

City Council Minutes
Tuesday, November 17, 2020

Regular Meeting
Via zoom

Tuesday, November 17, 2020
5:00 p.m.

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

Councilor Phanthay-present
Councilor Daniels-present
Councilor Ferris-present
Mayor Goss-present

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

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

Mayor 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, November 17, 2020 at 5:00 p.m. virtually, via zoom 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/Vincent P. Migliore
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	V. Migliore	CC.	11/13/20	09:39
Joseph L. Ferris	V. Migliore	CC.	11/13/20	11:12
Michele Daniels	V. Migliore	CC.	11/13/20	14:03
Soubanh Phanthay	V. Migliore	CC.	11/13/20	08:54

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With the shift to remote meetings, we have modified how we receive public comments. At this time, the Brewer City Council is accepting written public comments in place of in-person participation. Written public comments must be e-mailed to City Clerk Vincent Migliore at vmigliore@brewermaine.gov or mailed to Public Comments, City Hall, 80 North Main Street, Brewer ME 04412. Public Comments 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 REGULAR MEETING &
2020 ANNUAL MEETING
Tuesday, November 17, 2020 5:00 P.M.**

**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_fZ7rPHZLTXSrCrRJ3UQEHg

- 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 October 13, 2020 Regular Meeting** (Councilor Ferris)
- B. Awards, Petitions and Public Comments**
- C. Consent Calendar**
 - 1. (2020-A122) ORDER Accept donation to the Brewer Public Library from the Kiwanis Club of Brewer. (Councilor Phanthay)
 - 2. (2020-A123) ORDER Authorize purchase of a replacement tractor with attachments for Parks & Recreation. (Councilor Daniels)
 - 3. (2020-A124) ORDER Authorize Tax Release Deed, Map 19, Lot 9A, 1206 North Main Street. (Councilor Ferris)
 - 4. (2020-A125) ORDER Waive foreclosures of certain mobile home properties located in Brewer, Maine. (Councilor Phanthay)
 - 5. (2020-A126) ORDER Waive foreclosure of lien on Map 22, Lot 165 property located in Brewer, Maine. (Councilor Daniels)
- D. Monthly Reports** (Councilor Ferris)
- E. Nominations, Appointments, Elections**
 - 1. (2020-B031) RESOLVE Declare the results of the November 3, 2020 City of Brewer Annual Municipal Election and the State of Maine General Election. (Councilor Phanthay)
- F. Unfinished Business**
 - 1. (2020-C008) ORDER Amend the General Assistance Ordinance to incorporate changes in maximum benefits (Councilor Daniels)
 - 2. (2020-C009) ORDER Amend Chapter 24, entitled "Land Use Code" of the City of Brewer Charter, Codes and Ordinances, Article 3, Zoning Districts, to amend Section 306; Article 4,

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Performance Standards, to amend Section 438; and Article
14 Definitions (Councilor Ferris)

G. New Business

H. New Items with Leave of Council

I. ADJOURN

IV. Call to Order 2020 Annual Meeting. (City Clerk)

V. Roll Call. (City Clerk)

A. Swearing in of Elected Officials (City Clerk)

1. City Council Members
2. Superintending School Committee
3. Student Representative Member of the School Committee
4. Trustee of the High School District Trustees

B. Election of Mayor (City Clerk)

C. Election of Deputy Mayor (City Mayor)

D. Mayor's Remarks

E. Establishment of Committees (City Mayor)

1. Committee on Finance
2. Sub-committee for Standing Boards & Committees
3. Council's Liaison to the School Committee
4. Council's Liaison to the Brewer Planning Board
5. Council's Liaison to the Brewer Historical Society
6. Council's Liaison to the Penobscot County Budget Committee
7. Council's Liaison to the Parks & Recreation Committee
8. Council's Liaison and Representative to the Bangor Area Recovery Network
9. Council's Liaison to the Housing Authority

F. Establishment of Chair and Vice-Chair of the Brewer School Committee (City Mayor)

G. New Business

1. (2020-B032) RESOLVE Establish Location for Regular Meetings (Councilor Goss)
2. (2020-B033) RESOLVE Establish Time and Dates of Regular Meetings (Councilor Phanthay)
3. (2020-B034) RESOLVE Adopt Ethical Principles for Excellence in Government (Councilor Ferris)
4. (2020-B035) RESOLVE Adopt 10 Habits of Highly Effective City Councils (Councilor Goss)

VI. Adjourn 2020 Annual Meeting

A. Minutes of October 13, 2020 Regular Meeting

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

B. Awards, Petitions and Public Comments

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ACTION: Mayor Goss thanked everyone for moving the meeting to 5 o'clock so that Councilor Daniels can participate in the County Budget Meeting and cast Brewer's vote. Mayor Goss also wished the best of luck to Pat Esty who is going to be moving on to the Town of Orono.

C. Consent Calendar

2020-A122

November 17, 2020

**TITLE: ORDER, ACCEPT DONATION TO THE BREWER PUBLIC LIBRARY
FROM THE KIWANIS CLUB OF BREWER.**

Filed November 9, 2020
By Councilor Phanthay

WHEREAS, the City of Brewer Public Library has received a contribution of \$300.00 from the Kiwanis Club of Brewer; and

WHEREAS, it is the wish of the donor and the recommendation of the Library Director that these funds be used to for children's room projects; and

WHEREAS, Kiwanis has faithfully supported children's reading and literacy efforts at the Brewer Public Library for many years, in particular the annual Summer Reading Program;

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts this contribution totaling \$300.00 from the Kiwanis Club of Brewer and authorizes its deposit in account 060072-360000-72011 (Kiwanis Grant Revenue) and expenditure from account 0600072-560000-72011 (Kiwanis Grant Expenses).

Statement of Fact

This order accepts a donation from the Kiwanis Club of Brewer to support children's room projects at the City of Brewer Public Library.

2020-A123

November 17, 2020

**TITLE: ORDER, AUTHORIZE PURCHASE OF A REPLACEMENT TRACTOR
WITH ATTACHMENTS FOR PARKS & RECREATION.**

Filed November 9, 2020
By Councilor Daniels

WHEREAS, bids were solicited, received and evaluated for the purchase of a tractor to replace Parks & Recreation unit # 607, a 2011 Kubota Tractor with bucket loader; and

WHEREAS, Dorr's Equipment Company of Bangor, Maine provided the City with the lowest responsive bid of the four bids received in the amount of \$21,451.99;

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NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Dorr's Equipment Company in the amount of \$21,451.99 for the purchase of a 2020, Kubota LX2610 HSD Tractor with attachments; and

BE IT FURTHER ORDERED that the funds for this purchase be charged to the FY 21 CIP account # 0510134 – 551443; approved in the FY 21 CIP budget.

BE IT FURTHER ORDERED that the City Manager, or his designee, has authorized the 2011 Kubota L3540 Tractor with loader, unit #607 to be used as a trade towards the purchase of the 2020, Kubota LX2610 HSD Tractor.

Statement of Fact

The replacement of tractor #607 was approved in the FY21 CIP budget; this order authorizes the purchase of the replacement tractor.

Bid results:

Dorr's Equipment Co	Kubota LX2610 HSD	\$21,451.99	
Greenway Equipment Sales	John Deere 1023 E	\$13,510.05	(Unresponsive Bid)
Greenway Equipment Sales	John Deere 1025 R	\$14,332.32	(Unresponsive Bid)
Greenway Equipment Sales	John Deere 2025 R	\$16,104.00	(Unresponsive Bid)

2020-A124

November 17, 2020

TITLE: ORDER, AUTHORIZE TAX RELEASE DEED, MAP 19, LOT 9A,
 1206 NORTH MAIN STREET

Filed November 12, 2020
By Councilor Ferris

ORDERED THAT, a municipal Release Deed be issued to MTGLQ Investments of Dallas, Texas, releasing to them all interest that the City of Brewer may have acquired by virtue of lien on this property; and

FURTHER ORDERED that the City Manager be herewith authorized to execute this Release Deed on behalf of the City of Brewer.

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**RELEASE DEED
MTGLQ INVESTORS, L.P.**

City of Brewer, a body politic located in the County of Penobscot, State of Maine, for consideration paid,
releases to **MTGLQ Investors, L.P.** with
Mailing address of: 2001 Ross Ave, Suite 2800, Dallas Texas 75201.

Map 19, Lot 9A of the Assessor's Tax Maps of the
City of Brewer, Maine.

Excepting and reserving all public easements or other public interests in the
above-described parcel for roads, sewers, or other purposes

The purpose of this deed is to release any interest the
City of Brewer has in and to the above described
Property by virtue of the following Liens assessed
against: James Blanchard and Dolores Blanchard

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14846 325

City of Brewer has caused this deed to be sealed with its corporate seal and signed in its corporate name by
Stephen Bost, its City Manager, duly authorized this 24 day of November AD 2020

WITNESS:

CITY OF BREWER

Stephen Bost
City Manager
Duly authorized

STATE OF MAINE

PENOBSCOT, ss

DATE, November 24, 2020

Personally appeared the above named Stephen Bost, City Manager, and acknowledged the foregoing
instrument to be his free act and deed in his said capacity and the free act and deed of the said City of
Brewer.

Before me,

Samantha L. Miller, Notary Public
My Commission expires December 13, 2023

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Bk 15662 Pg323 #26509
08-21-2020 @ 02:50p

After Recording Please Return To:
Bendett & McHugh, P.C.
270 Farmington Avenue, Suite 151
Farmington, CT 06032

**QUITCLAIM DEED WITHOUT COVENANT
CORPORATE GRANTOR**

Property address:
1206 North Main Street
Brewer, ME 04412

DLN: 1002040107447

KNOW ALL BY THESE PRESENTS, that MTGLQ INVESTORS, L.P. (hereinafter referred to as "Grantor"), a financial institution organized and existing under the laws of the United States of America, and having a place of business in Greenville, SC, acting pursuant to a Judgment of Foreclosure and Sale entered on March 10, 2020, in the Maine District Court, located in Bangor, Maine, Docket No. RE-19-26, under 14 M.R.S.A. §6321 et. seq. for the foreclosure of the Mortgage granted by DOLORES E. BLANCHARD to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR QUICKEN LOANS INC., dated November 26, 2010, and recorded in the Penobscot County Registry of Deeds in Book 12347, Page 267, for consideration paid, the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey, and forever quitclaim unto MTGLQ INVESTORS, L.P. (hereinafter referred to as "Grantee") its successors and assigns forever, whose mailing address is, a certain lot or parcel of land situated in the City of Brewer, of Penobscot County and State of Maine, described below:

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Bk 15662 Pg324 #26509

Tax Id Number(s): 01900-009A

Land Situated in the City of Brewer in the County of Penobscot in the State of ME

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF THE COUNTY ROAD LEADING FROM BANGOR TO EDDINGTON WHERE THE EASTERLY LINE OF LAND SOLD BY LUCY LEATON ET ALS TO HENRY A. AND MARY H. PIERCE INTERSECTS SAID COUNTY ROAD; THENCE EASTERLY ON SAID ROAD TEN (10) RODS AND FIVE (5) LINKS TO A STAKE; THENCE NORTH TWO DEGREES WEST (N 2 DEGREES W) TO THE PENOBSCOT RIVER; THENCE DOWN SAID RIVER ABOUT TEN (10) RODS AND FIVE (5) LINKS TO THE LINE OF LAND SOLD SAID PIERCE; THENCE ON THE LINE OF SAID PIERCE LAND SOUTH TWO DEGREES EAST (S 2 DEGREES E) TO THE POINT OF BEGINNING.

EXCEPTING THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT AN IRON ROD SET IN THE GROUND ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED, SAID IRON ROD MARKING THE GENERALLY SOUTHEASTERLY CORNER OF LAND NOW OR FORMERLY OF LLOYD B DOUGHTY AND DESCRIBED IN A DEED RECORDED IN THE PENOBSCOT COUNTY REGISTRY OF DEEDS IN VOLUME 1449 PAGE 206; THENCE IN A GENERALLY EASTERLY DIRECTION, BY AT ALL TIMES BY AND ALONG THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED, A DISTANCE OF ONE HUNDRED SEVENTY-EIGHT AND SEVEN TENTHS (178.7) FEET, MORE OR LESS, TO AN IRON PIPE SET IN THE GROUND, SAID IRON PIPE MARKING THE GENERALLY SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF ORIN D. FOGG AND MORE FULLY DESCRIBED IN A DEED RECORDED IN SAID REGISTRY IN VOLUME 1891 PAGE 170; THENCE NORTH TWENTY-ONE DEGREES, FIFTY-THREE MINUTES WEST (N 21 DEGREES 53 MINUTES W), BUT AT ALL TIMES BY AND ALONG THE GENERALLY WESTERLY SIDELINE OF SAID FOGG'S LAND, A DISTANCE OF TWO HUNDRED EIGHTY-FIVE (285) FEET TO AN IRON ROD SET IN THE GROUND; THENCE SOUTH EIGHTY-SIX DEGREES, FORTY-SIX MINUTES WEST (S 86 DEGREES 46 MINUTES W) A DISTANCE OF ONE HUNDRED SEVENTY THREE AND FORTY-FIVE HUNDREDTHS (173.45) FEET TO AN IRON ROD SET IN THE GROUND, SAID IRON ROD BEING LOCATED ON THE GENERALLY EASTERLY SIDELINE OF LAND NOW OR FORMERLY OF JAMES F. POOLER; THENCE SOUTH LIVE DEGREES, TWELVE MINUTES WEST (S 5 DEGREES 12 MINUTES W) BUT AT ALL TIMES BY AND ALONG THE GENERALLY EASTERLY SIDELINE OF SAID LAND NOW OR FORMERLY OF SAID POOLER, A DISTANCE OF SIXTY AND FORTY-EIGHT HUNDREDTHS (60.48) FEET TO A TIPPED IRON ROD SET IN THE GROUND, SAID IRON ROD MARKING THE GENERALLY SOUTHEASTERLY CORNER OF LAND NOW OR FORMERLY OF SAID POOLER AND THE GENERALLY NORTHEASTERLY CORNER OF LAND NOW OR FORMERLY OF LLOYD B. DOUGHTY DESCRIBED IN THE DEED RECORDED IN SAID REGISTRY IN VOLUME 2026 PAGE 390; THENCE SOUTH THIRTEEN DEGREES, FIFTY MINUTES WEST (S 13 DEGREES 50 MINUTES W), BUT AT ALL TIMES BY AND ALONG LAND OF DOUGHTY, A DISTANCE OF TWO HUNDRED TWENTY (220) FEET TO AN IRON ROD SET IN THE GROUND ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO-CALLED, SAID IRON ROD MARKING THE POINT OF BEGINNING.

ALSO CONVEYING TO JAMES ALLEN BLANCHARD, HIS HEIRS AND ASSIGNS, A RIGHT OF WAY FOR ALL PURPOSES OF A WAY, INCLUDING BUT NOT LIMITED TO THE RIGHT TO CONSTRUCT AND MAINTAIN A ROADWAY; THE

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Bk 15662 Pg325 #26509

RIGHT OF INGRESS AND EGRESS WITH PEDESTRIAN AND VEHICLE TRAFFIC; AND THE RIGHT TO CONSTRUCT AND MAINTAIN POLES AND TRANSMISSION LINES FOR SOUND, POWER AND PICTURES OVER THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT AN IRON PIPE SET IN THE GROUND ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED; SAID IRON PIPE MARKING THE GENERALLY SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF ORIN D. FOGG AND DESCRIBED IN A DEED RECORDED IN THE PENOBSCOT COUNTY REGISTRY OF DEEDS IN VOLUME 1861 PAGE 170; THENCE NORTH TWELVE DEGREES, FIFTY-THREE MINUTES WEST (N 12 DEGREES 53 MINUTES W), BUT AT ALL TIMES BY AND ALONG THE GENERALLY WESTERLY SIDELINE OF LAND NOW OR FORMERLY OF SAID FOGG, A DISTANCE OF TWO HUNDRED EIGHTY-FIVE (285) FEET TO AN IRON ROD SET IN THE GROUND; THENCE SOUTH EIGHTY-SIX DEGREES, FORTY-SIX MINUTES WEST (S 86 DEGREES 46 MINUTES W) A DISTANCE OF TWENTY-FIVE (25) FEET TO A POINT; THENCE SOUTH TWELVE DEGREES, FIFTY-THREE MINUTES EAST (S 12 DEGREES 53 MINUTES E) A DISTANCE OF TWO HUNDRED EIGHTY-FIVE (285) FEET, MORE OR LESS, TO A POINT SITUATED ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED; THENCE IN A GENERALLY EASTERLY DIRECTION, BUT AT ALL TIMES BY AND ALONG THE GENERALLY NORTHERLY SIDELINE OF SAID NORTH MAIN STREET, A DISTANCE OF TWENTY-FIVE (25) FEET TO AN IRON PIPE SET IN THE GROUND, SAID IRON PIPE MARKING THE POINT OF BEGINNING.

ALSO CONVEYING TO JAMES ALLAN BLANCHARD, HIS HEIRS AND ASSIGNS, THE RIGHT TO CONSTRUCT AND MAINTAIN TRANSMISSION LINES FOR SOUND, POWER, AND PICTURES OVER THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT A POINT ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED; SAID POINT BEING LOCATED GENERALLY WESTERLY TWENTY-FIVE (25) FEET FROM AN IRON PIPE SET IN THE GROUND ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SAID IRON PIPE MARKING THE SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF ORIN D. FOGG AND DESCRIBED IN A DEED RECORDED IN THE PENOBSCOT COUNTY REGISTRY OF DEEDS IN VOLUME 1891 PAGE 170; THENCE NORTH A DISTANCE OF SEVENTY-FIVE (75) FEET TO A POINT; THENCE IN A GENERALLY SOUTHWESTERLY DIRECTION A DISTANCE OF SEVENTY-FIVE (75) FEET, MORE OR LESS, TO A POINT LOCATED ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED; THENCE IN A GENERALLY EASTERLY DIRECTION, BUT AT ALL TIMES BY AND ALONG THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, A DISTANCE OF FIFTEEN (15) FEET TO A POINT, SAID POINT MARKING THE POINT OF BEGINNING.

Commonly known as: 1206 North Main Street, Brewer, ME 04412

BEING the same premises conveyed to Dolores E. Blanchard and James Allan Blanchard by Quitclaim Deed from James Allan Blanchard, dated October 24, 2001 and recorded in the Penobscot County Registry of Deeds in Book 7919, Page 325, together with and subject to all rights, easements, restrictions and reservations referred to therein. Further reference being made to the Release Deed into Dolores E. Blanchard from James Allan Blanchard, dated July 19, 2004 and recorded in the Penobscot County Registry of Deeds in Book 9452, Page 335, together with and subject to all rights, easements, restrictions and reservations referred to therein.

This deed is granted through a public sale held pursuant to 14 M.R.S.A. §6323(1). A notice of public sale stating time, place, and terms of the sale was published on June 24, 2020, July 1, 2020, and July 8, 2020 in The Bangor Daily News, a newspaper of general circulation in Penobscot County. The redemption period expired on June 8, 2020. The Public Sale was held on August 6,

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Bk 15662 Pg326 #26509

2020, following postponements pursuant to 14 M. R. S. A. §6323(1). The Grantee was the highest bidder.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereunto belonging, to the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be signed in its corporate name by NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing, its Attorney in Fact, by Charles Clute, its Foreclosure Specialist thereunto duly authorized, this 17 day of August, 2020.

NEWREZ LLC, F/K/A NEW PENN
FINANCIAL, LLC, D/B/A SHELLPOINT
MORTGAGE SERVICING as Attorney-in-Fact
for MTGLQ Investors, L.P.

By: [Signature]

Name: Charles Clute

Its: Foreclosure Specialist

STATE OF South Carolina
COUNTY OF Greenville

In Greenville SC on the 17 day of August, 2020, before me personally appeared Charles Clute, the Foreclosure Specialist of NEWREZ LLC, F/K/A NEW PENN FINANCIAL, LLC, D/B/A SHELLPOINT MORTGAGE SERVICING as Attorney-in-Fact for MTGLQ INVESTORS, L.P., to me known and known by me to be the party executing the foregoing instrument, and he/she acknowledged said instrument by him/her executed to be his/her free act and deed, and the free act and deed of NEWREZ LLC, F/K/A NEW PENN FINANCIAL, LLC, D/B/A SHELLPOINT MORTGAGE SERVICING as Attorney-in-Fact for MTGLQ INVESTORS, L.P.



Caroline Crouse
Notary Public
Printed Name: Caroline Crouse
My Commission Expires: 3-22-2029

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Bk 15674 Pg 43 #27569
08-31-2020 @ 12:47p

STATE OF MAINE NOT
PENOBSCOT, ss. AN
OFFICIAL
COPY

NOT DISTRICT COURT
AN LOCATION: BANGOR
OFFICIAL
DOCKET NO. RE-19-26
COPY

MTGLQ INVESTORS, L.B. T
AN
PLAINTIFF
v. COPY

NOT
AN
OFFICIAL
JUDGMENT OF FORECLOSURE
AND SALE; TITLE OF REAL
ESTATE IS INVOLVED

DOLORES BLANCHARD A/K/A DOLORES
E. BLANCHARD
DEFENDANT

Property Address: 1206 North Main Street, Brewer, State of Maine
Mortgage Recorded: Penobscot County Registry of Deeds in Book 12347, Page 267

Trial in this matter having been held on March 3, 2020, the Court finds as follows:

1. That the parties have received notice of the proceedings in this action, and that the notice was given in accordance with the applicable provisions of the Maine Rules of Civil Procedure.
2. That venue is properly laid in this Court.
3. That Plaintiff is entitled to judgment as a matter of law.
4. That Defendant is in breach of the terms of a certain promissory note held by the Plaintiff dated November 26, 2010, (the "Note"), with such breach constituting a default by the Defendant, and upon such default, proper notice of default was sent to the Defendant.
5. That the default of the Note caused a breach of the Mortgage.
6. That Plaintiff is the mortgagee of record of a mortgage securing the Note and recorded in the Penobscot County Registry of Deeds in Book 12347, Page 267 ("Mortgage"). The Mortgage encumbers real estate located at 1206 North Main Street, Brewer, Penobscot County, State of Maine ("Property"). The legal description of the Property contained in the Mortgage is incorporated herein by reference and attached hereto as Exhibit A.
7. That as of March 3, 2020, the following amounts are owed to Plaintiff under the terms of the Note and Mortgage:

a. Principal Balance	\$106,905.52
b. Accrued Interest	\$20,199.72
(plus interest at a per diem of \$12.95)	
c. Pre-acceleration Late Charges	\$348.04

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Bk 15674 Pg44 #27569

NOT
AN
OFFICIAL
COPY

NOT
AN
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Attest *[Signature]*
Clerk of Courts

NOT
AN
OFFICIAL
COPY
d. Escrow Balance
e. Unapplied Balance
f. Credits
g. Attorney's Fees
h. Attorney's Costs
Total:

NOT
AN
OFFICIAL
COPY
\$13,413.82
\$555.05
\$6,160.00
\$450.18
~~\$148,140.55~~ \$148,908.23

Plaintiff is entitled to add post-judgment attorney's fees and costs incurred in connection with the foreclosure, and additional amounts advanced or expended by Plaintiff pursuant to the Note and Mortgage.

8. That the order of priorities and amount of the claims of the parties who have appeared in this action for distribution from the proceeds of sale, after payment of expenses of sale, in this case are as follows:

- a. Plaintiff in the amount of \$148,140.55, plus accrued interest at the rate of 7.53% per annum, \$0 per day to the date of entry of judgment, plus interest after judgment at a rate of 7.53% per annum [pursuant to 14 M.R.S.A. § 1602-C. . Further, Plaintiff is entitled to the additional amounts incurred by Plaintiff as described in Paragraph 7 above, including but not limited to attorney's fees and costs, insurance premiums, and real estate taxes;
- b. There are no parties in interest of record
- c. The Defendant having failed to appear or Answer, to the Clerk of the Court as to any excess proceeds from sale pursuant to 14 M.R.S.A. § 6324.

9. That the names and addresses (if known) of all parties to this action and their counsel of record are identified as follows:

MTGLQ Investors, LLP
c/o Bendett & McHugh, P.C.
30 Danforth Street, Suite 104
Portland, ME 04101

Dolores E Blanchard
31 Kenduskeag Ave Apt 9
Bangor, ME 04401

10. That the Plaintiff's claim for attorney fees is not integral to the relief sought, within the meaning of M.R.Civ.P. 54(b)(2); and

11. That Defendant has failed to plead or otherwise appear, and therefore M.R.S.A. § 6321-A and M.R.Civ.P. 93 do not apply and mediation is considered waived.

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Bk 15674 Pg45 #27569

12. That there is no just reason for delay in the entry of final judgment for Plaintiff on all claims, except for the claim for Attorney's fees and disbursements and additional amounts advanced by Plaintiff related to its mortgage security incurred by Plaintiff after the date of Plaintiff's Affidavit, for the following reasons:

- a. If judgment is granted but not entered as final, the time periods set forth in 14 M.R.S.A. §§ 6322 and 6323 will commence even though the judgment is subject to later revision;
- b. The Plaintiff and any bidders at the foreclosure sale would be exposed to some risk in proceeding to a sale if judgment is not final and remains subject to revision; and
- c. Any dispute regarding post-judgment Attorney's fees and disbursements or additional amounts advanced by Plaintiff related to its mortgage security may be resolved by the Defendant(s) filing a motion contesting Plaintiff's Report of Public Sale as provided in 14 M.R.S.A. § 6324.

WHEREFORE, it is hereby Ordered and Decreed:

- A. That if Defendant(s), his/her/their heirs and assigns, do not pay the Plaintiff the amounts adjudged to be due to Plaintiff as set forth in Paragraph 8(a) above within ninety (90) days from the date of entry of this Order, Plaintiff (through its agents or attorneys) shall proceed with a sale of the Property described in the Mortgage, pursuant to 14 M.R.S.A. §§ 6321-6324, free and clear of all liens, except liens senior to Plaintiff's Mortgage, and shall pay the proceeds of sale, after satisfying expenses of sale, in the amounts, manner, and priority set forth in Paragraph 8 above;
- B. That the Clerk is hereby directed to enter this Order and Judgment of Foreclosure and Sale as a final judgment pursuant to Rule 54(b)(1), except as to any additional post-judgment Attorney's fees and disbursements or additional amounts advanced by Plaintiff related to its mortgage security;
- C. That if Defendant(s) fail(s) to redeem by paying the above amounts adjudged to be due on or before ninety (90) days from the date of entry of this Order, or within such additional time as Plaintiff may in its sole discretion allow, or if Defendant(s) abandon(s) the Property, Plaintiff shall then be entitled, at its option, to take exclusive possession of the Property described in Plaintiff's Mortgage, and Clerk shall issue a Writ of Possession at the request of Plaintiff;
- D. That Plaintiff is entitled, at its option, to have a receiver appointed to collect the rents of the Property pursuant to the Mortgage;
- E. That an execution shall issue against Defendant(s) for any deficiency, provided the requirements are met, but that no deficiency shall issue against any Defendant who has received a discharge in bankruptcy for this debt, nor shall a deficiency issue against anyone

City Council Minutes
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Bk 15674 Pg46 #27569

NOT NOT
who did not actually execute a promissory note or other document creating an obligation
to pay; OFFICIAL OFFICIAL

COPY COPY
F. That Plaintiff shall specify Attorney's fees and disbursements incurred after the date of
Attorney's Fees and Disbursements Affidavit in its Report of Public Sale, which shall then
constitute a timely application for an award of additional attorneys' disbursements,
notwithstanding the requirements of M.R.Civ.P. 54(b)(3) to file such application within
sixty (60) days after judgment; Defendant(s) may contest the Report and application for
additional Attorney's fees and disbursements by filing a motion pursuant to 14 M.R.S.A.
§6324;

G. That once the applicable appeal period has expired, Plaintiff shall prepare and the Clerk
shall execute an appropriate certification either that no action was taken or that an appeal
was filed, and Plaintiff shall then record the said certification and a copy of this Judgment
in the Penobscot County Registry of Deeds and pay the recording fees therefore, in
compliance with 14 M.R.S.A. § 2401(3), such fees and costs so incurred by Plaintiff to be
added to and become part of the mortgage indebtedness secured by the Mortgage; and

H. That the Clerk shall enter the following in the docket:

"Order and Judgment of Foreclosure and Sale dated March 3, 2020
for the Plaintiff as a final judgment except for additional Attorney's fees and disbursements and
any additional amounts advanced by Plaintiff related to its mortgage security, and said Order is
incorporated in the docket by reference. This entry is made in accordance with M.R.Civ.P. 79(a)
at the specific direction of the Court."

Dated: March 3, 2020

Judge

Date entered in the docket: 3-10-2020

A TRUE COPY

Attest Seth Schlerk
Clerk of Courts

CERTIFICATION OF CLERK PURSUANT TO 14 M.R.S.A. § 2401(3)(F)

Pursuant to 14 M.R.S.A. § 2401(3)(F), it is hereby certified that no notice of appeal of the
Judgment of Foreclosure and Sale in this matter was filed with the Clerk of Court in this action
within the appeal period following the entry of judgment.

Dated: 6-17-2020

Cheryl Saylor
Associate Clerk of Court

City Council Minutes
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NOT AN OFFICIAL COPY
EXHIBIT A - LEGAL DESCRIPTION
NOT AN OFFICIAL COPY

Tax lot Number(s): 01900-009A

Land Situated in the City of Brewer in the County of Penobscot in the State of ME

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF THE COUNTY ROAD LEADING FROM BANGOR TO EDINGTON WHERE THE EASTERLY LINE OF LAND SOLD BY LUCY LEATON ET AL TO HENRY A. AND MARY H. PIERCE INTERSECTS SAID COUNTY ROAD; THENCE EASTERLY ON SAID ROAD TEN (10) RODS AND FIVE (5) LINKS TO A STAKE; THENCE NORTH TWO DEGREES WEST (N 2 DEGREES W) TO THE PENOBSCOT RIVER; THENCE DOWN SAID RIVER ABOUT TEN (10) RODS AND FIVE (5) LINKS TO THE LINE OF LAND SOLD SAID PIERCE; THENCE ON THE LINE OF SAID PIERCE LAND SOUTH TWO DEGREES EAST (S 2 DEGREES E) TO THE POINT OF BEGINNING.

EXCEPTING THE FOLLOWING DESCRIBED PARCEL BEGINNING AT AN IRON ROD SET IN THE GROUND ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED, SAID IRON ROD MARKING THE GENERALLY SOUTHEASTLY CORNER OF LAND NOW OR FORMERLY OF LLOYD B. DOUGHTY AND DESCRIBED IN A DEED RECORDED IN THE PENOBSCOT COUNTY REGISTRY OF DEEDS IN VOLUME 1449 PAGE 206; THENCE IN A GENERALLY EASTERLY DIRECTION, BY AT ALL TIMES BY AND ALONG THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED, A DISTANCE OF ONE HUNDRED SEVENTY-EIGHT AND SEVEN TENTHS (178.7) FEET, MORE OR LESS, TO AN IRON PIPE SET IN THE GROUND, SAID IRON PIPE MARKING THE GENERALLY SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF ORIN D. FOGG AND MORE FULLY DESCRIBED IN A DEED RECORDED IN SAID REGISTRY IN VOLUME 1891 PAGE 176; THENCE NORTH TWENTY-ONE DEGREES, FIFTY-THREE MINUTES WEST (N 21 DEGREES 53 MINUTES W), BUT AT ALL TIMES BY AND ALONG THE GENERALLY WESTERLY SIDELINE OF SAID FOGG'S LAND, A DISTANCE OF TWO HUNDRED EIGHTY-FIVE (285) FEET TO AN IRON ROD SET IN THE GROUND; THENCE SOUTH EIGHTY-SIX DEGREES, FORTY-SIX MINUTES WEST (S 86 DEGREES 46 MINUTES W), A DISTANCE OF ONE HUNDRED SEVENTY-THREE AND FORTY-FIVE HUNDREDTHS (173.45) FEET TO AN IRON ROD SET IN THE GROUND, SAID IRON ROD BEING LOCATED ON THE GENERALLY EASTERLY SIDELINE OF LAND NOW OR FORMERLY OF JAMES F. POOLER, THENCE SOUTH LIVE DEGREES, TWELVE MINUTES WEST (S 5 DEGREES 12 MINUTES W) BUT AT ALL TIMES BY AND ALONG THE GENERALLY EASTERLY SIDELINE OF SAID LAND NOW OR FORMERLY OF SAID POOLER, A DISTANCE OF SIXTY AND FORTY-EIGHT HUNDREDTHS (60.48) FEET TO A TIPPED IRON ROD SET IN THE GROUND, SAID IRON ROD MARKING THE GENERALLY SOUTHEASTLY CORNER OF LAND NOW OR FORMERLY OF SAID POOLER AND THE GENERALLY NORTHEASTLY CORNER OF LAND NOW OR FORMERLY OF LLOYD B. DOUGHTY DESCRIBED IN THE DEED RECORDED IN SAID REGISTRY IN VOLUME 2026 PAGE 390; THENCE SOUTH THIRTEEN DEGREES, FIFTY MINUTES WEST (S 13 DEGREES 50 MINUTES W), BUT AT ALL TIMES BY AND ALONG LAND OF DOUGHTY, A DISTANCE OF TWO HUNDRED TWENTY (220) FEET TO AN IRON ROD SET IN THE GROUND ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED, SAID IRON ROD MARKING THE POINT OF BEGINNING.

ALSO CONVEYING TO JAMES ALLEN BLANCHARD, HIS HEIRS AND ASSIGNS, A RIGHT OF WAY FOR ALL PURPOSES OF A WAY, INCLUDING BUT NOT LIMITED TO THE RIGHT TO CONSTRUCT AND MAINTAIN A ROADWAY; THE

RIGHT OF INGRESS AND EGRESS WITH PEDESTRIAN AND VEHICLE TRAFFIC; AND THE RIGHT TO CONSTRUCT AND MAINTAIN POLES AND TRANSMISSION LINES FOR SOUND, POWER AND PICTURES OVER THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT AN IRON PIPE SET IN THE GROUND ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED, SAID IRON PIPE MARKING THE GENERALLY SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF ORIN D. FOGG AND DESCRIBED IN A DEED RECORDED IN THE PENOBSCOT COUNTY REGISTRY OF DEEDS IN VOLUME 1861 PAGE 170; THENCE NORTH TWELVE DEGREES, FIFTY-THREE MINUTES WEST (N 12 DEGREES 53 MINUTES W), BUT AT ALL TIMES BY AND ALONG THE GENERALLY WESTERLY SIDELINE OF LAND NOW OR FORMERLY OF SAID FOGG, A DISTANCE OF TWO HUNDRED EIGHTY-FIVE (285) FEET TO AN IRON ROD SET IN THE GROUND; THENCE SOUTH EIGHTY-SIX DEGREES, FORTY-SIX MINUTES WEST (S 86 DEGREES 46 MINUTES W), A DISTANCE OF TWENTY-FIVE (25) FEET TO A POINT; THENCE SOUTH TWELVE DEGREES, FIFTY-THREE MINUTES EAST (S 12 DEGREES 53 MINUTES E), A DISTANCE OF TWO HUNDRED EIGHTY-FIVE (285) FEET, MORE OR LESS, TO A POINT SITUATED ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO CALLED; THENCE IN A GENERALLY EASTERLY DIRECTION, BUT AT ALL TIMES BY AND ALONG THE GENERALLY NORTHERLY SIDELINE OF SAID NORTH MAIN STREET, A DISTANCE OF TWENTY-FIVE (25) FEET TO AN IRON PIPE SET IN THE GROUND, SAID IRON PIPE MARKING THE POINT OF BEGINNING.

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Bk 15674 Pg48 #27569

NOT
AN
OFFICIAL
ALSO CONVEYING TO JAMES ALLAN BLANCHARD, HIS HEIRS AND ASSIGNS, THE RIGHT TO CONSTRUCT AND
MAINTAIN TRANSMISSION LINES FOR SOUND, POWER, AND PICTURES OVER THE FOLLOWING DESCRIBED
PARCEL: BEGINNING AT A POINT ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SO
CALLED, SAID POINT BEING LOCATED GENERALLY WESTERLY TWENTY-FIVE (25) FEET FROM AN IRON PIPE SET IN
THE GROUND ON THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, SAID IRON PIPE MARKING THE
SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF ORIN D. FOGG AND DESCRIBED IN A DEED
RECORDED IN THE PENOBSCOT COUNTY REGISTRY OF DEEDS IN VOLUME 187A, PAGE 170; THENCE NORTH A
DISTANCE OF SEVENTY-FIVE (75) FEET TO A POINT; THENCE IN A GENERALLY SOUTHWESTERLY DIRECTION A
DISTANCE OF SEVENTY-FIVE (75) FEET, MORE OR LESS, TO A POINT LOCATED ON THE GENERALLY NORTHERLY
SIDELINE OF NORTH MAIN STREET, SO CALLED; THENCE IN A GENERALLY, -EASTERLY DIRECTION, BUT AT ALL
TIMES BY AND ALONG THE GENERALLY NORTHERLY SIDELINE OF NORTH MAIN STREET, A DISTANCE OF FIFTEEN
(15) FEET TO A POINT, SAID POINT MARKING THE POINT OF BEGINNING.

Commonly known as: 1206 North Main Street, Brewer, ME 04412

Susan F. Bulay, Register
Penobscot County, Maine

Statement of Fact

This order authorizes the release of the interest in 1206 North Main Street that the City acquired by virtue of foreclosed lien, which have now been paid in full. A total of \$154.55 was collected for the lien, and \$2,789.15 in real estate taxes.

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2020-A125

November 17, 2020

TITLE: ORDER, WAIVE FORECLOSURE OF CERTAIN MOBILE HOME
 PROPERTIES LOCATED IN BREWER, MAINE.

Filed November 12, 2020
By Councilor Phanthay

WHEREAS, on June 28, 2019, after notices were provided in accordance with state law, the City of Brewer filed at the Penobscot Registry of Deeds liens against the mobile homes listed below for failure to pay FY2019 taxes in full; and

WHEREAS, FY2019 taxes on these properties remain unpaid and the statutory foreclosure will take place on December 28, 2020; and

WHEREAS, it is not in the best interest of the City of Brewer to allow the foreclosure of said properties to take place because they all rest on rented land and foreclosure could possibly result in the City being liable for rents and/or other expenses due;

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith agrees to waive foreclosure on the properties listed below located in Brewer, Maine for the 2019 tax year and authorizes the City Treasurer or her designee to sign statutory waivers of foreclosure and record them in Penobscot County Registry of Deeds; and

BE IT FURTHER ORDERED, that the Treasurer or her designee is authorized to take any and all other actions that may be necessary to carry out the terms and conditions of this order.

MAP	NAME	LOCATION
01000-02539	MATTHEWS PATRICIA E	23 BLACK BEAR ROAD
01000-02540	NADEAU SHARON E	25 BLACK BEAR ROAD
01000-02543	LECLAIR KATRINA	33 BLACK BEAR ROAD
01000-02545	COMER ANN MARIE	4 BLACK BEAR ROAD
01000-02548	ROYAL-NEVERS JOY A	12 BLACK BEAR ROAD
01000-02554	MATTHEWS RAYMOND C	26 BLACK BEAR ROAD
01000-02557	SANBORN SCOTT	34 BLACK BEAR ROAD

Statement of Fact

This order waives the automatic foreclosure on seven mobile homes that still owe on their 2019 taxes, because they are located on leased land. This action prevents the City from becoming liable for past due rent and utilities related to these mobile homes' land leases. Waiving foreclosure does not preclude the City from seeking foreclosure on a property at some point in the future.

2020-A126

November 17, 2020

TITLE: ORDER, WAIVE FORECLOSURE OF LIEN ON MAP 22 LOT 165

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PROPERTY LOCATED IN BREWER, MAINE.

Filed November 12, 2020
By Councilor Daniels

WHEREAS, on June 28, 2019, after notices were provided in accordance with state law, the City of Brewer filed at the Penobscot Registry of Deeds a lien against a one-acre, landlocked property with an assessed value of \$3,000 located between Sedgeunkedunk Stream and the railroad tracks in Brewer, Maine (Tax Map 22 Lot 165) for failure to pay FY2019 taxes; and

WHEREAS, FY2019 taxes on this property remain unpaid, and the statutory foreclosure will take place on December 28, 2020; and

WHEREAS, the owner of record of this property, Lincoln Paper and Tissue, LLC, is in bankruptcy, and, therefore, it is not in the best interest of the City of Brewer to allow the automatic foreclosure of said property;

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith agrees to waive foreclosure on the property listed below located in Brewer, Maine for the 2019 tax year and authorizes the City Treasurer or designee to sign statutory waivers of foreclosure and record them in Penobscot County Registry of Deeds; and

BE IT FURTHER ORDERED, that the Treasurer or designee is authorized to take any and all other actions that may be necessary to carry out the terms and conditions of this order.

<u>MAP</u>	<u>NAME</u>	<u>LOCATION</u>
02200-165	LINCOLN PAPER AND TISSUE LLC	SOUTH MAIN STREET

Statement of Fact

This order waives the automatic foreclosure of the lien on a one-acre, landlocked parcel along Sedgeunkedunk Stream valued at \$3,000 and owned by Lincoln Paper and Tissue, LLC, due to its declared bankruptcy. Waiving foreclosure does not preclude the City from seeking foreclosure on the property at some point in the future.

ACTION: Councilor Ferris moved that the Orders on the consent calendar have passage. Councilor Phanthay seconded the motion. The motion passed with a unanimous vote.

D. Monthly Reports

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

E. Nominations, Appointments, Elections

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2020-B031

November 17, 2020

TITLE: RESOLVE, DECLARE THE RESULTS OF THE NOVEMBER 03, 2020
CITY OF BREWER ANNUAL MUNICIPAL ELECTION AND
THE STATE OF MAINE GENERAL ELECTION.

Filed November 4, 2020
By Councilor Phanthay

WHEREAS, The City of Brewer Annual Municipal Election and the State of Maine General Election were held on November 3, 2020; 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 Annual Municipal Election and the State of Maine General Election as follows:

**CITY OF BREWER, MAINE
RETURN OF VOTES CAST**

At a legal meeting of the inhabitants of consolidated ward one in the City of Brewer, qualified by the Constitution and Laws of the State of Maine to vote for Representatives held on November 3, 2020 the said inhabitants gave in their vote for one member of the City Council for a 3-year term, one member of the City Council for a 1-year term, two members of the School Committee for 3-year terms, and one member of the High School Trustees for a 5-year term and the same were received, sorted, counted, declared and registered in open ward meeting, by the Warden who presided, and in the presence of the Ward Clerk and City Clerk, who formed a list of the whole number of ballots given in, and of the persons voted for, and made a record thereof as follows:

FOR ONE MEMBER OF THE CITY COUNCIL (3 YEAR TERM)

Maria K. Levasseur	had	2,203
Joseph L. Ferris	had	2,421

FOR ONE MEMBER OF THE CITY COUNCIL (1 YEAR TERM)

Jenn M. Morin	had	4,106
---------------	-----	-------

FOR TWO MEMBERS OF THE SCHOOL COMMITTEE (3 YEAR TERMS)

Cynthia A. Small	had	2,939
Benjamin K. Umel	had	2,126
Troy B. Richardson	had	1,467

FOR HIGH SCHOOL DISTRICT TRUSTEE (5 YEAR TERM)

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Daniel J. O'Connell had 4,424

Total Ballots Cast: 5,275

A true copy, attest:_____

Vincent P. Migliore
City Clerk, City of Brewer, Maine
November 4, 2020

City Council Minutes
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STATE OF MAINE RETURN OF VOTES CAST

MUNICIPALITY: BREWER - 1 (1-1)

PRESIDENT AND VICE PRESIDENT

<u>2,533</u>	BIDEN, JOSEPH R
<u>7</u>	DE LA FUENTE, ROQUE "ROCKY".
<u>38</u>	HAWKINS, HOWARD
<u>132</u>	JORGENSEN, JO
<u>2,568</u>	TRUMP, DONALD J.
<u>0</u>	BODDIE, PRESIDENT R. (Declared Write-In)
<u>0</u>	CHARLES, MARK R. (Declared Write-In)
<u>0</u>	HOEFLING, TOM (Declared Write-In)
<u>0</u>	MITCHELL, M.D. (Declared Write-In)
<u>0</u>	WELLS, KASEY J. (Declared Write-In)
<u>54</u>	BLANK

UNITED STATES SENATOR

<u>3,059</u>	COLLINS, SUSAN MARGARET
<u>1,933</u>	GIDEON, SARA I.
<u>85</u>	LINN, MAX PATRICK
<u>187</u>	SAVAGE, LISA
<u>1</u>	BOND, TIFFANY L. (Declared Write-In)
<u>0</u>	ENGELMAN, IAN KENTON (Declared Write-In)
<u>8</u>	FOGG, DOUGLAS E. (Declared Write-In)
<u>59</u>	BLANK

REPRESENTATIVE TO CONGRESS (District 2)

<u>2,363</u>	CRAFTS, DALE JOHN
<u>2,867</u>	GOLDEN, JARED F.
<u>0</u>	FOWLER, DANIEL J. (Declared Write-In)
<u>0</u>	HERNANDEZ, TIMOTHY ADAM (Declared Write-In)
<u>102</u>	BLANK

STATE SENATOR (District 8)

<u>237</u>	MONTAGUE, TERESA
<u>2,435</u>	ROSEN, KIMBERLEY C.
<u>2,459</u>	UHLENHAKE, BEVERLY B.
<u>201</u>	BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 128)

<u>2,131</u>	CRAIG, GARREL R.
<u>2,578</u>	O'CONNELL, KEVIN J.M.
<u>199</u>	BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 129)

<u>309</u>	LYFORD, PETER A.
<u>115</u>	BLANK

REGISTER OF PROBATE

<u>4,094</u>	STUPAK, RENEE M.
<u>1,238</u>	BLANK

COUNTY COMMISSIONER (District 1)

<u>4,097</u>	BALDACCI, PETER K.
<u>1,235</u>	BLANK

Certified by the Municipal Clerk:
Vincent P. Migliore

Signature of Clerk

November 04, 2020

Date

City Council Minutes
Tuesday, November 17, 2020

ACTION: Councilor Phanthay moved that the resolve be adopted. Councilor Ferris seconded the motion. The motion passed with a unanimous vote.

F. Unfinished Business

2020-C008

October 13, 2020

TITLE: ORDER, AMEND THE GENERAL ASSISTANCE ORDINANCE TO
INCORPORATE CHANGES IN MAXIMUM BENEFITS

filed October 01, 2020
by Councilor Daniels

BE IT ORDERED, that Chapter 11GA of the Charter, Codes and Ordinances of the City of Brewer entitled "General Assistance" be amended as follows:

A. Amend Chapter 11GA, Appendix A entitled 'Overall Maximums' to read, in part, as follows:

APPENDIX A Basic Necessities: Maximum Levels of Assistance

No. in Household	Monthly	(Change to)
1	\$759	\$775
2	\$862	\$879
3	\$1,096	\$1116
4	\$1,373	\$1,397
5	\$1,924	\$1,956
6	\$1,999	\$2,031

*Each additional person \$75 \$75

B. Amend Chapter 11GA, Appendix B entitled 'Food Maximums' to read, in part, as follows:

Current:

APPENDIX B Food Maximums: Maximum Levels of Assistance

No. In Household	Weekly	Monthly
1	45.12	194
2	82.56	355
3	118.37	509
4	150.23	646
5	178.60	768
6	214.19	921
7	236.74	1,018
8	270.70	1,164

*Each additional person \$146 monthly

Change to:

APPENDIX B Food Maximums: Maximum Levels of Assistance

No. In Household	Weekly	Monthly
1	47.44	204

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2	86.98	374
3	124.42	535
4	158.14	680
5	187.67	807
6	225.35	969
7	249.07	1,071
8	284.65	1,224
*Each additional person	\$146 monthly	

C. Amend Chapter 11GA, Appendix C entitled 'Housing Maximums' to read, in part, as follows:

Current:

Bedroom #	UNHEATED		HEATED	
	Weekly	Monthly	Weekly	Monthly
0	141	608	164	705
1	156	670	186	798
2	198	852	237	1,018
3	249	1,073	298	1,282
4	362	1,558	422	1,815

Change to:

Bedroom #	UNHEATED		HEATED	
	Weekly	Monthly	Weekly	Monthly
0	144	621	168	722
1	159	684	190	817
2	202	870	243	1,044
3	256	1,100	305	1,313
4	370	1,590	431	1,853

Statement of Fact

This is an annual order to adopt State changes in general assistance benefit amounts.

ACTION: Councilor Daniels moved that the amendment be enacted. Councilor Phanthay seconded the motion. The motion passed with a unanimous vote.

2020-C009

October 13, 2020

TITLE: ORDER, AMEND CHAPTER 24, ENTITLED "LAND USE CODE" OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES, ARTICLE 3, ZONING DISTRICTS, TO AMEND SECTION 306; ARTICLE 4, PERFORMANCE STANDARDS, TO AMEND SECTION 438; AND ARTICLE 14, DEFINITIONS.

filed October 07, 2020

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by Councilor Ferris

BE IT ORDAINED by the City of Brewer in City Council assembled that Chapter 24, of the Charter, Codes and Ordinances of the City of Brewer, entitled “Land Use Code” shall be amended by revising the following subsections to Article 3, Article 4 and Article 14:

ARTICLE 3 ZONING DISTRICTS

306 SCHEDULE OF USES

306.3 USES SUBSTANTIALLY SIMILAR TO PERMITTED USES (#41)(#45)

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):

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

The following medical marijuana uses, as defined by State Statute and this Ordinance, are prohibited:

Medical marijuana caregiver retail stores;
Medical marijuana cultivation and processing facilities;
Medical marijuana registered dispensaries and medical marijuana dispensary cultivation facilities (except as expressly allowed in this Ordinance);
Medical marijuana testing facilities; and
Medical marijuana manufacturing facilities.

306.5 SCHEDULE OF USES (#31)(#46)

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB	DD
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RESIDENTIAL USES													
<u>Medical Marijuana Home Production</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>	<u>Y-66, 67</u>
INSTITUTIONAL USES													
Medical Marijuana Registered Dispensary(#16)												S-11	
Medical Marijuana <u>Dispensary</u> Cultivation Facility (#16)												S-11	

Footnotes to Schedule of Land Uses

11. The following Chapters, Articles and Sections shall apply: Chapter 24, Land Use Code, Article 4, Sections 424.2, 424.3 & 438, and Article 6, Section 607.7.1. No Medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facility shall be located within 1,000 feet of any property line upon which the Dispensary or Facility is or are located and the nearest property line of a preexisting public or private school. Additionally, no medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facility shall be located within 500 feet of any property line upon which the Dispensary and/or Facility is or are located and the nearest property line of any of the following, which is or are in existence when an application for a Medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facility is made:

- a. Preexisting church or other facility for religious worship;
- b. Preexisting private residence,
- c. Preexisting license daycare facility, or
- d. Preexisting methadone clinic. (#16)

65. Medical marijuana home production, as defined herein, shall be considered an accessory residential use that does not require land use permitting. As an accessory use, medical marijuana home production shall be allowed in any qualifying patient's residence or any medical marijuana caregiver's primary year-round residence in every zoning district, without any requirement for land use permitting. Medical marijuana Home Production does not include a medical marijuana cultivation and processing facility. For the purposes of the Schedule of Uses, a "medical marijuana cultivation and processing facility" is a facility used for cultivating, processing,

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testing, and/or storing of medical marijuana plants and medical marijuana products by a medical marijuana caregiver or group of medical marijuana caregivers which is not their primary year-round residence or their patient's primary year-round residence. Multiple caregivers may operate on a single parcel if that parcel constitutes the medical marijuana caregiver's primary year-round residence. For the purpose of this use, marijuana shall have the same definition as set forth in 18-691, Ch 2 of the Code of Maine Rules, as amended, and caregiver shall have the same definition as set forth in the Maine Medical Use of Marijuana Act, as amended.

66. Medical Marijuana Home Production as an accessory use does not authorize any residential uses that are otherwise prohibited according to the Schedule of Uses. Medical Marijuana Home Production as an accessory use is allowed in conjunction with any lawfully existing nonconforming residential use, provided all applicable ordinance, statutes, regulations, and other laws are complied with.

Applicability: Notwithstanding the provisions of 1 M.R.S.A. section 302 or any other law to the contrary, these ordinance amendments shall apply to any pending proceeding for a building permit, certificate of occupancy, site plan, or any other required approval from the City of Brewer.

ARTICLE 4 PERFORMANCE STANDARDS

**438 MEDICAL MARIJUANA ~~REGISTERED DISPENSARIES and MEDICAL~~
~~MARIJUANA CULTIVATION FACILITIES~~ (#16)**

1. The property for a Medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facilities shall be adequate to accommodate sufficient interior space so as not to have outside patient queuing on sidewalks, parking area, and other areas outside of the building (s). A letter of compliance from the Brewer Code Officer shall be submitted to the Planning Board as part of the site plan application. The size of the inside waiting area shall be calculated at a minimum of 15 square feet per person based on total client capacity (registered patients and the registered primary caregiver of each registered patient). Medical Marijuana Registered Dispensaries and/or Medical Marijuana Dispensary Cultivation Facilities shall adhere to the laws of the State of Maine and the State of Maine Rules Governing the Maine Medical Use of Marijuana Program (18-691 10-144 CMR Chapter 2 122), as the same may be amended from time to time and to Chapter 20 Licenses and Permits, Article 8-B, of the City of Brewer Charter, Codes and Ordinances, as the same may be amended from time to time.
2. No Medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facility shall be located within 1,000² feet of the property line upon which the Dispensary and/or Facility is or are located and the property line of a preexisting public or private school. Additionally, no Medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facility shall be located within 500² feet of the property

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line upon which the Dispensary and/or Facility is or are located and the nearest property line of any of the following, which is or are in existence when an application for a Medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facility is made:

- a. Preexisting public or private school,
 - b. Preexisting church or other facility for religious worship,
 - c. Preexisting private residence,
 - d. Preexisting licensed daycare facility, or
 - e. Preexisting methadone clinic.
3. No more than one (1) Medical Marijuana Registered Facility and/or one (1) Medical Marijuana Dispensary Cultivation Facility shall be located in the City of Brewer. The Medical Marijuana Registered Dispensary and Medical Marijuana Dispensary Cultivation Facility shall be located on the same property that shall be under common ownership.
 4. A Medical Marijuana Registered Dispensary shall only be open for business between the hours of 8:00a.m. and 8:00p.m. daily.
 5. Medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facility shall conform to the City of Brewer's Sign Ordinance. In addition thereto, any freestanding or sign attached to building(s) in which the Dispensary and/or Facility is located in shall clearly state that it is a Medical Marijuana Dispensary and/or Medical Marijuana Dispensary Cultivation Facility. There shall be no signage in any window and or door, except for the hours of operation.
 6. Security measures at a Medical Marijuana Registered Dispensary and /or Medical Marijuana Dispensary Cultivation Facility shall include the following at a very minimum:
 - a. Security surveillance cameras installed and operating twenty-four (24) hours a day, seven (7) days a week to monitor all entrances, along with the interior and exterior of the Dispensary and/or Facility, to discourage and facilitate the reporting of criminal acts and nuisance activities occurring on the property;
 - b. Door and window intrusion, robbery and burglary alarm systems with an audible on-site system and Police Department notification components that are professionally monitored and maintained in good working condition, using hard line traditional telephone communications and cellular communications;

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- c. A safe affixed to the building in which it is located that is suitable for the storage of all prepared and/or processed marijuana and cash stored overnight in the Dispensary and/or Facility;
- d. Exterior lighting that illuminates all exterior walls of the licensed Dispensary and/or Facility and
- e. Deadbolt locks on all exterior doors and locks or bars on any other access point.

All security recordings shall be preserved for thirty (30) days by the management of the licensed Dispensary and/or Facility.

- 7. Employees of a Medical Marijuana Registered Dispensary may assist registered patients as that term is defined in 22 M.R.S.A. § 2422(12), as the same may be amended from time to time, with the use of medical marijuana inside the building(s) on the licensed property. An employee of a Medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facility, who is also a registered patient, may use medical marijuana inside the building(s) on the licensed property. Any such use of medical marijuana must not be visible from the street or from outside the building(s). Any Medical Marijuana Facility where use of medical marijuana takes place shall have in place protocols and policies to educate registered patients and registered patients who are employees about the dangers of driving a vehicle while medicated and, when possible, to discourage or prevent driving while medicated. (#22)
- 8. Visibility of activities; control of emissions; disposal plan for a Medical Marijuana Registered Facility and/or Medical Marijuana Dispensary Cultivation Facility shall be as follows:
 - 1) All activities of Medical Marijuana Registered Dispensaries and/or Medical Marijuana Dispensary Cultivation Facilities, including, without limitation, cultivating, growing, processing, displaying, selling and storage shall be conducted indoors.
 - 2) No marijuana or paraphernalia shall be displayed or kept in a Dispensary or Facility so as to be visible from outside the building (s).
 - 3) Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting a Dispensary and/or Facility must be provided at all times. Sufficient measures shall be provided for the proper disposal of all such materials, items

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and other substances in a safe, sanitary and secure manner and in accordance with all applicable state and local laws and regulations.

- 4) All Medical Marijuana Registered Dispensaries and/or Medical Marijuana Dispensary Cultivation Facility shall have in place an operation plan for proper disposal of marijuana related byproducts.
9. No food products shall be sold, prepared, produced or assembled by a Medical Marijuana Registered Dispensary except in compliance with all operation and other requirements of state and local law and regulation, including without limitation, food establishment licensing requirements. Any goods containing marijuana for human consumption shall be stored in a secure area.
10. A Medical Marijuana Registered Dispensary and/or Medical Marijuana Dispensary Cultivation Facility shall meet all operating and other requirements of state and local law and regulation. To the extent the State of Maine has adopted or adopts in the future any stricter law or regulation.
11. Medical marijuana Home Production activities shall be conducted wholly inside a building, and otherwise be in compliance with applicable laws and regulations governing caregivers and patients under the Maine Medical Use of Marijuana Act or other applicable laws. Further, medical marijuana home production shall not create noise, dust, vibration, odor, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance to any greater or more frequent extent than that normally experienced in an average residential dwelling in the district in which located. Furthermore, with respect to odors, any medical marijuana home production which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public or which interferes unreasonable with the comfort of the public shall be removed, stopped or so modified as to remove the odor.

Applicability: Notwithstanding the provisions of 1 M.R.S.A. section 302 or any other law to the contrary, these ordinance amendments shall apply to any pending proceeding for a building permit, certificate of occupancy, site plan, or any other required approval from the City of Brewer.

ARTICLE 14 DEFINITIONS

Agriculture: The cultivation of the soil for either food crops or forage and/or the raising and/or breeding of livestock for either personal use or profit. The term does not include garden as defined. Agriculture shall specifically not include the cultivation of marijuana for any purpose.

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Farm Stand: Sale of agricultural products raised or grown on said premises with a sales area of not more than 400 square feet. Marijuana plants, marijuana products, and hemp products as defined in Title 7 of the Maine Revised Statutes, section 2231, subsection 1-A, paragraph D, shall not be sold or dispersed at farm stands.

Garden: A plot of cultivated ground adjacent to a dwelling and devoted in whole or in part to the growing of herbs, fruits, flowers or vegetables for household use. A garden shall specifically not include marijuana plants.

Marijuana plant: A plant of the genus Cannabis, including, but not limited to, Cannabis sativa, Cannabis indica and Cannabis ruderalis or their hybrids and the seeds of those plants. “Marijuana plant” does not include hemp as defined in Title 7 of the Maine Revised Statutes, section 2231, subsection 1-A, paragraph D.

Marijuana product: A product composed of harvested marijuana and other ingredients that is intended for medical use. “Marijuana product” includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. “Marijuana product” does not include marijuana concentrate or a product containing hemp as defined in Title 7 of the Maine Revised Statutes, section 2231, subsection 1-A, paragraph D.

Medical Marijuana Caregiver Retail Store: A store that has attributes generally associated with retail stores, including, but not limited to, a fixed location, a sign, regular business hours, accessibility to the public and sales of goods or services directly to a consumer, and that is used by a registered caregiver to offer marijuana plants, harvested marijuana, or marijuana products for sale to qualifying patients.

Medical Marijuana Registered Dispensary: Medical Marijuana Registered Dispensary means ~~a not for-profit entity as defined under Title 22 M.R.S.A., Section 2422 and registered pursuant to Title 22 M.R.S.A., Section 2428 and to Section 6 of the State of Maine Rule Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 22) that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana, paraphernalia or related supplies and educational materials to registered patients who have designated the Dispensary to cultivate marijuana for their medical use and the registered primary caregivers of those patients an entity registered under section 2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana plants or harvested marijuana or related supplies and educational materials to qualifying patients and the caregivers of those patients.~~ ~~AA~~ A Medical Marijuana Registered Dispensary shall be further defined in, and shall adhere to, the laws of the State of Maine and to the State of Maine Rules Governing the Maine Medical Use of Marijuana Program (~~18-691 10-144~~ CMR Chapter ~~2 122~~), as the same may be amended from time to time. (#16)

Medical Marijuana ~~Dispensary~~ Cultivation Facility: Medical Marijuana Dispensary Cultivation Facility means a ~~not for profit entity registered pursuant to the laws of the State of Maine and to Section 6 of the State of Maine Rules Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 122) that is a~~ Medical Marijuana Registered Dispensary’s permitted additional location for the cultivation of marijuana. A Medical ~~AA~~ Marijuana Dispensary Cultivation Facility Facilities shall be further defined in, and shall adhere to, the State of Maine Rules Governing the Maine Medical Use of

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Marijuana Program (~~18-691 40-144~~CMR Chapter 2 422), as the same may be amended from time to time.
(#16)

Medical Marijuana Home Production: Cultivating, processing, and/or storing of medical marijuana plants and medical marijuana products by a qualifying patient at their own residence or a medical marijuana caregiver at their own primary year-round residence for use by a qualifying patient. This use shall be considered an accessory use. As an accessory use, Medical Marijuana Home Production shall be allowed in any qualifying patient's residence or any medical marijuana caregiver's primary year-round residence in every zoning district, without any requirement for land use permitting.

Medical Marijuana Cultivation and Processing Facility: A facility used for cultivating, processing testing, and/or storing of medical marijuana plants and medical marijuana products by a medical marijuana caregiver or group of medical marijuana caregivers which is not their primary year-round residence or their patient's primary year-round residence.

Nurseries & Greenhouses: A building or structure constructed chiefly of glass, glasslike or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers or other plants. A nursery or greenhouse may include a retail business whose primary activity is the selling of plants grown on the same site. A nursery or greenhouse shall specifically not include marijuana plants and/or marijuana products.

Applicability: Notwithstanding the provisions of 1 M.R.S.A. section 302 or any other law to the contrary, these ordinance amendments shall apply to any pending proceeding for a building permit, certificate of occupancy, site plan, or any other required approval from the City of Brewer.

Statement of Fact

These ordinance amendments are proposed in order to update local regulations pertaining to medical and adult use marijuana. The Planning Board held a public hearing on October 5, 2020 and unanimously made the recommendation to adopt these amendments as written.

ACTION: Councilor Ferris moved that the ordinance amendment be tabled. Councilor Daniels seconded the motion. The Amendment was tabled by a unanimous vote. Mayor Goss made note that the reason the amendment has been tabled is for the councilors to gain more information in order to make final decisions on this topic.

G. New Business

There was none.

H. New Items with Leave of Council

There was none.

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I. ADJOURN

ACTION: Councilor Ferris moved that the meeting be adjourned. Councilor Daniels seconded the motion. The motion passed unanimously. The regular meeting was adjourned at 5:08pm.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine

The 2020 annual meeting was called to order by the City Clerk at 5:09pm. The City Clerk called the roll:

Councilor Goss-present
Councilor Daniels-present
Councilor Morin-present

Councilor Phanthay-present
Councilor Ferris-present

The City Clerk declared a quorum present. City Manager Stephen Bost and City Solicitor Jonathan Pottle were also present

A. Swearing in of Elected Officials

CITY CLERK: I will now read a list of our newly elected officials that have been sworn-in. In advance of tonight's meeting, I have met with them personally and administered to each their oath of office.

City Council Member, Joseph L. Ferris
City Council Member, Jenn M. Morin
Superintending School Committee Member, Cynthia A. Small
Superintending School Committee Member, Benjamin K. Umel
Student Representative Member of the School Committee, Emma Butterfield
Trustee of the High School District Trustees, Daniel J. O'Connell

Congratulations to all of our newly elected officials, and may God speed your service to our city.

B. Election of Mayor

ACTION: The City Clerk heard nominations for City Mayor. Councilor Goss nominated Councilor Daniels to be Mayor. Councilor Ferris seconded. Nominations ceased. Councilor Daniels was elected Mayor by unanimous vote.

The City Clerk congratulated Mayor Daniels, and turned the proceedings over to her. Mayor Daniels took a moment to recognize Jerry Goss for his service as outgoing mayor and presented a plaque and

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gavel. Councilor Goss commented that watching the growth of last year's two new councilors had been remarkable, and said to them, "Job well done!"

C. Election of Deputy Mayor

ACTION: Mayor Daniels heard nominations for Deputy Mayor. Councilor Ferris nominated Councilor Phanthay to be Deputy Mayor. Councilor Goss seconded. Nominations ceased. Councilor Phanthay was elected Deputy Mayor by unanimous vote.

D. Mayor's Remarks

ACTION: In her remarks, Mayor Daniels noted that 2020 had not been an easy year, but that through it we have changed, learned, and grown as a city. Mayor Daniels read a quote from Elenore Roosevelt: "You have to accept whatever comes, and the only important thing is that you meet it with courage and with the best that you have to give." Mayor Daniels shared words of encouragement with her fellow council members and envisioned her own role as communicator. She made note of the great talent within the city departments. She cited the City Manager, Public Works, Assessing, Water, Waste-Water, Engineering, Planning, Code Enforcement, Finance, Parks & Rec, Technology, Library, Human Services, the City Clerk's office, Economic Development, and Police & Fire for their great work. In closing Mayor Daniels also recognized her family for always supporting her.

E. Establishment of Committees

MAYOR DANIELS: Continuing on with our agenda, appointments and committee establishments. I have made the following appointments.

- I appoint all of the City Councilors to the Committee on Finance.
- Councilor Daniels and Councilor Morin to serve as a sub-committee to interview candidates for standing boards and committees.
- Councilor Ferris as the liaison to the School Committee.
- Councilor Phanthay as the Council's liaison to the Brewer Planning Board.
- Councilor Daniels as the Council's liaison to the Brewer Historical Society.
- Councilor Daniels as the Council's liaison to the Penobscot County Budget Committee
- Councilor Morin as the Council's liaison to the Parks and Recreation Committee

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- Councilor Goss as the Council's liaison and representative to the Bangor Area Recovery Network and
- Councilor Goss as the Council's liaison and representative to the Housing Authority.

F. Establishment of Chair and Vice-Chair of the Brewer School Committee (City Mayor)

MAYOR DANIELS: Now we move to the decision of Chair and Vice-Chair of the Brewer School Committee. I am pleased to announce that Shane Boyes has been elected Chairman of the Brewer School Committee and Cynthia Small was elected Vice-Chairman. Congratulations to both of you.

G. New Business

1. (2020-B032) RESOLVE Establish Location for Regular Meetings (Councilor Goss)

2020-B032

November 17, 2020

TITLE: RESOLVE, ESTABLISH LOCATION FOR REGULAR MEETINGS.

Filed November 9, 2020
By Councilor Goss

WHEREAS, the Charter of the City of Brewer requires that the City Council establish a place for holding its regular meetings; and

WHEREAS, the City of Brewer is currently affected by the COVID-19 Pandemic,

NOW, THEREFORE, BE IT RESOLVED, that for and during the period from November 17, 2020 to November 16, 2021, regular meetings of the City Council will continue to be held virtually via the Zoom platform until further notice; and

BE IT FURTHER RESOLVED, that once the City Council is advised that it is safe to resume meeting in person, the location for holding regular meetings of the City Council be established as the Arthur C. Verow Council Chambers at Brewer City Hall.

ACTION: Councilor Goss moved that the resolve be adopted. Councilor Ferris seconded the motion. The resolve was adopted by a unanimous vote.

2020-B033

November 17, 2020

TITLE: RESOLVE, ESTABLISH TIME AND DATES OF REGULAR

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MEETINGS.

Filed November 9, 2020
By Councilor Phanthay

WHEREAS, the Charter of the City of Brewer provides that a regular meeting of the City Council shall be held at least once per month;

NOW, THEREFORE, BE IT RESOLVED, that for and during the year from November 17, 2020 to and including November 16, 2021 regular meetings of the City Council shall be held at 6:00p.m. on the following dates:

Tuesday	December	08, 2020	6:00 P.M.
Tuesday	January	12, 2021	6:00 P.M.
Tuesday	February	9, 2021	6:00 P.M.
Tuesday	March	9, 2021	6:00 P.M.
Tuesday	April	13, 2021	6:00 P.M.
Tuesday	May	11, 2021	6:00 P.M.
Tuesday	June	8, 2021	6:00 P.M.
Tuesday	July	13, 2021	6:00 P.M.
Tuesday	August	10, 2021	6:00 P.M.
Tuesday	September	14, 2021	6:00 P.M.
Tuesday	October	12, 2021	6:00 P.M.
Tuesday	November	16, 2021	6:00 P.M.

ACTION: Councilor Phanthay moved that the resolve be adopted. Councilor Goss seconded the motion. The resolve was adopted by a unanimous vote.

2020-B034

November 17, 2020

TITLE: RESOLVE, ADOPT ETHICAL PRINCIPLES FOR EXCELLENCE IN GOVERNMENT.

Filed November 9, 2020
By Councilor Ferris

WHEREAS, public service is a public trust and public servants have the obligation to serve the public's interest and to perform and serve with integrity; and

WHEREAS, the many difficult decisions facing public servants involve tough choices between competing claims which involve loyalty to the City, respect for authority, recognition of the policy role of City Council positions, responsiveness to the public's right-to-know and sensitivity to the need for confidentiality when appropriate; and

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WHEREAS, an individual's character is measured through the management of one's ego, envy, timidity, ambition and/or craving for personal publicity;

NOW, THEREFORE, BE IT RESOLVED, that the true Brewer public servant:

- *will not act out of spite, bias, or favoritism;*
- *contributes to a climate of mutual trust and respect;*
- *does not succumb to peer or political pressure;*
- *refuses to let official action be influenced by*
personal relationships, including those arising from past or prospective employment;
- *has the courage of his or her convictions;*
- *does not try to shift blame to others;*
- *never forgets that he or she is working for the*
people – all the people;

NOW, THEREFORE BE IT RESOLVED, That the members of the Brewer City Council formally adopt and actively pursue the Ethical Principles for Public Servants provided by the "Council for Excellence in Government," 1992;

AND FURTHER RESOLVED, that copies of this proclamation of ethics be provided to all appointed personnel of the City and the City Manager for dissemination to all employees of the City of Brewer.

ACTION: Councilor Ferris moved that the resolve be adopted. Councilor Phanthay seconded the motion. The resolve was adopted by a unanimous vote.

2020-B035

November 17, 2020

TITLE: RESOLVE, ADOPT 10 HABITS OF HIGHLY EFFECTIVE CITY COUNCILS.

Filed November 9, 2020
By Councilor Goss

WHEREAS, Thomas Cronin, a recognized authority on public policy, has observed hundreds of governing bodies over many years and has identified 10 "habits" of highly effective municipal councils; and

WHEREAS, it is the sense of the Brewer City Council that adopting and observing these 10 "habits" can make the Brewer City Council highly effective and competent in leading the community;

NOW, THEREFORE, BE IT RESOLVED, that the 10 "habits" of Highly Effective Councils, set forth below, are herewith adopted by the Brewer City Council for the 2020 calendar year:

1. Think and Act Strategically
2. Understand and Demonstrate the Elements of Teams and Teamwork
3. Master Small-Group Decision Making

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4. Clearly Define Roles and Relationships
5. Establish and Abide by a Council-Staff Partnership
6. Make a Systematic Evaluation of Policy Implementation
7. Allocate Council Time and Energy Appropriately
8. Set Clear Rules and Procedures for Council Meetings
9. Get a Valid Assessment of the Public's Concerns and An Evaluation of the Council's Performance
10. Practice Continuous Personal Learning and Development As a Leader

ACTION: Councilor Goss moved that the resolve be adopted. Councilor Ferris seconded the motion. The resolve was adopted by a unanimous vote.

VI. Adjourn 2020 Annual Meeting

ACTION: Councilor Goss moved that the meeting be adjourned. Councilor Ferris seconded. The motion passed by a unanimous vote. The annual meeting was adjourned at 5:25 pm.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine
