

**CITY COUNCIL REGULAR MEETING**  
**Tuesday, December 10, 2019 6:00 P.M.**  
**Brewer City Hall Council Chambers**

**I. Call to Order** (Mayor Goss)

**II. Roll Call** (City Clerk)

**III. Pledge of Allegiance to the Flag of the United States of America** (Mayor Goss)

**A. Minutes of November 19, 2019 Regular Meeting & 2019 Annual Meeting** (Councilor Morelli)

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

1. Presentation by Public Safety Director Jason Moffitt

**C. Consent Calendar**

1. (2019-A169) ORDER Designate City Manager to act as agent of the City Council for approval of utility location permits (Councilor Morelli)
2. (2019-A170) ORDER Authorize City Manager, or his designee, to sign release deeds on behalf of the City of Brewer (Councilor Daniels)
3. (2019-A171) ORDER Authorize City Clerk to sign applications for renewal of liquor licenses on behalf of the City Council (Councilor Phanthay)
4. (2019-A172) ORDER Authorize the City Clerk, or in the absence of the City Clerk, a Deputy Clerk to sign applications for liquor catering events, beano licenses, bingo licenses and other games of chance on behalf of the City Council (Councilor Ferris)
5. (2019-A173) ORDER Authorize the City Manager, Stephen Bost, or his designee, to apply for, accept and be the designated city official to accept delivery of forfeited property on behalf of the City of Brewer and to authorize the City Solicitor, Jonathan Pottle, to certify on all applications for forfeited property to the authority of the City Manager to act on behalf of the City of Brewer (Councilor Morelli)
6. (2019-A174) ORDER Commit water assessment to Treasurer for collection (Councilor Daniels)
7. (2019-A175) ORDER Commit sewer assessment to Treasurer for collection (Councilor Phanthay)
8. (2019-A176) ORDER Authorize purchase of a replacement dump truck/plow for Public Works (Councilor Ferris)
9. (2019-A177) ORDER Authorize WPCF to purchase 2012 International dump truck/plow from public works (Councilor Morelli)
10. (2019-A178) ORDER Accept donation to the Brewer Parks & Recreation Department (Councilor Daniels & Councilor Phanthay)
11. (2019-B038) RESOLVE Amend the schedule of the City Council regular meetings to change the March 10, 2020 regular meeting date (Councilor Ferris)

**D. Monthly Reports** (Councilor Daniels)

**E. Nominations, Appointments, Elections**

**F. Unfinished Business**

1. (2019-C011) Amend Chapter 19 (Traffic Code), Article 3, Section 315, Schedule A (90-Minute Parking), NORTH MAIN STREET, Line #1 (Councilor Goss)

**G. New Business**

**H. New Items with Leave of Council**

**I. ADJOURN**

**CITY OF BREWER, MAINE  
IN CITY COUNCIL ASSEMBLED**

2019-A169

December 10, 2019

TITLE: ORDER, DESIGNATE CITY MANAGER TO ACT AS AGENT OF THE  
CITY COUNCIL FOR APPROVAL OF UTILITY LOCATION  
PERMITS

Filed December 4, 2018

By Thomas Morelli

ORDERED, that Stephen Bost, Brewer City Manager, is herewith authorized to accept applications for utility location permits on behalf of the City Licensing Authority, to wit, the City Council, for calendar year 2020; and

FURTHER ORDERED, that Stephen Bost, in his capacity as Brewer City Manager, is authorized to approve such applications on behalf of the Brewer City Council during calendar year 2020.

**Statement of Fact**

Chapter 20 of the City of Brewer Code of Ordinances entitled "Licenses and Permits", under Section 307 provides that the City Council may designate the City Manager to accept and approve applications for utility location permits on their behalf.



**CITY OF BREWER, MAINE  
IN CITY COUNCIL ASSEMBLED**

2019-A171

December 10, 2019

TITLE:       ORDER,       AUTHORIZE CITY CLERK TO SIGN APPLICATIONS FOR  
RENEWAL OF LIQUOR LICENSES ON BEHALF OF THE  
CITY COUNCIL

Filed December 4, 2019

By Soubanh Phanthay

ORDERED, that the City Clerk is herewith authorized to sign, on behalf of and as agent of the City licensing authority, to wit, the City Council, all applications for renewal of State of Maine Liquor licenses during calendar year 2020. This authorization is subject to the limitation on her authority as set forth in Chapter 20 of the Charter, Codes and Ordinances of the City of Brewer.

**Statement of Fact**

This is an annual housekeeping order.

# CITY OF BREWER, MAINE IN CITY COUNCIL ASSEMBLED

2019-A172

December 10, 2019

TITLE: ORDER, AUTHORIZE THE CITY CLERK, OR IN THE ABSENCE OF THE CITY CLERK, A DEPUTY CLERK TO SIGN APPLICATIONS FOR LIQUOR CATERING EVENTS, BEANO LICENSES, BINGO LICENSES AND OTHER GAMES OF CHANCE ON BEHALF OF THE CITY COUNCIL

Filed December 4, 2019  
By Joseph L. Ferris

ORDERED, that the City Clerk, or in the absence of the City Clerk, a Deputy City Clerk, is herewith authorized to sign, on behalf of and as an agent of the City Licensing Authority, to wit, the City Council, all applications to operate beano, bingo or other games of chance during the year 2020. This authorization is subject to the limitation on the City Clerk's authority as set forth in Chapter 20 of the Charter, Codes and Ordinances of the City of Brewer; and

FURTHER ORDERED, that the City Clerk, or in the absence of the City Clerk, a Deputy City Clerk, is herewith authorized to sign, on behalf of and as agent of the City Licensing Authority, to wit, the City Council, all applications for catered events at which alcohol is to be served by persons, corporations or other legal entities licensed by the State of Maine to do liquor catering during the year 2020. The City Clerk, or in the absence of the City Clerk, a Deputy City Clerk, is also authorized to sign, on behalf of and as agent of the City Licensing Authority, to wit, the City Council, all applications to the State of Maine for approval for events at the Brewer Auditorium at which BYOB is permitted during the year 2020. This authorization is subject to the limitation on the City Clerk's authority as set forth in Chapter 20 of the Charter, Codes and Ordinances of the City of Brewer.

### **Statement of Fact**

This is an annual housekeeping order.

# CITY OF BREWER, MAINE IN CITY COUNCIL ASSEMBLED

2019-A173

December 10, 2019

TITLE: ORDER, AUTHORIZE THE CITY MANAGER, STEPHEN BOST, OR HIS DESIGNEE, TO APPLY FOR, ACCEPT AND BE THE DESIGNATED CITY OFFICIAL TO ACCEPT DELIVERY OF FORFEITED PROPERTY ON BEHALF OF THE CITY OF BREWER AND TO AUTHORIZE THE CITY SOLICITOR, JONATHAN POTTLE, TO CERTIFY ON ALL APPLICATIONS FOR FORFEITED PROPERTY TO THE AUTHORITY OF THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF BREWER

Filed December 4, 2019  
By Thomas Morelli

WHEREAS, from time to time, the City of Brewer becomes eligible to receive forfeited property as the result of its Police Department personnel being involved in resolving criminal cases; and

WHEREAS, in order to receive forfeited property an application must be prepared and submitted on behalf of the City; and

WHEREAS, the City must designate a person who may accept forfeited property on its behalf; and

WHEREAS, the City also must designate the person to receive the delivery of the transfer of forfeited documents and/money on behalf of the City; and

WHEREAS, the City Solicitor must certify in the application for transfer of forfeited property to the authority of the person signing the application.

NOW THEREFORE, IT IS HEREBY ORDERED, by the Brewer City Council as follows:

1. The City Manager, Stephen Bost, or his designee, is authorized to sign any and all applications for the transfer of forfeited property on behalf of the City of Brewer.
2. The City Manager, Stephen Bost, or his designee, is authorized to accept forfeited property on behalf of the City.
3. The City Manager, Stephen Bost, or his designee, is hereby designated as City official to receive the delivery of any and all forfeited documents and/or money on behalf of the City.
4. The City Solicitor, Jonathan Pottle, is authorized to certify to the authority of the City Manager, or his designee, to act on behalf of the City, as provided in this Order on any and all applications for the transfer of forfeited property.

#### **Statement of Fact**

This is an annual housekeeping order.





**CITY OF BREWER, MAINE  
IN CITY COUNCIL ASSEMBLED**

2019-A176

December 10, 2019

TITLE: ORDER, AUTHORIZE PURCHASE OF A REPLACEMENT DUMP  
TRUCK/PLOW FOR PUBLIC WORKS

Filed December 4, 2019

By Joseph L. Ferris

WHEREAS, Bids were solicited, received and evaluated for the purchase of a dump truck/snowplow to replace Public Works unit #423 a 2012 International plow truck, a project that was included in the approved FY20 CIP budget; and

WHEREAS, taking into account the value Public Works can receive for the 2012 unit #423, Freightliner of Maine provided the low bid for the replacement dump truck/plow.

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Freightliner of Maine in the amount of \$150,209.00 for the purchase of a 2021 108SD Freightliner dump truck with plow, wing and sander body; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to the FY2020 CIP account 0510133 - 551376, titled "Dump/Plow #423"; and

BE IT FURTHER ORDERED, that the current Public Works unit numbered 423, the 2012 International dump truck, with a plow and wing, be deemed surplus equipment and be disposed in a manner that would be in the best interest of the citizens of Brewer; and

FURTHER ORDERED, that the proceeds obtained from the disposal or sale of unit #423 be accepted and appropriated for expenditure on the purchase of the 2021 Freightliner.

**Statement of Fact**

This purchase will replace one of our oldest plow trucks, unit #423 for which \$132,000 was allocated for in the FY2020 CIP Budget. The intent is to sell the 2012 unit being replaced to the Brewer Sewer Department for \$25,000 and use these funds to augment the approved CIP budget to cover the \$150,209.00 purchase price. Public Works estimates the value of having this truck and plow equipment available to the Public Works Department as a backup in case of an emergency at \$5,000.

**CITY OF BREWER, MAINE  
IN CITY COUNCIL ASSEMBLED**

2019-A177

December 10, 2019

TITLE: ORDER, AUTHORIZE WPCF TO PURCHASE 2012 INTERNATIONAL  
DUMP TRUCK/PLOW FROM PUBLIC WORKS

Filed December 4, 2019

By Thomas Morelli

WHEREAS, the Brewer Water Pollution Control Facility (WPCF) has a 1996 Ford dump truck that is well past its useful life, requiring increasingly expensive repairs to keep operational; and

WHEREAS, WPCF has been told by the Public Works Shop Foreman that the truck will no longer pass inspection; and

WHEREAS, Public Works is declaring surplus a 2012 International dump truck/plow that the WPCF could utilize as a plow truck as well as for hauling material to the landfill; and

WHEREAS, WPCF has funds available in its General Capital Reserve account that it could use to purchase this vehicle.

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby authorizes the Water Pollution Control Facility to purchase from Public Works its surplus 2012 International dump truck/plow for \$25,000; and

BE IT FURTHER ORDERED, that the \$25,000 for this purchase shall come from WPCF's General Capital Reserve account and be appropriated for expenditure from Sewer CIP account 0581003-583020 (2012 International Dump/Plow); and

FURTHER ORDERED, that the 1996 Ford dump truck be deemed surplus equipment and be disposed of in a manner in the best interest of sewer ratepayers.

**Statement of Fact**

This order authorizes WPCF to purchase a surplus dump truck/plow from Public Works for \$25,000 to replace a 1996 Ford dump truck that will no longer pass inspection. Funding for this purchase will come from WPCF's general capital reserve account. The order also declares the 1996 truck surplus and authorizes its disposal.

**CITY OF BREWER, MAINE  
IN CITY COUNCIL ASSEMBLED**

2019-A178

December 10, 2019

TITLE: ORDER, ACCEPT DONATION TO THE BREWER PARKS AND  
RECREATION DEPARTMENT

Filed December 6, 2019  
By Michele Daniels &  
Soubanh Phanthay

WHEREAS, the City of Brewer Parks and Recreation Department has received a very generous contribution of \$1,000 from an anonymous donor to provide Parks and Rec program scholarships to youth who might otherwise not be able to participate.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith accepts the \$1,000 donation and orders its receipt to 0107114-300420 (Parks and Rec Contributions/Donations); and

BE IT FURTHER ORDERED, that the City Council authorizes the appropriation and expenditure of the donation to support youth scholarships to Brewer Parks and Recreation programs (an estimated \$500 from After School Programs account 0117121-506100 and \$500 from Summer Program/League account 0117121-506120); and

FURTHER ORDERED, that the Council offers its sincere gratitude to the donor for their generosity and giving spirit in support of our community's youth.

**Statement of Fact**

This order accepts a \$1,000 donation to the Parks & Recreation Department to provide program scholarships to youth in need. The donor wishes to remain anonymous.

**CITY OF BREWER, MAINE  
IN CITY COUNCIL ASSEMBLED**

2019-B038

December 10, 2019

TITLE: RESOLVE, AMEND THE SCHEDULE OF THE CITY COUNCIL  
REGULAR MEETINGS TO CHANGE THE MARCH 10,  
2020 REGULAR MEETING DATE

Filed December 4, 2019

By Joseph L. Ferris

WHEREAS, the City Council, at its annual meeting held on November 19, 2019, adopted Resolve 2019-B035 establishing dates of its regular monthly meeting for 2020; and

WHEREAS, Tuesday, March 10, 2020 was established as the date for the March 2020 regular Council meeting; and

WHEREAS, this date conflicts with a previously scheduled municipal conference.

NOW, THEREFORE, BE IT RESOLVED, that Council Resolve 2019-B035, be amended by changing the date of the regular meeting for the month of March from Tuesday, March 10, 2019 to Tuesday, March 17, 2019 at 6:00 p.m.