

City Council Minutes
July 14, 2020

Regular Meeting
City Hall Council Chambers

Tuesday, July 14, 2020
6:00 p.m.

The regular meeting was called to order by Chairman Jerry Goss. The Deputy City Clerk called the roll:

Councilor Morelli-absent
Councilor Phanthay-present
Councilor Daniels-present
Councilor Ferris-present
Chairman Goss-present

Chairman Goss declared a quorum present. City Manager Stephen Bost and City Solicitor Jonathan Pottle were also present.

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

Chairman Goss read the notice for the regular meeting.

TO: Joseph Ferris, Jerry Goss, Michele Daniels and Soubanh Phanthay MEMBERS OF THE BREWER CITY COUNCIL you are hereby notified a regular meeting of the City Council will be held on Tuesday, July 14, 2020 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/Jerry Goss

Mayor and Chairman of the City Council
Or _____
Majority of the City Council

a true copy, attest: s/Ronda J. Hogan

City Clerk

I have on the date(s) and time(s) indicated given notice of this meeting by giving in hand of by leaving at the usual dwelling place of the within named an attested copy of this notice of meeting:

Given/Delivered to:	by (person delivering)	Title	Date	Time
Jerry Goss	Cummings	Off.	07/10/20	18:56
Joseph L. Ferris	Rines	Off.	07/10/20	18:60
Michele Daniels	Rines	Off.	07/10/20	16:15
Soubanh Phanthay	Cummings	Off.	07/10/20	19:01

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With the shift to remote meetings, we have modified how we receive public comments. At this time, the City of Brewer Council is accepting written public comment in place of in-person participation. Written public comments must be e-mailed to City Clerk, Ronda Hogan rhogan@brewermaine.gov or mailed to City Clerk, Ronda Hogan (Public Comments), City Hall 80 Main Street, Brewer, ME 04412. Public Comment must be received in writing by 4:00 PM on the date of the Council meeting in order to be provided to the City Council in advance of the meeting. Any public comments received will become part of the permanent record of the meeting. If e-mailing, please note "Public Comment" and the meeting date in the subject field.

CITY COUNCIL SPECIAL MEETING
Tuesday, July 14, 2020 6:00 P.M.
Brewer City Hall Council Chambers

Virtual Meeting via Zoom due to the ongoing COVID-19 pandemic
Physical attendance by the public at City Hall is not permitted
General Public Link: https://us02web.zoom.us/webinar/register/WN_rj66DgSQTfi-EJRNXF1rNA

- I. Call to Order** (Mayor Goss)
- II. Roll Call** (Deputy City Clerk Smith)
- III. Pledge of Allegiance to the Flag of the United States of America** (Mayor Goss)
 - A. Minutes of June 2, 2020 Special Meeting** (Councilor Daniels)
 - B. Awards, Petitions and Public Comments**
 - 1. (2020-B023) RESOLVE Resolution of Respect for James F. Pooler, Jr. (Councilor Ferris)
- IV. Recess for Public Hearing**
 - 1. Discuss requirements of Micro-Enterprise Assistance Program Community Development Block Grant Program and how Waltzing Matilda, ME has accomplished them.
- C. Consent Calendar**
 - 1. (2020-A068) ORDER Commit water assessment to Treasurer for collection (Councilor Ferris)
 - 2. (2020-A069) ORDER Commit sewer assessment to Treasurer for collection (Councilor Daniels)
 - 3. (2020-A070) ORDER Authorize the purchase of a grinder from Franklin Miller for the septage receiving station at the Brewer Water Pollution Control Facility (Councilor Phanthay)
 - 4. (2020-A071) ORDER Authorize Olver Associates to smoke test the Oak Grove Pump Station Drainage Area Sewer System (Councilor Ferris)
 - 5. (2020-A072) ORDER Accept grant from the Department of Justice Coronavirus Supplemental Fund (Councilor Daniels)
 - 6. (2020-A073) ORDER Authorize the purchase of vehicle for the Police Department (Councilor Phanthay)
 - 7. (2020-A074) ORDER Authorize write-off of uncollectable tax balance (Councilor Ferris)

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8. (2020-A075) ORDER Accept trust funds to benefit the Brewer Public Library (Councilor Daniels)
9. (2020-A076) ORDER Authorize appropriation of funds for the sewer enterprise account wellness program (Councilor Ferris)
10. (2020-A077) ORDER Authorize appropriation of funds for the water enterprise account wellness program (Councilor Daniels)
11. (2020-A078) ORDER Accept proceeds from sale of scrap metal and appropriate for use (Councilor Phanthay)
12. (2020-A079) ORDER Accept donations of books and materials and authorize sale of surplus books and materials (Councilor Ferris)
13. (2020-A080) ORDER Accept FY2021 donations to the Brewer Public Library (Councilor Daniels)
14. (2020-A081) ORDER Authorize facility and construction services to install and adjust new frame, covers and risers on 17 manholes in coordination with the MDOT South Main Street milling and overlay project (Councilor Phanthay)

D. Monthly Reports (Councilor Ferris)

E. Nominations, Appointments, Elections

1. (2020-B024) RESOLVE Accept resignations of Karen Morelli and Ken White as members of the Planning Board of the City of Brewer (Councilor Daniels)
2. (2020-B025) RESOLVE Accept resignation of Thomas Morelli as a member of the City Council for the City of Brewer (Councilor Ferris)

F. Unfinished Business

1. 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 Ferris)
2. Amend Chapter 22, entitled “Solid Waste & Recycling Ordinance” of the City of Brewer Charter, Codes and Ordinances (Councilor Daniels)

G. New Business

H. New Items with Leave of Council

I. ADJOURN

A. Minutes of June 2, 2020 Special Meeting

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

B. Awards, Petitions and Public Comments

2020-B023

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TITLE: RESOLVE, RESOLUTION OF RESPECT FOR JAMES F. POOLER, JR.

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Filed June 9, 2020
By Joseph L. Ferris

WHEREAS, on the 21st Day of April 2020 death brought to a close the full and active life of James F. Pooler, Jr. a former Brewer City Councilor and Brewer businessman; and

WHEREAS, Jim was raised in Brewer, was a Brewer High School Graduate Class of 1955, married his high school sweetheart Ruth Mary Hall and enjoyed sixty-two years of marriage; and

WHEREAS, Jim worked at and eventually owned the family business, Gold Star Cleaners, which he passed on to his son Eric, starting the fourth generation of ownership; and

WHEREAS, Jim loved his family, sports, politics, was a gifted story teller; and

WHEREAS, Jim served on the Brewer City Council, Brewer Kiwanis, and helped organize the Brewer High School R.O.T.C.

NOW, THEREFORE BE IT RESOLVED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive influence of James F. Pooler, Jr. to the well-being and development of the community in which he lived and earned the respect of all who knew him; and

BE IT FURTHER, RESOLVED, that this resolution be spread upon the permanent records of the City of Brewer and that copies thereof be distributed to members of his family in testimony to the high esteem held for James F. Pooler, Jr. by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Ferris spoke favorably on memories of Jim Pooler, as did Mayor Goss.

Public Comments

Public Safety Director Jason Moffitt introduced Ralph Cammack Deputy Fire Chief of Brewer and Chief Higgins from Bangor Fire. Chief Higgins recognized Deputy Chief Cammack as a Certified Chief Officer by the Maine Fire Chiefs. Chief Cammack was supposed to receive this honor at the Maine Fire Chief's conference back in March but due to Covid-19 restrictions, the presentation has been delayed. Mayor Goss thanked Chief Higgins for joining the Council meeting and making this presentation to Chief Cammack.

IV. Recess for Public Hearing

Chairman Goss stated that the City Council would recess for a public hearing and after the public hearing the Council would return to the regular meeting to take up the rest of the items on the agenda.

The public hearing was called to order by Chairman Goss.

The Deputy Clerk called the roll:

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Councilor Morelli – absent
Councilor Ferris – present
Chairman Goss – present

Councilor Daniels – present
Councilor Phanthay – present

Chairman Goss declared a quorum was present.

Chairman Goss read the public notice.

Public Hearing Notice
The City of Brewer

The City of Brewer will hold a Public Hearing on Tuesday, July 14, 2020 at 6:00 p.m. online via Zoom to show that Waltzing Matilda, ME has met all of the requirements of the Micro-Enterprise Assistance Program Community Development Block Grant Program. Waltzing Matilda, ME has hired two (2) new qualifying employees, who are now making more than minimum wage, and Waltzing Matilda has received \$50,000 from the City of Brewer through the CDBG program. All funds have been disbursed to Waltzing Matilda, ME. All persons wishing to make comments or ask questions about the disbursement of these funds are invited to attend this Public Hearing via Zoom, [Click here for zoom link](#) to the meeting. Public comments must be submitted in writing to: Ronda Hogan, City Clerk by 4:00pm on Tuesday, July 14, 2020 so that they may be submitted to the City Council in advance of the meeting. TDD/TTY users may call 711. If you are physically unable to access any of the City's/City's programs or services, please call the City Manager's Office at (207)989-7500 so that accommodations may be made.



City of Brewer
80 North Main Street
Brewer, ME 04412
(207)989-7500

Chairman Goss asked the Deputy City Clerk if any comments had been submitted for the public hearing. There were none. Chairman Goss asked if the City Departments had any comments, there were none. Chairman Goss called on Deputy Director of Economic Development Director Renee Doble to explain

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the grant that Waltzing Matilda had applied for through the Brewer Economic Development Department. Mayor Goss called on Cynthia Rollins from Waltzing Matilda Maine to highlight what the company has been up to currently. Mayor Goss thanked Waltzing Matilda for providing a high-end product right here in Brewer, Maine and wished them the best of luck. Councilor Phanthay welcomed Cynthia and Waltzing Matilda Maine and stated that it is refreshing to see companies doing well in the middle of Covid-19.

Chairman Goss closed the public hearing.

Chairman Goss said the regular meeting would resume at this time.

C. Consent Calendar

ACTION: Councilor Daniels moved that the orders on the consent calendar have passage. The motion was seconded and passed unanimously.

2020-A068

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TITLE: ORDER COMMIT WATER ASSESSMENT TO TREASURER FOR COLLECTION

Filed June 23, 2020

By Joseph L. Ferris

WHEREAS, under Chapter 40 of the Water Department of the City of Brewer, a water charge is assessed to water users;

NOW, THEREFORE WE, the Brewer City Council does hereby commit to the Treasurer or Deputy Treasurer of Brewer for collection, the sum of **\$617,007.06** at the established rate, as provided by Title 30A MRSA § 3406 (supp [1991] and Title 38 MRSA § 1208 [1989]) and as such sections may be amended from time to time; and

FURTHER ORDERED, that said charges are due and payable on the date of this commitment.

EVENT	COMMITMENT	COMMENTS
June 2020	\$612,476.01	
March 2020	\$2,419.31	
April 2020	\$1,338.14	
May 2020	\$773.60	

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TOTAL	\$617,007.06	

2020-A069

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TITLE: ORDER COMMIT SEWER ASSESSMENT TO TREASURER FOR
COLLECTION

Filed June 23, 2020
By Michele Daniels

WHEREAS, under Chapter 31 of the Sewer and Pre-treatment Ordinance of the City of Brewer, a sewer charge is assessed to users;

NOW, THEREFORE WE, the Brewer City Council does hereby commit to the Treasurer or Deputy Treasurer of Brewer for collection, the sum of **\$551,189.57** at the established rate, as provided by Title 30A MRSA § 3406 and Title 38 MRSA § 1208 [1989]) and as such sections may be amended from time to time; and

FURTHER ORDERED, that said charges are due and payable on the date of this commitment.

EVENT	COMMITMENT	COMMENTS
June 2020	\$546,833.25	
March 2020	\$515.85	
April 2020	\$1,031.70	
May 2020	\$2,808.77	
TOTAL	\$551,189.57	

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2020-A070

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TITLE: ORDER, AUTHORIZE THE PURCHASE OF A GRINDER FROM FRANKLIN MILLER FOR THE SEPTAGE RECEIVING STATION AT THE BREWER WATER POLLUTION CONTROL FACILITY

Filed July 8, 2020
By Soubanh Phanthay

WHEREAS, a significant amount of debris is delivered to the septage receiving station by septic haulers; and

WHEREAS, once the debris enters the facility it severely clogs pipes and pumps; and

WHEREAS, a grinder will decrease the size of the debris small enough so it won't clog pipes and pumps; and

WHEREAS, the City received a quote from Franklin Miller of \$20,851 for a Taskmaster Grinder, which matches two other grinders at the facility.

NOW, THEREFORE, BE IT ORDERED, that the City Manager or his designee, is authorized to sign a purchase order with Franklin Miller in the amount of \$20,851 for the purchase of a Taskmaster Model TM851206 Grinder; and

BE IT FURTHER ORDERED, that the City Council of the City of Brewer herewith exercises its authority under Section 404 of the City's Purchasing Ordinance, Chapter 36 of the Charter, Codes and Ordinances of the City of Brewer in the purchase of this piece of equipment.

BE IT FURTHER ORDERED, that the cost of this purchase shall be charged to account number, 0581003-583021 Reserve Machinery and Equipment.

Statement of Fact

WPCF has two very effective Franklin Miller grinders at the facility which have been durable and maintenance free. Grinding up the septage debris will save the City time and labor costs in future by reducing the need to clean lines and pumps.

2020-A071

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TITLE: ORDER AUTHORIZE OLVER ASSOCIATES TO SMOKE TEST THE OAK GROVE PUMP STATION DRAINAGE AREA SEWER SYSTEM

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WHEREAS, the City has identified the Oak Grove pump station sewer drainage area as having significant volumes of inflow and infiltration (I&I) that causes high flow conditions in the sewers and combined sewer overflows at the pump station; and

WHEREAS, after many years of monitoring the sewer system in this area we have been unable to locate the origin of the excess water; and

WHEREAS, smoke testing the sewers is the most effective method of locating sources of I&I; and

WHEREAS, Olver Associates has submitted a quote of \$29,500 to conduct smoke testing of the Oak Grove Pump station sewage drainage area.

NOW, THEREFORE, BE IT ORDERED, that the City Manager or his designee, is authorized to sign a purchase order and a contract with Olver Associates of Winterport, Maine in the amount of \$29,500 to conduct the smoke testing project, and

BE IT FURTHER ORDERED, that the City Council of the City of Brewer herewith exercises its authority under Section 404 of the City's Purchasing Ordinance, Chapter 36 of the Charter, Codes and Ordinances of the City of Brewer in the purchase of this piece of equipment.

BE IT FURTHER ORDERED, that the cost of this project shall be charged to account number, 0818101-501030 Consulting Services.

Statement of Fact

The Oak Grove pump station continues to experience inflow and infiltration issues near and around this stations drainage area. Smoke testing the sewers remains the most effective method of finding I&I and allowing the City to finally resolve this long-standing issue.

2020-A072

July 14, 2020

TITLE: ORDER, ACCEPT GRANT FROM THE DEPARTMENT OF JUSTICE
CORONAVIRUS SUPPLEMENTAL FUND

Filed July 7, 2020
By Michele Daniels

WHEREAS, the City of Brewer Police Department been awarded \$10,496 from the US Department of Justice FY2020 Coronavirus Supplemental Fund; and

WHEREAS, the funds will be used reimburse the department for COVID 19 associated expenses (supplies and Personal Protective Equipment) spent in FY 2020; and

WHEREAS, the funds will also be used to purchase SCBA face masks and filters for Police Officers to further protect them from airborne contaminants in FY 2021.

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NOW, THEREFORE, BE IT ORDERED, that the City of Brewer by vote of its City Council, directs that these funds be deposited into account # 0600058-360000-58048. FY20 USDOJ-COVID EMERGENCY SUPPLEMENTAL (revenue), and, further, that expenses be drawn from account #0600058-560000-58048 FY20 USDOJ-COVID EMERGENCY SUPPLEMENTAL (expense).

Statement of Fact

The City of Brewer Police Department received a \$10,496.00 grant award from the US Department of Justice Coronavirus Supplemental Fund to offset costs associated with COVID 19.

2020-A073

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TITLE: ORDER, AUTHORIZE THE PURCHASE OF VEHICLE FOR THE POLICE DEPARTMENT

Filed July 7, 2020
By Soubanh Phanthay

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 important that this order become effective immediately upon its passage to replace a non-operational vehicle as soon as possible; 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; and

WHEREAS, the FY2021 approved Capital Improvement Program included funding for replacement of an unmarked police vehicle for agency use; and

WHEREAS, bids were solicited for an unmarked police vehicle to be placed in administrative service and the best option bid was received from Downeast Toyota in Brewer; and

WHEREAS, this vehicle is currently available for purchase from Downeast Toyota, eliminating the normal twelve to fourteen weeks ordering and delivery estimated time from the other vendors; and

WHEREAS, the bid consisted of one 2020 Toyota Sequoia at a cost of \$43,500 net of the trade in allowance; and

WHEREAS, surplus vehicles to be traded include a 2010 GMC Yukon VIN 1GKUKCEOAR167269 and a 2007 Saturn VIN# 1G8ZS57N9F224014; and

WHEREAS, the vehicle will be equipped using the remaining \$1,500 of the total \$45,000 budgeted for vehicle replacement; and

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NOW, THEREFORE, BE IT ORDERED, that the City Council hereby authorizes the City Manager or his designee to sign a purchase order with Downeast Toyota of Brewer for the amount of its bid price and authorizes the appropriation and expenditure of this amount from capital account 0510132-511205 (Police Unmarked Admin Vehicle) to fund the purchase of the vehicle described above;

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure from CIP account 0510132-511205 (Police Unmarked Admin Vehicle) the funding necessary to cover the cost of equipping the vehicle. Such expenditure shall not exceed funding available as approved in the FY21 CIP.

FURTHER ORDERED, the City Council hereby declares the Police Department's 2010 GMC Yukon (VIN 1GKUKCEOAR167269) and 2007 Saturn (VIN 1G8ZS57N9F224014) surplus and authorizes the City Manager or his designee to dispose of these vehicles by allowing for trade in to offset the purchase price of the unmarked Police vehicle; 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

The order authorizes the purchase of one unmarked police vehicle as authorized in the FY21 CIP. Two vehicles from the current Police Department fleet will be used for trade-in to offset the purchase price of this vehicle.

2020-A074

July 14, 2020

TITLE: ORDER, AUTHORIZE WRITEOFF OF UNCOLLECTIBLE TAX BALANCE

Filed July 8, 2020

By Joseph L. Ferris

WHEREAS, by virtue of foreclosed tax liens, the City acquired ownership of the property at 62 Parker Street, Map 30, Lot 37, in 2017, and the City demolished the dilapidated structure on the parcel in 2019; and

WHEREAS, the City solicited bids on the property, receiving a high bid of \$5,000; and

WHEREAS, the proceeds of the sale were not sufficient to extinguish all of the outstanding taxes owed on the property; and

WHEREAS, the remaining real estate taxes should, thus, be declared uncollectible and written off;

ORDERED, that in accordance with Title 36, M.R.S.A. §841(3) the real estate tax balance of

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\$1,769.79, which according to the Tax Collector cannot be collected due to being uncollectible, is herewith abated.

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of \$1,769.79 of Overlay (0119901-509810) to the Adjustments/Write-offs account (0105504-300499) to fund this real estate tax write-off expense.

Statement of Fact

This order authorizes the use of Overlay to write off \$1,769.79 in real estate taxes related to the property at 62 Parker Street, which the City acquired through the automatic foreclosure of tax liens and sold for \$5,000, which was less than the total owed in property tax.

2020-A075

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TITLE: ORDER, ACCEPT TRUST FUNDS TO BENEFIT THE BREWER
PUBLIC LIBRARY

Filed July 8, 2020
By Michele Daniels

WHEREAS, in her Last Will and Testament, Irene P. Robinson, a former resident of Brewer, included the Brewer Public Library as a contingent beneficiary of her estate; and

WHEREAS, upon the death of Mrs. Robinson's son, the Library's interest vested and is now entitled to a distribution; and

WHEREAS, in accordance with her Last Will and Testament, the funds are to be held in trust with the interest to be used to support the Library;

NOW THEREFORE BE IT ORDERED, that the City Manager, or his designee, be herewith authorized to accept the distribution from the trust and to execute all necessary documentation.

Statement of Fact

The Library is the recipient of a distribution from the trust of Irene Robinson. The funds must be held in trust; the interest earnings must be used to support the Brewer Library.

2020-A076

July 14, 2020

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

Filed July 8, 2020
By Joseph L. Ferris

WHEREAS, the Sewer Department anticipates small quantities of scrap metal from various

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construction projects in FY21 that will result in new revenues; and

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

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 FY21 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.

Statement of Fact

This annual order that anticipates the 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.

2020-A077

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

Filed July 8, 2020
By Michele Daniels

WHEREAS, the Water Department anticipates small quantities of scrap metal from various construction projects in FY21 that will result in new revenues; and

WHEREAS, the Water Department wishes to dedicate all proceeds from the sale of such scrap metal to fund and support water wellness program initiatives.

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 FY21, 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.

Statement of Fact

This is an annual order that 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.

2020-A078

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

Filed July 8, 2020
By Soubanh Phanthay

WHEREAS, the Public Works Department anticipates small quantities of scrap metal from various vehicle repair projects and, occasionally, construction projects in FY21 that will result in new revenues; and

WHEREAS, the Public Works Department wishes to dedicate all proceeds from the sale of such scrap metal to supplement the Public Works vehicle maintenance budget;

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 to 0106604-300490 (Public Works Miscellaneous Revenue) and authorizes the appropriation and expenditure of funds received from recycling this scrap metal in FY21 from account 0116641-504200 (PW Vehicle Maintenance and Repair).

Statement of Fact

This is an annual order that anticipates collection of small amounts of scrap metal from various construction projects, old discarded parts, including but not limited to brake pads, disk and drums; exhaust parts; damaged wheels; plow cutting edges and shoes; along with other miscellaneous items. Cost to replace these items comes out of the vehicle maintenance budget; hence, Public Works requests these funds be rolled back into the vehicle maintenance budget.

2020-A079

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TITLE: ORDER, ACCEPT DONATIONS OF BOOKS AND MATERIALS AND
AUTHORIZE SALE OF SURPLUS BOOKS AND MATERIALS

Filed July 8, 2020
By Joseph L. Ferris

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

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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 the more current and requested items.

Statement of Fact

This is an annual order that 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.

2020-A080

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TITLE: ORDER, ACCEPT FY2021 DONATIONS TO THE BREWER PUBLIC LIBRARY

Filed July 8, 2020
By Michele Daniels

WHEREAS, the Brewer Public Library receives unrestricted monetary contributions from donors throughout the year; and

WHEREAS, most donors wish their contributions to supplement and support either the programming budget or book budget at the Library;

WHEREAS, it is the recommendation and request of the Library Director that the upcoming FY2021 donations be appropriated and expended as requested by donors;

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts all unrestricted FY2021 contributions and memorial donations to the City of Brewer Public Library and authorizes their deposit into account 0107204-300420 (Library Contributions/Donations); and

BE IT FURTHER ORDERED, that the Council authorizes the appropriation and expenditure of these accepted donations from account 0117201-502750 (Library Books) or account 0117201-506150 (Library Special Events) as specified by the donor.

Statement of Fact

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This order is an annual blanket acceptance of unrestricted FY2021 contributions to the City of Brewer Public Library, and authorizes the expenditure of these contributions to support the Library programming budget and the purchase of new books.

2020-A081

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TITLE: ORDER, AUTHORIZE FACILITY AND CONSTRUCTION SERVICES TO INSTALL AND ADJUST 17 MANHOLES IN COORDINATION WITH THE MDOT SOUTH MAIN STREET MILLING AND OVERLAY PROJECT

Filed July 9, 2020

By Soubanh Phanthay

WHEREAS, MDOT will be milling and paving South Main Street from Abbott Street to Harriman Drive during the months of July and August; and

WHEREAS, the City of Brewer is required to adjust 17 existing manhole frames in coordination with the MDOT roadway milling and overlay project; and

WHEREAS, each of the 17 manholes require repairs prior to installing the new frames and covers; and

WHEREAS, because South Main Street is a high traffic area, traffic flaggers are required, to control traffic so contractors can safely perform their work; and

WHEREAS, Facility and Construction Services submitted a quote of \$44,808 to complete the work.

NOW, THEREFORE, BE IT ORDERED, that the City Manager or his designee, is authorized to sign a contract with Facility and Construction Services in the amount of \$44,808 to complete the work required in coordination with the MDOT South Main Street milling and overlay project; 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 this equipment.

BE IT FURTHER ORDERED, that, \$22,000.00 shall be charged to account number 0818101-502700 Sewer Line Maintenance Materials and Supplies and \$22,808 to 0817702-503200 Equipment and Machinery Reserve.

Statement of Fact

Facility and Construction Services agrees to furnish all materials, supplies, tools, equipment, labor and other services necessary to complete the manhole repairs and adjustment work required in coordination

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with the MDOT South Main Street milling and overlay project. The traffic control costs account for \$10,000 of this project.

D. Monthly Reports

ACTION: Councilor Ferris moved that the monthly reports from department heads be accepted and placed on file. The motion was seconded and passed by a unanimous vote.

E. Nominations, Appointments, Elections

2020-B024

July 14, 2020

TITLE: RESOLVE, ACCEPT RESIGNATIONS OF KAREN MORELLI AND KEN WHITE AS MEMBERS OF THE PLANNING BOARD OF THE CITY OF BREWER

Filed June 19, 2020

By Michele Daniels

WHEREAS, Ken White has submitted a letter of resignation dated June 19, 2020 as a member of the Brewer Planning Board; and

WHEREAS, Karen Morelli has submitted a letter of resignation dated June 4, 2020 as a member of the Brewer Planning Board; and

WHEREAS, the City Council must vote to accept these resignations and declare vacancy for two members of the Planning Board before proceeding to fill the vacancies.

NOW THEREFORE BE IT RESOLVED, that the City Council herewith accepts the resignation of Ken White and Karen Morelli as members of the Planning Board of the City of Brewer and declares that vacancies will exist for the unexpired terms.

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

2020-B025

July 14, 2020

TITLE: RESOLVE, ACCEPT RESIGNATION OF THOMAS MORELLI AS A MEMBER OF THE CITY COUNCIL OF THE CITY OF BREWER

Filed July 10, 2020

By Joseph Ferriss

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WHEREAS, Thomas Morelli has submitted a letter of resignation dated June 3, 2020 as a member of the Brewer City Council; and

WHEREAS, the City Council must vote to accept this resignation and declare a vacancy for the City Council for the next General Election.

NOW THEREFORE BE IT RESOLVED, that the City Council herewith accepts the resignation of Thomas Morelli as a member of the City Council of the City of Brewer and declares that a vacancy exists for the unexpired term.

NOW THEREFORE BE IT FURTHER RESOLVED, that the remainder of this vacancy shall be filled by vote of the public at the next General Election.

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

F. Unfinished Business

ACTION: Councilor Ferris moved that the amendment be enacted. The motion was seconded and passed unanimously.

2020-C001

June 2, 2020

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 May 27, 2020

By Soubanh Phanthay

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, ~~2019~~ 2020 billing, the following rates shall apply:

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For the first 1,000 cu. ft. per quarter: ~~\$90.50~~ \$94.20 minimum charge for Residential customers classified in the billing system as User Type 9.

For the first 1,200 cu. ft. per quarter: ~~\$108.60~~ \$113.04 minimum charge for all other users not otherwise classified as a Residential customer.

Effective beginning with the period covered by the September, ~~2019~~ 2020 billing, the following rates shall apply:

For all in excess of 1,000 cu. ft. per quarter: ~~\$9.05~~ \$9.42 per 100 cu. ft.

Statement of Fact

The FY2021 budget the Brewer City Council is considering anticipates an increase in the sewer rate of \$0.37 per 100 cubic feet, or about \$5 per quarter for the average residential sewer user. This order amends City Ordinance to reflect this change.

2020-C002

June 2, 2020

ORDER AMEND CHAPTER 22, ENTITLED “SOLID WASTE & RECYCLING ORDINANCE” OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES.

Filed May 27, 2020
By Michele Daniels

Be it ordained by the City of Brewer in City Council assembled that Chapter 22, of the Charter, Codes and Ordinances of the City of Brewer, entitled “Solid Waste & Recycling Ordinance” shall be amended as follows: (see attached)

ACTION: Councilor Daniels moved that the amendment be enacted. The motion was seconded.

Councilor Daniels made an amendment to the proposed ordinance amendment to change the following:

ARTICLE 2 GARBAGE AND TRASH COLLECTION

Section 2.1 Authority

It shall be the general responsibility of the Director of Environmental Services or his designee to enforce the provisions of this Article.

Section 2.2 Scope

This Article applies to all residential properties in the City of Brewer.

Section 2.3 Services (#5)

The City of Brewer or its contractor shall provide weekly curbside trash collection services for all residential properties in the City.

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Section 2.4 Prohibited Materials (#5)

The following rubbish, by way of example and not limitation, shall be considered unacceptable for curbside collection. These materials will not be picked up curbside:

1. White goods such as stoves, refrigerators, washers and other large appliances,
2. Material from the major repair of, excavation for, construction, or destruction of buildings or structures, such as piping, earth, plaster, mortar, bricks, building blocks, septic tanks, trees or tree stumps over six inches in diameter, and any other similar materials, commonly called demolition debris,
3. Grass clippings, weeds, plants, shrubs, leaves, brush or branches ~~unless they are in a bag affixed with an official City of Brewer tag,~~
4. Bulky items such as mattresses and box springs, couches, chairs and carpets

The amendment was seconded and passed unanimously.

The amendment was enacted with the additional amendment by unanimous vote.

G. New Business

There was none.

H. New Items with Leave of Council

There was none.

H. ADJOURN

ACTION: Chairman Goss said he would accept a motion for adjournment. Councilor Ferris moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting was adjourned at 6:22p.m.

ADJOURNED, ATTEST: _____ Ronda J. Hogan
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine