recreation sent requests to two other firms and received no response. This system upgrade is necessary in order for staff to control gym heating levels and times along with other room controls.

2017-A116

July 25, 2017

TITLE: ORDER, ACCEPT PERMANENT EASEMENT FOR A NEW
SIDEWALK ON PARKWAY SOUTH.

filed July 19, 2017
by Joseph Ferris

WHEREAS, residents of the Brewer Rehabilitation and Living Center located at 74 Parkway South often walk along Dirigo Drive for routine exercise; and

WHEREAS, these pedestrians must cross Parkway South twice to access Dirigo Drive because there is no sidewalk on the southerly side of Parkway South; and

WHEREAS, the owners of Eastern Maine Emergency Veterinary Clinic have agreed to grant the City of Brewer a permanent Slope and Grading Easement which is required to construct a new sidewalk along Parkway South adjacent to their property;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith accepts a 10' wide by 103' long Permanent Slope and Grading Easement adjacent to the southerly side of Parkway South along the northerly side of the property owned by the Eastern Maine Emergency Veterinary Clinic, Brewer Tax Map 13, Lot 29; and

BE IT FURTHER ORDERED, that the Public Works Department is authorized to construct a new sidewalk along the southerly side of Parkway South between the Brewer Rehabilitation Center and Dirigo Drive and to charge the costs thereof to the General Road Construction CIP budget.

STATEMENT OF FACT

This order accepts a Permanent Easement for the construction of a short sidewalk on Parkway South which will connect the Brewer Rehab facility to the sidewalk on Dirigo Drive.

2017-A117

July 25, 2017

TITLE: ORDER, AUTHORIZE APPROPRIATION OF FUNDS FOR THE
WATER ENTERPRISE ACCOUNT WELLNESS PROGRAM.

filed July 19, 2017
by Matthew Vachon

WHEREAS, the Water Department anticipates small quantities of scrap metal from various construction projects in FY16 which will result in new revenues; and

WHEREAS, the Water Department will dedicate all proceeds from the sale of scrap metal to fund and support a water wellness program;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith declares such scrap metal surplus, authorizes the sale of the surplus property and the receipt of the proceeds in account 0670001-300410 (Water Wellness Sale of Assets) and authorizes the appropriation and expenditure of funds received from recycling scrap metal in FY16, from account 0670001-500844 (Water Wellness Expense) to support the water wellness program which shall be funded by the proceeds from the sale of such surplus city property.

NOTE: This is an annual order.

STATEMENT OF FACT

This annual order anticipates collection of small amounts of scrap metal from various water construction projects throughout the year and authorizes their sale. The proceeds are deposited into the Water Wellness account and used to support employee wellness purchases.

2017-A118

July 25, 2017

TITLE: ORDER, AUTHORIZE APPROPRIATION OF FUNDS FOR THE
SEWER ENTERPRISE ACCOUNT WELLNESS PROGRAM.

filed July 19, 2017
by Jerry Goss

WHEREAS, the Sewer Department anticipates small quantities of scrap metal from various construction projects in FY16 which will result in new revenues; and

WHEREAS, the Sewer Department will dedicate all proceeds from the sale of scrap metal to fund and support a sewer wellness program;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith declares such scrap metal surplus, authorizes the sale of the surplus property and the receipt of the proceeds in 0680001-300410 (Sewer Wellness Sale of Assets) and authorizes the appropriation and expenditure of funds received from recycling scrap metal in FY16, from account 0680001-500844 (Sewer Wellness Expense) to support the sewer wellness program which shall be funded by the proceeds from the sale of such surplus city property.

NOTE: This is an annual order.

STATEMENT OF FACT

This annual order anticipates collection of small amounts of scrap metal from various sewer construction projects throughout the year and authorizes their sale. The proceeds are deposited into the Sewer Wellness account and used to support employee wellness purchases.

2017-A119

July 25, 2017

TITLE: ORDER, AUTHORIZE REALLOCATION OF EXCESS BOND PROCEEDS.

filed July 19, 2017
 by Beverly Uhlenhake

WHEREAS, the FY18 CIP as approved anticipated \$1,803,000 in bond financing and \$302,200 in previously approved capital funds reallocated from completed projects; and

WHEREAS, \$30,879.00 of the surplus proceeds to be reallocated to support the FY18 CIP come from older City of Brewer general obligations bonds and notes (the “Prior Obligations”) previously issued for certain municipal purposes (the “Prior Projects”) that require subsequent vote by the City Council to reallocate and are as follows:

ORIGINAL ORDER #	ORIGINAL ISSUE AND ISSUE DATE	PRIOR PROJECTS	EXCESS PROCEEDS
JUL12-A154	FY13 CIP - 5/23/13	School Bldg Remed & Demolition	27,092
JUL12-A154	FY13 CIP - 5/23/13	S Main Paving--City 10% Share	3,787
		TOTAL	30,879

City Council Minutes
July 25, 2017

WHEREAS, the City of Brewer now desires to reallocate the above excess proceeds of such Prior Obligations (the “Excess Proceeds”) to other municipal purposes (the “New Projects”) approved by the Brewer City Council as follows:

ACCOUNT NUMBER	NEW PROJECTS	REALLOCATED PROCEEDS
0510133-551__	LED STREET LIGHTS	27,092
0510104-551446	School Bldg Remed & Demolition	
0510120-551001	CITY HALL INFRASTRUCTURE	3,251
0510113-551392	S Main Paving--City 10% Share	
0510124-551427	AUDITORIUM BUILDING IMPRVMTS	537
0510113-551392	S Main Paving--City 10% Share	
TOTAL		30,879

WHEREAS, the City has Prior Projects that finished with expenditures slightly over available funding and it wishes to reallocate to these projects Excess Proceeds from the following Prior Obligations and Projects:

ORIGINAL ORDER #	ORIG ISSUE AND ISSUE DATE	PRIOR PROJECTS	EXCESS PROCEEDS
JUL14-A106	FY15 CIP – 5/28/15	GIS Updates	3,500
JUL15-A138	FY16 CIP - 5/26/16	Bond Financing Costs	1,384
JUL16-A122	FY17 CIP – 11/3/16	Police Radio Repeater	2,555
JUL15-A138	FY16 CIP - 5/26/16	Culvert Replace--Wiswell Rd	6,618
JUL16-A122	FY17 CIP – 11/3/16	STERLING PLOW/ SANDER #437	4,637
JUL14-A106	FY15 CIP – 5/28/15	72" Riding Mower	645
JUL16-A122	FY17 CIP – 11/3/16	UTILITY VEHICLE_ATHLETIC FIELDS	89
TOTAL			19,428

City Council Minutes
July 25, 2017

WHEREAS, the City of Brewer now desires to reallocate the above excess proceeds to the following Prior Projects that had expenditures slightly over available funding:

ACCOUNT NUMBER	PRIOR PROJECTS	REALLOCATED PROCEEDS
0510140-551025	City-wide Revaluation	4,884
0510130-551028	GIS Updates	
0510140-551000	Bond Financing Costs	
0510132-551226	Fire Extractor and Dryer	2,555
0510132-551222	Police Radio Repeater	
0510113-551344	Drainage--184 Greenpoint Rd	6,618
0510113-551343	Culvert Replace--Wiswell Rd	
0510133-551620	#415 FORD F350 1T DUMP	4,637
0510133-551621	STERLING PLOW/ SANDER #437	
0510134-551429	72" Riding Mower 1145	734
0510134-551413	72" Riding Mower	
0510134-551453	UTILITY VEHICLE_ATHLETIC FIELDS	
TOTAL		19,428

NOW, THEREFORE, BY THE CITY COUNCIL OF THE CITY OF BREWER, BE IT HEREBY ORDERED:

THAT the Original Orders be and hereby are amended to provide that the purpose for which the Prior Obligations were authorized and issued be and hereby is amended to include the New Projects indicated above; and

2017-A119, Page 3

THAT the Excess Proceeds be and hereby are allocated and appropriated to fund the costs of the above-listed New and Prior Projects; and

THAT, if the amount of Excess Proceeds needed to complete any New Project listed above differs from the amount listed above, the City Treasurer/ Finance Director is authorized, in her discretion, to further reallocate proceeds to any of the other listed New Projects or to any Prior Project.

STATEMENT OF FACT

This order supports IRS tax exempt bond post issuance compliance requirements by reallocating various surplus capital project funding to other capital projects already approved by the City Council.

2017-A120

July 25, 2017

TITLE: ORDER, AUTHORIZING ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS TO FINANCE THE CITY'S FY2018 CAPITAL IMPROVEMENT PLAN AND A TAX LEVY THEREFOR.

filed July 19, 2017
by Joseph Ferris

BY THE CITY COUNCIL OF THE CITY OF BREWER, BE IT HEREBY ORDERED:

THAT the City Treasurer/ Finance Director be and hereby is authorized, in the name of and on behalf of the City, to borrow up to One Million Eighty Three Thousand Dollars (\$1,083,000) to finance costs related to the City's FY2018 Capital Improvement Plan as more specifically listed on Attachment A hereto (the "Projects").

THAT pursuant to 30-A M.R.S.A. §5772 and all other authority thereto enabling, to evidence such borrowing, there is hereby authorized the issue and sale of the City's general obligation bonds at one time and from time to time in an amount not to exceed One Million Eighty Three Thousand Dollars (\$1,083,000) aggregate principal amount, the proceeds of which, including premium, if any, and investment earnings thereon, may be used and are hereby appropriated to pay the costs of the Projects.

THAT pursuant to 30-A M.R.S.A. §5772, Article VI, Section 7 of the City Charter and any other authority thereto enabling, the City Treasurer/ Finance Director is hereby authorized to issue temporary notes of the City in anticipation of the forgoing bond issue.

THAT said bonds and notes shall be signed by the City Treasurer/ Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk.

THAT any issue of bonds may be consolidated with and issued at the same time as any other issue of bonds authorized prior to their issuance, and the bonds may be divided into multiple series and issued in separate plans of financing.

THAT the bonds hereby authorized may be made subject to call for redemption, with or without a premium, before the date fixed for final payment of the bonds, as provided in 30-A M.R.S.A. §5772(6), as amended, as shall be determined by the City Treasurer/ Finance Director.

THAT the City Treasurer/ Finance Director shall determine the form, date(s), maturities (not to exceed the maximum term permitted by law), denominations, interest rate or rates, place of payment, and other details of said bonds and notes, including the timing and provision for their sale and award, her approval to be conclusively evidenced by the execution thereof.

THAT in each of the years during which any of the bonds are outstanding, there shall be levied a tax in an amount that, with other revenues, if any, available for that purpose, shall be sufficient to pay the interest on said bonds, payable in such year, and the principal of such bonds maturing in such year.

THAT the bonds and notes shall be transferable only on the registration books of the City kept by the transfer agent, and said principal amount of the bonds and notes of the same maturity (but not of other maturity), upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the transfer agent duly executed by the registered owner or his or her attorney duly authorized in writing.

THAT the City Treasurer/ Finance Director and Chair of the City Council from time to time shall execute such bonds or notes as may be required to provide for exchanges or transfers of bonds or notes as heretofore authorized, all such bonds or notes to bear the original signature of the City Treasurer/ Finance Director and Chair of the City Council, and in case any officer of the City whose signature appears on any bond or note shall cease to be such officer before the delivery of said bond or note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery thereof.

THAT upon each exchange or transfer of bonds or notes, the City and transfer agent shall make a charge sufficient to cover any tax, fee, or other governmental charge required to be paid with respect to such transfer or exchange, and subsequent to the first exchange or transfer, the cost of which shall be borne by the City, the cost of preparing new bonds or notes upon exchanges or transfers thereof shall be paid by the person requesting the same.

THAT in lieu of physical certificates of the bonds and notes hereinbefore authorized, the City Treasurer/ Finance Director be and hereby is authorized to undertake all acts necessary to provide for the issuance and transfer of such bonds and notes in book-entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to the provisions of the foregoing paragraphs regarding physical transfer of bonds, and the City Treasurer/ Finance Director be and hereby is authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in her opinion, appropriate in order to qualify the bonds or notes for and participate in the Depository Trust Company Book-Entry Only System.

THAT the City Treasurer/ Finance Director be and hereby is authorized and directed to covenant and certify in the name of and on behalf of the City that no part of the proceeds of the issue and sale of the bonds or notes authorized to be issued hereunder shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such bonds or notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148 of the Internal Revenue Code of 1986, as amended (the "Code").

THAT the City Treasurer/ Finance Director be and hereby is authorized to covenant and agree, in the name of and on behalf of the City, for the benefit of the holders of such bonds or notes, that the City will file any required reports and take any other action that may be necessary to ensure that interest on the bonds or notes will remain exempt from federal income taxation and that the City will refrain from any action that would cause interest on the bonds or notes to be subject to federal income taxation.

THAT the City Treasurer/ Finance Director be and hereby is authorized and empowered to take all such action as may be necessary to designate the bonds or notes as qualified tax-exempt obligations for purposes of Section 265(b) of the Code; it being the City Council's intention that, to the extent permitted under the Code, the bonds or notes be Section 265(b) designated and that the City Treasurer/ Finance Director with advice of bond counsel, make the required Section 265(b) election with respect to such bonds to the extent that the election may be available and advisable as determined by the City Treasurer/ Finance Director.

THAT the City Treasurer/ Finance Director be and hereby is authorized to covenant, certify, and agree, in the name of and on behalf of the City, for the benefit of the holders of such bonds or notes, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the disclosure requirements imposed by Rule 15c2 12 of the Securities and Exchange Commission, if applicable, are met.

THAT the term "cost" or "costs" as used herein and applied to the Projects, or any portion thereof, includes, but is not limited to: (1) the cost to design, construct, renovate, refurbish, improve, acquire, replace, furnish and equip the Projects; (1) the cost of land, easements and other real property interests, landscaping and site preparation, utility extensions, all appurtenances and other fixtures, facilities, buildings and structures either on, above, or under the ground which are used or usable in connection with the Projects; (3) the cost of feasibility studies, surveys, environmental studies and assessments, engineering, plans and specifications, legal and other professional services associated with the Projects; (4) issuance costs, including premiums for insurance, capitalized interest and other financing charges, fees and expenses relating to the financing transaction.

THAT the investment earnings on the proceeds of the bonds and notes, if any, and the excess proceeds of the bonds and notes (including premium), if any, be and hereby are appropriated for the following purposes, to be selected by the City Treasurer/ Finance Director:

1. To any costs of the Projects listed on Attachment A;
2. If the bonds or notes are issued on a tax exempt basis, in accordance with applicable terms and provisions of the Arbitrage and Use of Proceeds Certificate delivered in connection with the sale of the bonds or notes including, to the extent permitted thereunder, to the City's General Fund;
3. To pay debt service on the bonds or notes.

THAT if the actual cost of any Project differs from the estimated cost on Attachment A, whether due to completion, delay or abandonment of the Project for any other reason, the City Treasurer/ Finance Director is authorized, in her discretion to reallocate proceeds of the bonds or notes to any other listed Project or to any other project or improvement that the City Council has approved or may in the future approve as part of the City's annual capital improvement plan.

THAT the City Treasurer/ Finance Director, Chair of the City Council, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in in the name of and on behalf of the City to do or cause to be done all such acts and things, and to execute, deliver, such contracts, agreements, certificates, instruments and other documents as may be necessary or advisable, with the advice of counsel for the City, including but not limited to a bond purchase agreement, a preliminary official statement and official statement if the bonds or notes are underwritten in a public sale or a loan agreement with the Maine Municipal Bond Bank in usual and customary form, if the bonds or notes are issued to or through the Maine Municipal Bond Bank, to carry out the provisions of this Order in connection with the issuance of the bonds or notes, the issuance, execution, sale, and delivery by the City of the bonds and notes and the execution and delivery of the documents, as may be necessary or desirable.

THAT if the City Treasurer/ Finance Director, Chair of the City Council, or Clerk are for any reason unavailable to approve and execute the bonds or notes or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT if any of the officers or officials of the City who have signed or sealed the bonds or notes hereinbefore authorized shall cease to be such officers or officials before the bonds or notes so signed and sealed shall have been actually authenticated or delivered by the City, such bonds or notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds notes had not ceased to be such officer or official; and also any such bonds or notes may be signed and sealed in the name of and on behalf of the City by those persons who, at the actual date of the execution of such bonds or notes, shall be the proper officers and officials of the City, although at the nominal date of such bonds or notes any such person shall not have been such officer or official.

THAT if, following issuance of some but less than all of the bonds authorized hereby, the City Treasurer/ Finance Director determines, in her sole discretion, that the remaining authorized but unissued bonds will not be issued in furtherance of the Projects, then the City Treasurer/ Finance Director may so note on the financial books and records of the City, in the form and manner as she shall determine to be appropriate, that such authorized but unissued bonds will not be issued following which notation the remaining unissued bonds shall not thereafter be issued and the authority established pursuant to this Order to issue such remaining unissued bonds shall be extinguished and of no further force and effect.

THAT during the term any of the bonds are outstanding, the City Treasurer/ Finance Director is hereby authorized, in the name and in the name of and on behalf of the City, to issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 30 years from the date of issuance of the original bonds) and all other details of such refunding bonds, including the form and manner of their sale and award. The City Treasurer/ Finance Director is hereby further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the City Treasurer/ Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk.

Attachment A

FY2018 Capital Improvement Program

Building Renovations and Improvements	\$26,640
Infrastructure, Road Improvements, Paving & Construction	\$365,000
Vehicles & Equipment	\$691,360
Total	\$1,083,000

STATEMENT OF FACT

This order authorizes the issuance of up to \$1,083,000 in tax exempt bonds to finance the FY18 CIP approved by Council.

2017-A121

July 25, 2017

TITLE: ORDER, AUTHORIZE ACCEPTANCE OF SAFETY GRANT FUNDS.

filed July 19, 2017
by Matthew Vachon

WHEREAS, Brewer Water applied for and has been awarded a May 2017 safety grant to help with the purchase of trench box end panels; and

WHEREAS, trench box end panels or shoring are required for short trench excavations to protect personnel from cave-ins; and

WHEREAS, fixed in place end panels improve safety of crew during excavations and repairs from cave-ins as well as decreasing time necessary to install shoring.;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council authorizes the acceptance of the MMA safety Grant up to \$2000 to assist in the purchase of four trench box end panels which were approved in the FY18 CIP; and

BE IT FURTHER ORDERED, that these grant funds shall be deposited into account 057000-300893 (Water CIP Transfers In and appropriated for expenditure from account 0571003-573031 (Trench Box End Shields and Legs).

STATEMENT OF FACT

This order allows us to accept MMA Safety grant funds to offset the purchase of four end panels needed for our 6 ft. trench box costing \$7,520.00 plus shipping. The grant is for \$2,000.00 making our cash outlay \$5,520.00 plus shipping.

2017-A122

July 25, 2017

TITLE: ORDER, AUTHORIZE APPROPRIATION OF FUNDS RELATED TO CODE ENFORCEMENT ACTIONS.

filed July 19, 2017
by Jerry Goss

WHEREAS, the City has received \$20,000.00 from Ditech as payment for Code Enforcement violations related to the property located at 5 Burr Street; and

WHEREAS, the City plans to use these funds to cover costs associated with this enforcement effort including Legal, Code and Public Works costs as well as expenses to assess, demolish and dispose of the derelict barn/shed on this property;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith accepts the payment from Ditech and authorizes its deposit to account 0106003-300334 (Land Use Violations) and its appropriation and expenditure from the following accounts:

\$15,000.00 0116001-501040 (Code Contracted Services)
\$5,000.00 0115400-501000 (Legal)

STATEMENT OF FACT

This order accepts \$20,000.00 for the Code violations related to the property at 5 Burr Street and appropriates it to cover the costs associated with this enforcement effort, including cost to remove the barn/shed structure.

2017-A123

July 25, 2017

TITLE: ORDER, AUTHORIZE THE DISPOSAL OF THE HOUSE AT
7 HARDY STREET AT THE BREWER CONSTRUCTION
DEMOLITION DEBRIS LANDFILL.

filed July 19, 2017
by Beverly Uhlenhake

WHEREAS, Mason's Brewery owner Christopher Morley, agent for Brewer Long Term Investment Associates LLC, has purchased the property at 7 Hardy Street with plans to demolish the house and use the property to increase the size Mason's Brewery parking lot; and

WHEREAS, Mr. Morley, agent for Brewer Long Term Investment Associates LLC, is requesting authorization, with the consent of any lender, to dispose of the debris from demolition of the house at the Brewer Construction Demolition Debris Landfill; and

WHEREAS, supporting the expansion of parking at Mason's Brewery will further strengthen this business and reduce on street parking and circulating vehicles, thus serving economic development, public safety and neighborhood quality of life purposes; and

WHEREAS, the approximate volume of debris expected to be hauled to the landfill from the demolition project is 300 cubic yards; and

WHEREAS, Mr. Morley, agent for Brewer Long Term Investment Associates LLC, will be required to remove all universal waste, hazardous waste, metal and all other unacceptable waste from the house at 7 Hardy Street and then receive permission from the Environmental Department Director to demolish the building prior to the start of the project; and

WHEREAS, Mr. Morley, agent for Brewer Long Term Investment Associates LLC, has agreed to purchase a landfill permit and then pay a disposal fee, based on the schedule of fees in Chapter 22, Section 10.13.5 (Solid Waste and Recycling Ordinance); and

WHEREAS, Mr. Morley, agent for Brewer Long Term Investment Associates LLC, will need to contact the Public Works Director to schedule his demolition debris disposal, so the landfill can be properly manned during the project;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the disposal of the house at 7 Hardy Street at the Brewer Construction Demolition Debris Landfill; and

FURTHER, ORDERED, that the revenues generated from the disposal of the house be deposited in the Disposal Area User Fee account # 0106703-300319.

STATEMENT OF FACT

The Brewer Construction Demolition Debris Landfill has the available space to allow the disposal of the debris expected to be generated by this project. It will be the responsibility of staff to ensure all the requirements outlined in the Solid Waste and Recycle Ordinance are followed during this project.

2017-B019

July 25, 2017

TITLE: RESOLVE, APPROVE STATE OF MAINE CLASS I-A (HOTEL, FOOD OPTIONAL) LIQUOR LICENSE TO MHMHP, INC. D/B/A VACATIONLAND INN & CONF. CENTER, 453 WILSON STREET, BREWER, MAINE.

filed July 19, 2017
by Joseph Ferris

WHEREAS, MHMHP, Inc. d/b/a Vacationland Inn & Conf. Center, 453 Wilson Street has applied to the State of Maine, Bureau of Liquor Enforcement, for a Class I-A (Hotel, Food Optional) liquor license; and

WHEREAS, the Brewer City officials have reviewed this application and conducted 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 MHMHP, Inc. d/b/a Vacationland Inn & Conf. Center, 453 Wilson Street, for a State of Maine, Bureau of Liquor Enforcement, for a Class I-A Hotel, Food Optional) liquor license.

STATEMENT OF FACT

This resolve approves a new application for a State of Maine Liquor License to Vacationland Inn & Conf. Center.

2017-B020

July 25, 2017

TITLE: RESOLVE, RATIFY THE BREWER POLICE DEPARTMENT
COMMAND OFFICERS COLLECTIVE BARGAINING
CONTRACT.

filed July 19, 2017
by Matthew Vachon

WHEREAS, a collective bargaining agreement between the City of Brewer and the unit representing the command officers of the Brewer Police Department has recently been negotiated; and

WHEREAS, the negotiators for both sides have recommended that this collective bargaining agreement be ratified by their representative parties;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council herewith ratifies this agreement and authorizes the City Manager, or his designee, to execute the document on behalf of the City of Brewer; and

FURTHER RESOLVED, that the City Clerk file the City's copy of the original contracts in the City's record archives.

2017-B021

July 25, 2017

TITLE: RESOLVE, RATIFY THE BREWER POLICE DEPARTMENT
PATROL COLLECTIVE BARGAINING CONTRACT.

filed July 19, 2017
by Jerry Goss

WHEREAS, a collective bargaining agreement between the City of Brewer and the unit representing the employees of the patrol units has recently been negotiated; and

WHEREAS, the negotiators for both sides have recommended that this collective bargaining agreement be ratified by their representative parties;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council herewith ratifies this agreement and authorizes the City Manager, or his designee, to execute the document on behalf of the City of Brewer; and

FURTHER RESOLVED, that the City Clerk file the City's copy of the original contracts in the City's record archives.

2017-B021A

July 25, 2017

TITLE: RESOLVE, RATIFY THE BREWER FIREFIGHTERS
COLLECTIVE BARGAINING CONTRACT.

filed July 19, 2017
by Joseph Ferris

WHEREAS, a collective bargaining agreement between the City of Brewer and IAFF which represents Brewer Firefighters recently been negotiated; and

WHEREAS, the negotiators for both sides have recommended that this collective bargaining agreement be ratified by their representative parties;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council herewith ratifies this agreement and authorizes the City Manager, or his designee, to execute the document on behalf of the City of Brewer; and

FURTHER RESOLVED, that the City Clerk file the City's copy of the original agreement in the City's record archives.

D. Monthly Reports.

ACTION: Councilor Uhlenhake 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.

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

The motion was seconded and passed by unanimous vote.

2017-A124

July 25, 2017

TITLE: ORDER, REAPPOINT ANIMAL CONTROL OFFICER AND APPOINT ALTERNATE ANIMAL CONTROL OFFICER.

filed July 19, 2017
by Beverly Uhlenhake

ORDERED, that Daniel Joy of Bucksport, Maine is herewith reappointed as the City of Brewer's primary Animal Control Officer for a term commencing August 1, 2017 and expiring July 31, 2018; and

FURTHER ORDERED, that Michael Luce of Orrington, Maine is herewith appointed as the City of Brewer's alternate Animal Control Officer for a term commencing August 1, 2017 and expiring July 31, 2018.

2017-A125

July 25, 2017

TITLE: ORDER, REAPPOINT STEWART BROOKS AS HEALTH OFFICER OF THE CITY OF BREWER.

filed July 19, 2017
by Joseph Ferris

ORDERED, that Stewart Brooks is herewith reappointed as the Health Officer for the City of Brewer; and

FURTHER ORDERED, that this term began on June 7, 2017 and expires on June 7, 2020.

City Council Minutes
July 25, 2017

2017-A126

July 25, 2017

TITLE: ORDER, APPOINT RONDA J. HOGAN AS CITY CLERK AND REGISTRAR OF VOTERS OF THE CITY OF BREWER.

filed July 19, 2017
by Matthew Vachon

WHEREAS, Brewer City Clerk, Pamela J. Ryan, will retire from her positions as City Clerk and Registrar of Voters for the City of Brewer on July 31, 2017;

WHEREAS, the City Council needs to appoint a new City Clerk and Registrar of Voters to fill these vacancies;

NOW, THEREFORE, BE IT ORDERED, that Ronda J. Hogan is herewith appointed to the position of City Clerk and Registrar of Voters for the City of Brewer; and

FURTHER ORDERED, that the term commences for the City Clerk position effective as of August 1, 2017; and

FURTHER ORDERED, that the term for the Registrar of Voters commences on August 1, 2017 and expires on December 31, 2018.

2017-B022

July 25, 2017

TITLE: RESOLVE, DECLARE RESULTS OF THE JUNE 13, 2017 CITY OF BREWER SCHOOL BUDGET APPROVAL ELECTION AND STATE OF MAINE SPECIAL REFERENDUM ELECTION.

filed July 19, 2017
by Jerry Goss

WHEREAS, the City of Brewer School Budget Approval Election and State of Maine Special Referendum Election were held on June 13, 2017; and

WHEREAS, Brewer election officials tabulated the results for the vote in the City of Brewer and the City Clerk has verified these results;

NOW, THEREFORE, BE IT RESOLVED, that the City Council declares the results for the City of Brewer School Budget Approval Election and State of Maine Special Referendum Election as follows:

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F. Unfinished Business.

2017-C010 Amend Chapter 22, Entitled “Solid Waste & Recycling Ordinance” of the City of Brewer Charter, Codes and Ordinances by Complete Substitution of the Ordinance.

Councilor Goss moved that the proposed ordinance amendment be removed from the table. The motion was seconded and passed by unanimous vote.

Councilor Goss moved that the proposed ordinance amendment be amended by complete substitution of the ordinance. The motion was seconded and passed by unanimous vote.

The ordinance, as amended by complete substitution, was enacted by unanimous vote.

G. New Business.

2017-C012

July 25, 2017

TITLE: AMEND CHAPTER 31, ENTITLED SEWER AND PRE-TREATMENT ORDINANCE, ARTICLE 12 "SCHEDULE OF SEWER RATES", SECTION 1200 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER.

filed July 19, 2017
by Beverly Uhlenhake

Be it ordained by the City Council of the City of Brewer in City Council assembled that Chapter 31 of the Charter, Codes and Ordinances of the City of Brewer entitled "City of Brewer Sewer and Pre-Treatment Ordinance" be amended by changing Article 12, Section 1200 to read as follows:

ARTICLE 12 - SCHEDULE OF SEWER RATES

SECTION 1200. METER RATES

Rates based on water meter readings for the use of and for the services furnished, or to be furnished by the municipal sewer facility on property having water metered service, not including meters used exclusively for water not draining into sewers:

QUARTERLY

Effective beginning with and retroactive, the period covered by the September, ~~2016~~ 2017 billing, the following rates shall apply:

For the first 1,000 cu. ft. per quarter: ~~\$84.30~~ \$86.80 minimum charge for Residential customers classified in the billing system as User Type 9.

For the first 1200 cu. ft. per quarter: ~~\$101.16~~ \$104.16 minimum charge for all other users not otherwise classified as a Residential customer.

Effective beginning with the period covered by the September, ~~2016~~ 2017 billing, the following rates shall apply:

For all in excess of 1,000 cu. ft. per quarter: ~~\$8.43~~ \$8.68 per 100 cu. ft.

STATEMENT OF FACT

The FY2018 budget the Brewer City Council approved at its June 6, 2017 meeting anticipated an increase in the sewer rate of \$0.25 per 100 cubic feet, or about \$3 per quarter for the average residential sewer user. This order amends City Ordinance to reflect this change.

ACTION: Councilor Uhlenhake moved that the proposed ordinance amendment be certified and filed with the city clerk for posting.

The motion was seconded and passed by unanimous vote.

2017-A127

July 25, 2017

TITLE: ORDER, REFER A PROPOSED AMENDMENT TO CHAPTER 24, LAND USE CODE, ARTICLE 3, ZONING DISTRICTS, SECTION 306.3, USES SUBSTANTIALLY SIMILAR TO PERMITTED USES, ITEM 3, PROHIBITED USES, PURSUANT TO CHAPTER 24, ARTICLE 1, SECTION 108.1 OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES TO THE CITY OF BREWER PLANNING BOARD FOR A HEARING AND RECOMMENDATION PRIOR TO THE CITY COUNCIL'S REGULAR MEETING ON SEPTEMBER 12, 2017.

filed July 19, 2017
by Matthew Vachon

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 become effective immediately to allow the Planning Board to hold a public hearing and make a recommendation to the City Council prior to the September 12, 2017 regular Council meeting; 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;

WHEREAS, Chapter 24, Article 3, Section 306.3, Uses Substantially Similar to Permitted Uses, Item 3, Prohibited Uses, of the City of Brewer Charter, Codes and Ordinances needs to be amended to reflect recreational marijuana uses as defined by Maine State Statute; and

WHEREAS, the City Council can initiate revisions to Chapter 24 under Article 1, Section 108.1 of said Chapter; and

WHEREAS, it is the sense of the City Council that an amendment of Chapter 24, Land Use Code, Article 3, Section 306.3, Uses Substantially Similar to Permitted Uses, Item 3, Prohibited Uses, should be referred to the City of Brewer Planning Board for a hearing and recommendation; and

WHEREAS, it is further the sense of the City Council that it needs to receive the Planning Board's recommendation on the proposed amendment prior to the City Council's regular meeting on September 12, 2017;

NOW, THEREFORE, BE IT ORDERED, that the proposed amendment to Chapter 24, Land Use Code, Article 3, Section 306.3, Uses Substantially Similar to Permitted Uses, Item 3, Prohibited Uses, of the City of Brewer Charter, Codes and Ordinances that would read as follows be referred to the City of Brewer Planning Board for hearing and its recommendations:

ARTICLE 3 ZONING DISTRICTS

306.3 USES SUBSTANTIALLY SIMILAR TO PERMITTED USES (#41)

1. USES ALLOWED WITH OR WITHOUT A PERMIT

Uses substantially similar to those allowed with or without a permit, but which are not listed in the Schedule of Uses, may be permitted upon a ruling of the Code Enforcement Officer that such unlisted use is substantially similar to such allowed uses.

2. USES REQUIRING SITE PLAN APPROVAL

Uses substantially similar to those requiring Site Plan approval under this Ordinance, as determined by the Code Enforcement Officer, but which are not listed in the Schedule of Uses, may be permitted by the Planning Board.

3. PROHIBITED USES

Uses substantially similar to a prohibited use in the Schedule of Uses, as determined by the Code Enforcement Officer, are prohibited.

The following recreational marijuana uses, as defined by State Statute, are prohibited (This does not prohibit the cultivation and sale of medical marijuana as currently permitted by this Land Use Code):

Retail marijuana cultivation facilities;
Retail marijuana products manufacturing facilities;
Retail marijuana testing facilities;
Retail marijuana stores; and
Social clubs where product can be sold and used.

FURTHER, BE IT ORDERED, that the Brewer Planning Board hold a hearing on the proposed amendment and submit its recommendation thereon to the City Council prior to the City Council's regular meeting on September 12, 2017.

STATEMENT OF FACT

Refer proposed amendments to the Land Use Code for hearing and recommendation by the Planning Board to the City Council on recreational marijuana.

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

The order passed with unanimous vote.

2017-B023

July 25, 2017

TITLE: RESOLVE, RECONSIDERATION OF THE RESOLVE 2017-B013
APPROVE CITY AND SCHOOL BUDGETS APPROPRIATION
FOR FISCAL YEAR 2018.

filed July 19, 2017
by Jerry Goss

RESOLVED, that the City Council reconsider Resolve 2017-B013 “Approve City and School Budgets Appropriation for Fiscal Year 2018: that was adopted at the regular council meeting held on June 6, 2017 to update for approved state budget provisions as follows:

RESOLVED, that the sum of **\$16,848,423** which sum constitutes the estimated requirements of the City for the fiscal year 2018 (commencing July 1, 2017 and terminating June 30, 2018) based upon the budget submitted by the City Manager as provided by the City Charter, be raised by assessments upon the estates of the Inhabitants of the City of Brewer and upon the estates of the non-resident proprietors within the City for the present municipal year and the sum is hereby appropriated, in addition sums otherwise provided, the amount for each purpose being specified in the schedule hereto attached;

AND BE IT FURTHER RESOLVED, that in the event the Brewer School Department receives more state education subsidy than the amount included in its budget, that the Brewer School Department shall be authorized to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Brewer School Committee, subject to final review and approval by the Brewer City Council.

STATEMENT OF FACT

This resolve is being reconsidered to amend the three attached supporting schedules to reflect the allocation of \$400,255 in additional state education funding in the following manner: \$231,262 to increase School FY18 budget; \$112,346 to reduce use of School fund balance; and \$56,648 to reduce the FY18 City Appropriation and return that amount to City fund balance. These changes do not affect the mil rate or the amount the City expects to raise in taxes.

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

The resolve was adopted with unanimous vote.

2017-B024

July 25, 2017

TITLE: RESOLVE, RECONSIDERATION OF THE RESOLVE 2017-B014
APPROVE SCHOOL BUDGET APPROPRIATION
FOR FISCAL YEAR 2018.

filed July 19, 2017
by Jerry Goss

RESOLVED, that the City Council reconsider Resolve 2017-B013 “Approve City and School Budgets Appropriation for Fiscal Year 2018: that was adopted at the regular council meeting held on June 6, 2017 to update for approved state budget provisions as follows:

BE IT RESOLVED, that the following school budget articles be adopted and approved for fiscal year 2018:

1. That \$8,701,089 ~~636,089~~ be authorized to be expended for Regular Instruction.
2. That \$3,596,870 be authorized to be expended for Special Education.
3. That \$182,057 be authorized to be expended for Career and Technical Education.
4. That \$1,062,293 ~~1,016,225~~ be authorized to be expended for Other Instruction.
5. That \$1,519,908 ~~1,404,714~~ be authorized to be expended for Student and Staff Support.
6. That \$547,823 be authorized to be expended for System Administration.
7. That \$953,864 be authorized to be expended for School Administration.
8. That \$503,000 ~~498,000~~ be authorized to be expended for Transportation and Buses.
9. That \$1,791,673 be authorized to be expended for Facilities Maintenance.
10. That \$2,697,659 be authorized to be expended for Debt Service and Other Commitments.
11. That \$11,048 be authorized to be expended for All Other Expenditures.; and

BE IT FURTHER RESOLVED, that \$15,931,784 ~~15,603,011~~ be appropriated for the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$5,854,485 ~~5,925,968~~ be raised as the municipality’s contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, M.R.S.A. Section §15688; and

Explanation: The school administrative unit's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

BE IT FURTHER RESOLVED, that **\$207,602** be raised and appropriated for the annual payments on debt service previously approved by the municipality's legislative body for non-state-funded school construction projects, or non-state-funded portions of school construction projects in addition to the funds appropriated as the local share of the municipality's contribution to the total cost of funding public education from pre-kindergarten to grade 12; and

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.

BE IT FURTHER RESOLVED, that **\$1,607,222 ~~1,592,386~~** be raised and appropriated in additional local funds for school purposes under Maine Revised Statutes, Title 20-A §15671-A. The school committee recommends **\$1,607,222 ~~2,035,738~~** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$1,276,202 ~~1,714,886~~**: The Essential Programs and Services funding model does not fully fund a number of educational costs in the school administrative unit such as special education needs, extra and co-curricular costs and local voter approved debt service, including the recent \$8.1m high school renovation project; and

Explanation: The additional local funds are those locally raised funds over and above the school administrative unit's local contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the (municipality/district) budget for educational programs.

BE IT FURTHER RESOLVED, that the school committee be authorized to expend **\$21,567,284 ~~21,336,022~~** for the fiscal year beginning July 1, 2017 and ending June 30, 2018 from the municipality's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section §15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools; and

BE IT FURTHER RESOLVED, that the school committee be authorized to accept and expend any and all categories of funds as provided by the Maine State Legislature or the United States Congress (Examples of some of these funds and estimated amounts based on funds received last year are listed below)

<u>Category</u>	<u>Estimated Amounts</u>
Title IA	267,000
Title IIA	75,000
Local Entitlement	355,000
School Lunch Subsidy	220,000

AND BE IT FURTHER RESOLVED, that the Regional Vocational Budget as approved by the Cooperative Board for the year July 1, 2017 to June 30, 2018 be approved in the amount of **\$3,059,139**; and

BE IT FURTHER RESOLVED, that the City will appropriate **\$4,953** for adult education at the United Technologies Center and raise **\$4,953** as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program;

AND BE IT FURTHER RESOLVED, that in the event the Brewer School Department receives more state education subsidy than the amount included in its budget, that the Brewer School Department shall be authorized to use all or part of the additional state subsidy to increase expenditures for school purposes in cost center categories approved by the Brewer School Committee, subject to final review and approval by the Brewer City Council.

STATEMENT OF FACT

This resolve is being reconsidered to reflect the allocation of \$400,255 in additional state education funding in the following manner: \$231,262 to increase School FY18 budget; \$112,346 to reduce use of School fund balance; and \$56,648 to reduce the FY18 City Appropriation and return that amount to City fund balance. These changes do not affect the mil rate or the amount the City expects to raise in taxes.

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

The resolve was adopted with unanimous vote.

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 Ferris moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting adjourned at 6:47 p.m.

ADJOURNED, ATTEST: _____ Pamela J. Ryan
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine