

City Council Minutes

November 19, 2019

Regular Meeting & Annual Meeting  
City Hall Council Chambers

Tuesday, November 19, 2019  
6:00 p.m.

The regular meeting was called to order by Chairman Beverly Uhlenhake. The City Clerk called the roll:

Councilor Morelli-present  
Councilor O’Connell-present  
Councilor Ferris-present

Councilor Goss-present  
Chairman Uhlenhake-present

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

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

Chairman Uhlenhake read the notice for the regular meeting.

TO: Joseph Ferris, Jerry Goss, Kevin O’Connell, Thomas Morelli and Beverly Uhlenhake  
MEMBERS OF THE BREWER CITY COUNCIL you are hereby notified a regular meeting of the City Council will be held on Tuesday, October 8, 2019 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/Beverly Uhlenhake  
Mayor and Chairman of the City Council  
Or \_\_\_\_\_  
Majority of the City Council

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

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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
Joseph Ferris	Freeman	Off.	11/15/19	17:13
Thomas Morelli	Tardiff	Cpl.	11/15/19	17:19
Beverly Uhlenhake			11/15/19	
Jerry Goss	R.Hogan	C.C.	11/15/19	1:45 p.m.
Kevin O’Connell	Freeman	Off.	11/15/19	17:20

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**CITY COUNCIL REGULAR MEETING &  
2019 ANNUAL MEETING  
Tuesday, November 19, 2019 6:00 P.M.  
Brewer City Hall Council Chambers**

- I. Call to Order** (Mayor Uhlenhake)
- II. Roll Call** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America** (Mayor Uhlenhake)
- A. Minutes of October 8, 2019 Regular Meeting** (Councilor O’Connell)
- B. Awards, Petitions and Public Comments**
  - 1. Presentation by Dan O’Connell
- IV. Public Hearing**
  - 1. Public hearing to determine whether the building located at 225 Wilson Street in Brewer, Maine (Tax Assessor’s Map 29, Lot 18) is a nuisance or dangerous within the meaning of 17 M.R.S. §2851
- C. Consent Calendar**
  - 1. (2019-A157) ORDER Accept “Green Grant” donation to the Brewer Public Library (Councilor O’Connell)
  - 2. (2019-A158) ORDER Accept donation to the Brewer Public Library (Councilor Goss)
  - 3. (2019-A159) ORDER Accept grant funds from Wal-Mart (Councilor Ferris)
  - 4. (2019-A160) ORDER Accept funds from MMA’s Edward MacDonald Safety Enhancement Grant Program (Councilor Morelli)
  - 5. (2019-A161) ORDER Authorize Parks & Recreation Department Funds for operation of youth basketball program (Councilor O’Connell)
  - 6. (2019-A162) ORDER Waive foreclosure of lien on Map 22, Lot 165 property located in Brewer, Maine (Councilor Goss)
  - 7. (2019-A163) ORDER Waive foreclosure of certain mobile home properties located in Brewer (Councilor Ferris)
  - 8. (2019-A164) ORDER Authorize contract with Aqua-Aerobic Systems, Inc. for purchase of replacement ozone generation and application system equipment (Councilor Morelli)
  - 9. (2019-A165) ORDER Find the structure at 225 Wilson Street to be a nuisance or dangerous and order its disposal (Councilor O’Connell)
  - 10. (2019-A166) ORDER Reallocate portion of sewer debt service budget to support FY20 capital projects in accordance with approved FY20 WPCF CIP (Councilor Goss)
  - 11. (2019-A167) ORDER Authorize a part-time position for Police Department (Councilor Ferris)
- D. Monthly Reports** (Councilor Morelli)
- E. Nominations, Appointments, Elections**
  - 1. (2019-B031) RESOLVE Declare the results of the November 5, 2019 City of Brewer Annual Municipal Election and the State of Maine Referendum Election (Councilor Morelli)

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2. (2019-B032) RESOLVE Accept resignation of Michele Daniels as a member of the Cemetery Board, the Conservation Commission and the Library Trust (Councilor O'Connell)
3. (2019-B033) RESOLVE Accept resignation of Timothy Daniels as a member of the Board of Appeals (Councilor Goss)
4. (2019-A168) ORDER Appoint two new associate members to the Brewer Planning Board (Councilor Ferris)

## **F. Unfinished Business**

## **G. New Business**

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

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

## **I. ADJOURN**

## **IV. Call to Order 2019 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)

1. Swearing in of Deputy 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. (2019-B034) RESOLVE Establish Location for Regular Meetings (Councilor Morelli)
2. (2019-B035) RESOLVE Establish Time and Dates of Regular Meetings (Councilor Ferris)
3. (2019-B036) RESOLVE Adopt Ethical Principles for Excellence in Government (Councilor Daniels)
4. (2019-B037) RESOLVE Adopt 10 Habits of Highly Effective City Councils (Councilor Phanthay)

## **VI. Adjourn 2019 Annual Meeting**

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Mayor Uhlenhake opened the meeting with a moment of silence for community member Jordan Parkhurst, 17 years old, who lost his life in a car accident over the weekend.

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**A. Minutes of October 8, 2019 Regular Meeting**

**ACTION:** Councilor O’Connell moved that the minutes of the October 8, 2019 meeting be accepted and placed on file. The motion was seconded and passed unanimously.

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

Dan O’Connell, Chairman of the High School Board of Trustees, together with Manley Debeck, Trustee member, presented an award to Albert Gibson for all of his dedicated service to the High School Board of Trustees.

Councilor O’Connell took a minute to recognize all of the City of Brewer Department Heads for all they do on a daily basis and presented the City Manager, Stephen Bost, with a ball cap from Air Force 1 for his amazing leadership.

Councilor Morelli thanked Councilor O’Connell for helping him along during his first year as a City Councilor.

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**IV. Public Hearing**

Chairman Uhlenhake 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 Uhlenhake.  
The City Clerk called the roll:

Councilor Morelli – present  
Councilor Goss – present  
Chairman Uhlenhake – present

Councilor O’Connell – present  
Councilor Ferris – present

Chairman Uhlenhake declared all members were present.

Chairman Uhlenhake read the public notice.

1. Public hearing to determine whether the building located at 225 Wilson Street in Brewer, Maine (Tax Assessor’s Map 29, Lot 18) is a nuisance or dangerous within the meaning of 17 M.R.S. §2851

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Chairman Uhlenhake asked the City Clerk if any public comments had been submitted. There were none.

Chairman Uhlenhake asked if there were any public comments. There were none.

Councilor O'Connell asked if the property out back of the location was a separate property all together, Code Enforcement Officer, Stewart Brooks, answered that it is.

Councilor Ferris asked if the Council could hear from the Code Enforcement Officer. Code Enforcement Officer, Stewart Brooks addressed the Council and gave a report on the condition of 225 Wilson Street. Councilor O'Connell asked if anyone was homesteading in the building or if it had power to the building.

Chairman Uhlenhake closed the public hearing.

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

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## C. Consent Calendar

2019-A157

November 19, 2019

TITLE: ORDER, ACCEPT "GREEN GRANT" DONATION TO THE BREWER PUBLIC LIBRARY

Filed November 1, 2019

By Kevin O'Connell

WHEREAS, the City of Brewer Public Library received a \$1,250.00 Green Grant from Bangor Green Drinks to purchase a four-hoop bike rack; and

WHEREAS, the bike rack will encourage alternative transportation and help keep patrons safe by storing parked bikes away from the front door; and

WHEREAS, it is the recommendation and request of the Library Director that this grant be accepted for immediate use; and

WHEREAS, CIP Unallocated fund balance has the \$311 in supplemental funds needed to cover the \$1,561 total cost to purchase and install the rack.

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby accepts the \$1,250 Green Grant and authorizes its deposit into revenue account 0600072-360000-72025 (Bangor Green Drinks Bike Rack Grant Revenue).

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BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of the \$1,250 along with \$311 from CIP Unallocated Fund Balance from expense account 0600072-560000-72025 (Bangor Green Drinks Bike Rack Grant Expense) for the purchase and installation of a four-hoop bike rack at the Library.

**STATEMENT OF FACT**

This order accepts a \$1,250 Green Grant from Bangor Green Drinks to purchase one custom four-hoop bike rack at the City of Brewer Public Library and authorizes the use of \$311 from CIP Unallocated to fund the remainder of the \$1,561 total cost to purchase and install the rack.

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2019-A158

November 19, 2019

TITLE: ORDER, ACCEPT DONATION TO THE BREWER PUBLIC LIBRARY

Filed November 1, 2019

By Jerry Goss

WHEREAS, the City of Brewer Public Library received a donation of twenty (20) new chairs and one (1) new table from the Brewer Library Association; and

WHEREAS, the chairs are valued at 2,417.82, the table was valued at \$1,469.40, and the shipping and handling of the items to bring them to the library was \$666.90; and

WHEREAS, the chairs will replace the older, worn library chairs used at the table, the computer lab, and in the meeting rooms; and

WHEREAS, the table will replace the two older reading tables in the library's lobby; and

WHEREAS, it is the recommendation and request of the Library Director that these items be accepted for immediate use.

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts the generous donation from the Brewer Library Association of this table and these chairs for use to support the mission and tasks of the Library.

BE IT FURTHER ORDERED, that City Council hereby declares the tables and the chairs being replaced surplus and orders the City Manager, or his designee, to dispose of them as is in the best interest of the citizens of Brewer.

**STATEMENT OF FACT**

This order accepts the donation of twenty chairs and one table from the Brewer Library Association to the City of Brewer Public Library, authorizes the use of these items, and declares the chairs and table being replaced as surplus and authorizes their disposal.

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2019-A159

November 19, 2019

TITLE: ORDER, ACCEPT GRANT FUNDS FROM WALMART

Filed November 6, 2019  
By Joseph L. Ferris

WHEREAS, the Brewer Police Department has been awarded \$5,000 in grant funds from Walmart; and

WHEREAS, these funds will be used to offset the purchase of equipment and training for officers; and

WHEREAS, there are no match funds required for this grant.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts these grant funds and directs the funds be deposited in account 0600058-360000-58047 FY20 Walmart Grant – Training & Equipment Revenue.

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of these grant funds along with the City match from expenditure 0600058-560000-58047 FY20 Walmart Grant – Training & Equipment Expense.

**STATEMENT OF FACT**

The order authorizes the City of Brewer to accept and expend \$5,000.00 in grant funds from Walmart to purchase equipment and training.

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2019-A160

November 19, 2019

TITLE: ORDER, ACCEPT FUNDS FROM MMA'S EDWARD MACDONALD SAFETY ENHANCEMENT GRANT PROGRAM

Filed November 12, 2019  
By Thomas Morelli

WHEREAS, the Brewer Fire Department has been awarded \$1190.56 through the Maine Municipal Association's Edward MacDonal Safety Enhancement Grant Program to defray the cost of purchasing 17 particulate hoods for turn out gear; and

WHEREAS, this grant will cover two thirds of the City's cost; and

WHEREAS, matching funds of \$594.40 will be taken from an existing operating account.

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NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts these grant funds and directs the funds be deposited in account 0600502-360000-59030 (FY20 MMA Grant – Hood Revenue).

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of these grant funds from account 0600502-560000-59030 (FY20 MMA Grant – Hood Expense) along with the City match from the Fire Department expenditure account 0115911 502810.

**STATEMENT OF FACT**

The Brewer Fire Department has been awarded \$1190.60 in grant funds to offset the cost of purchasing particulate turnout gear hoods. Particulate blocking fire hoods increase protection to the head and neck of firefighters from carcinogenic particles that can cause multiple types of cancer.

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2019-A161

November 19, 2019

TITLE: ORDER, AUTHORIZE PARKS & RECREATION DEPARTMENT FUNDS FOR OPERATION OF YOUTH BASKETBALL PROGRAM

Filed November 12, 2019

By Kevin O'Connell

WHEREAS, the Brewer Youth Sports Association has offered a youth basketball program for area youngsters in grades three thru eight for many years; and

WHEREAS, the Brewer Youth Sports Association has asked the City of Brewer's Parks & Recreation Department to assume administration of the basketball program so that students will continue to have the opportunity to participate in a recreational basketball program; and

WHEREAS, the fees the City will collect from participants will cover the cost of running the program.

NOW, THEREFORE, BE IT ORDERED, that the City Council authorizes the appropriation and expenditure of \$4,000 from the Brewer Parks & Recreation Department's Winter Program/League Expense Account (0117121 – 506140) to administer a youth basketball program.

BE IT FURTHER ORDERED, that the cost of this program be funded by \$4,000 in program fees, which shall be receipted to the Brewer Parks & Recreation Department's Winter Program/League Revenue Account (0117123 – 300329).

**STATEMENT OF FACT**

The Parks & Recreation Department has been asked by the Brewer Youth Sports Association to take over running the basketball program for youth in 3<sup>rd</sup> through 8<sup>th</sup> grades. This order appropriates \$4,000 to run the program. Fees from the estimated 90 participants will fully cover program costs.

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2019-A162

November 19, 2019

TITLE: ORDER, WAIVE FORECLOSURE OF LIEN ON Map 22 Lot 165  
PROPERTY LOCATED IN BREWER, MAINE

Filed November 13, 2019  
By Jerry Goss

WHEREAS, on June 29, 2018, 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 FY2018 taxes in full; and

WHEREAS, FY2018 taxes on this property remain unpaid, and the statutory foreclosure will take place on December 29, 2019; 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 2018 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.

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2019-A163

November 19, 2019

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

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Filed November 13, 2019  
By Joseph L. Ferris

WHEREAS, on June 29, 2018, 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 FY2018 taxes in full; and

WHEREAS, FY2018 taxes on these properties remain unpaid and the statutory foreclosure will take place on December 29, 2019; 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 2018 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.

BE IT FURTHER ORDERED, that they 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
	LOVELL DUSTIN & LOVELL	
01000-02557	JOHN	34 BLACK BEAR ROAD

**STATEMENT OF FACT**

This order waives the automatic foreclosure on seven mobile homes that still owe on their 2018 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.

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2019-A164

November 19, 2019

TITLE: ORDER, AUTHORIZE CONTRACT WITH AQUA-AEROBIC SYSTEMS, INC. FOR PURCHASE OF REPLACEMENT

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OZONE GENERATION AND APPLICATION SYSTEM  
EQUIPMENT

Filed November 13, 2019  
By Thomas Morelli

WHEREAS, Brewer Water Department's Hayes Treatment Plant ozone equipment has surpassed its intended life and is being phased out of support by the vendor; and

WHEREAS, ozone is the primary treatment used by Hayes treatment plant; and

WHEREAS, the ozone generation and application system replacement project was included and approved in the Water Department's FY2019 and FY 2020 CIPs; and

WHEREAS, the Brewer Water Department applied for, and has been approved for, a low interest Drinking Water State Revolving Fund (DWSRF) loan in the amount of \$3,246,140 to fund the Design, Construction and Purchasing of equipment for the replacement of the ozone system.

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the City Manager, or his designee, to enter into a contract for the amount of \$838,500 with Aqua-Aerobic Systems, Inc. for the purchase of ozone generation equipment.

BE IT FURTHER ORDERED, that the costs of this purchase be charged to account 0571003-573038 (Ozone generation and application system replacement) to be funded from our CIP approved for FY2019 & 2020.

**STATEMENT OF FACT**

The Hayes Treatment Plant's ozone treatment equipment has surpassed its useful life, and vendor support is limited to the parts currently on their shelf. This order is for the purchase of two ozone generators as well as the destruct unit and chillers necessary to run this equipment. After equipment procurement, we will finalize the design and go out to bid for the installation of the purchased equipment.

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2019-A165

November 19, 2019

TITLE: ORDER, FIND THE STRUCTURE AT 225 WILSON STREET TO BE A  
NUISANCE OR DANGEROUS AND ORDER ITS DISPOSAL

Filed November 13, 2019  
By Kevin O'Connell

WHEREAS, on December 24, 2015, the City of Brewer acquired the property situated at 225 Wilson Street, Brewer, Maine (Tax Map 29, Lot 18) by virtue of automatic foreclosure of a tax lien, and

WHEREAS, this property is in poor repair and has been vacant for numerous years; and

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WHEREAS, in accordance with 17 MRSA Sections 2851 and 2857, the City Council held a public hearing to determine whether this property is dangerous and any remedy needed thereto; and

WHEREAS, the City’s Code Enforcement Officer inspected the building and reports that it is structurally unstable and constitutes a hazard to health and safety because of inadequate maintenance and dilapidation.

NOW, THEREFORE BE IT ORDERED, that the Brewer City Council hereby finds the property at 225 Wilson Street in Brewer to be dangerous.

BE IT FURTHER ORDERED, that the City Council herewith orders the City Manager, or his designee, to dispose of the structure by demolition or other means as would be in the best interest of the citizens of Brewer in accordance with 17 MRSA Sections 2851 and 2857.

**STATEMENT OF FACTS**

This order finds the building at 225 Wilson Street to be dangerous and orders its demolition or removal.  
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2019-A166

November 19, 2019

TITLE:           ORDER,                           REALLOCATE PORTION OF SEWER DEBT SERVICE  
BUDGET TO SUPPORT FY20 CAPITAL PROJECTS IN  
ACCORDANCE WITH APPROVED FY20 WPCF CIP

Filed November 13, 2019  
By Jerry Goss

WHEREAS, the FY2020 Capital Improvement Program for the Water Pollution Control Facility approved by the City Council in June 2019 called for the allocation of \$76,950 from the Sewer general fund to support sewer capital projects; and

WHEREAS, these funds were included in the FY20 WPCF budget approved by Council in the Debt Service Principal and Interest expense accounts; and

WHEREAS, these budgeted funds represent debt service cost associated with the 2015 USDA loan that we planned to start paying in FY20 but for which full payments will not begin until FY21 or FY22;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the reallocation of \$76,950 not needed to support debt service payments in FY20 from account 0818702-509000 (Debt Principal – Sewer Fund) to 0817502-509130 (CIP Funding – Sewer GF) and from there to Fund 5800 (Sewer Capital Improvement Program) account 0580097-300893 (Sewer CIP Transfers In) to help pay for capital projects approved as part of the WPCF FY20 CIP.

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**STATEMENT OF FACT**

This order authorizes the transfer of \$76,950 from the sewer general fund to the sewer capital improvement program fund as planned for in the FY2020 Sewer CIP approved by Council in June 2019.  
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2019-A167

November 19, 2019

TITLE: ORDER, AUTHORIZE PART-TIME POSITION FOR POLICE  
DEPARTMENT

Filed November 13, 2019  
By Joseph L. Ferris

WHEREAS, the paperwork and reporting requirements at the Police Department have been growing and are set to increase further next year as new national crime reporting standards come into force; and

WHEREAS, the Department also plans to expand its fingerprinting service due to consistent demand from the public; and

WHEREAS, to meet these additional administrative needs, the Police Department requests the addition of a half time clerk position; and

WHEREAS, the cost of the additional 0.5 full time equivalent position will be largely offset by the anticipated revenue from the fingerprint service along with savings in the on-call clerical staffing line.

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby authorizes the addition of a 0.5 full-time equivalent reception / administrative position to the Police Department to assist with new and expanded state and federal reporting requirements.

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of \$10,000 from account 0115800-500050 (Police Part-time & Temp Employees), which shall be funded with anticipated \$10,000 revenue from fingerprinting services in account 0105804-300490 (Police Miscellaneous Revenue).

**STATEMENT OF FACT**

This order adds a half time regular position to the Police Department to assist in addressing new and expanded state and federal reporting requirements as well as expanded fingerprinting services, among other administrative tasks. The cost of the additional 0.5 full time equivalent position will be largely offset by the anticipated revenue from the fingerprint services along with savings in the on-call clerical staffing line.

**ACTION:** Councilor Ferris removed order 2019-A164 and 2019-A167 from the consent calendar. Councilor O'Connell moved that the remaining orders have passage. The motion was seconded and passed unanimously. Councilor Morelli moved that order 2019-A164 have passage, the motion was seconded. Councilor Ferris asked if the Council could hear how this contract came to be and if it was

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within the range monetarily of what the City expected. Water Superintendent Rodney Butler addressed the Council and stated that this work was put out to bid and this was the lowest bid and within the ballpark of what it was expected to cost. The motion passed unanimously. Councilor Ferris moved that order 2019-A167 have passage, the motion was seconded. Councilor Ferris asked what the budget was for a part-time police officer. Public Safety Director, Jason Moffitt, clarified that the order is for a part-time position at the front desk and that the \$10,000 is additional revenue needed to cover the cost of making the position part-time vs. on-call. The motion passed unanimously.

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## D. Monthly Reports

**ACTION:** Councilor Morelli made a motion that the monthly reports from Department Heads be accepted and placed on file. The motion was seconded and passed unanimously.

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## E. Nominations, Appointments, Elections

2019-B031

November 19, 2019

TITLE: RESOLVE, DECLARE THE RESULTS OF THE NOVEMBER 5, 2019 CITY OF BREWER ANNUAL MUNICIPAL ELECTION AND THE STATE OF MAINE REFERENDUM ELECTION

Filed November 7, 2019

By Thomas Morelli

WHEREAS, The City of Brewer Annual Municipal Election and the State of Maine Referendum Election were held on November 5, 2019; 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 & Referendum 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 5, 2019 the said inhabitants gave in their vote for two members of the City Council for 3-year terms, one member 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

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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 TWO MEMBERS OF THE CITY COUNCIL (3 YEAR TERMS)

Michele Labree Daniels	had	703
Trudy Irene Scee	had	484
Soubanh Phanthay	had	598

FOR ONE MEMBER OF THE SCHOOL COMMITTEE (3 YEAR TERM)

Benjamin Umel	had	273
Troy Richardson	had	303
Shane Boyes	had	415

FOR HIGH SCHOOL DISTRICT TRUSTEE (5 YEAR TERM)

Lewis Ireland	had	41
Tammy Smith	had	18
Randy Tompkins	had	36
Beverly Uhlenhake	had	44

Total Ballots Cast: 1084

A true copy, attest: \_\_\_\_\_

Ronda J. Hogan  
City Clerk, City of Brewer, Maine  
November 5, 2019

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

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2019-B032

November 19, 2019

TITLE: RESOLVE, ACCEPT RESIGNATION OF MICHELE DANIELS AS A MEMBER OF THE CEMETERY BOARD, THE CONSERVATION COMMISSION AND THE LIBRARY TRUST

Filed November 12, 2019  
By Kevin O'Connell

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WHEREAS, Michele Labree Daniels has submitted a letter of resignation dated November 12, 2019, and effective November 18, 2019, as a member of the Cemetery Board, the Conservation Commission and the Library Trust; and

WHEREAS, the City Council must vote to accept this resignation and declare a vacancy for a member before proceeding to fill the vacancy for the unexpired term of Michele Daniels.

NOW, THEREFORE, BE IT RESOLVED, that the City Council herewith accepts the resignation of Michele Labree Daniels as a member of the Cemetery Board, the Conservation Commission and the Library Trust and declares that a vacancy will exist on the fore mentioned boards for a member.

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

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2019-B033

November 19, 2019

TITLE: RESOLVE, ACCEPT RESIGNATION OF TIMOTHY DANIELS AS A MEMBER OF THE BOARD OF APPEALS

Filed November 12, 2019

By Jerry Goss

WHEREAS, Timothy Daniels has submitted a letter of resignation dated November 12, 2019, and effective November 18, 2019, as a member of the Board of Appeals; and

WHEREAS, the City Council must vote to accept this resignation and declare a vacancy for a member before proceeding to fill the vacancy for the unexpired term of Timothy Daniels.

NOW, THEREFORE, BE IT RESOLVED, that the City Council herewith accepts the resignation of Timothy Daniels as a member of the Board of Appeals and declares that a vacancy will exist on the fore mentioned boards for a member.

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

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2019-A168

November 19, 2019

TITLE: ORDER, APPOINT ASSOCIATE MEMBERS TO THE BREWER PLANNING BOARD

Filed November 1, 2019

By Joseph L. Ferris



# City Council Minutes

November 19, 2019

ORDERED, that Samantha Baker, 34 Clover Lane and Timothy Daniels, 28 School Street, are herewith appointed to the Brewer Planning Board of the City of Brewer to fill two vacant associate positions; and

BE IT FURTHER ORDERED, that Ms. Baker's term will commence on November 25, 2019 and expire on March 31, 2021 and Mr. Daniels's term will commence November 25, 2019 and expire on March 31, 2021.

## STATEMENT OF FACT

This order is for appointment of two vacant associate terms on the Planning Board with approval by Council.

**ACTION:** Councilor Ferris moved that the order have passage. The motion was seconded. Councilor O'Connell stated that he really appreciates all those who step up and volunteer and he thanked them. The order passed unanimously.

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## F. Unfinished Business

There was none.

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## G. New Business

2019-C011

November 19, 2019

TITLE: AMEND CHAPTER 19 (TRAFFIC CODE), ARTICLE 3, SECTION 315, SCHEDULE A (90 MINUTE PARKING), NORTH MAIN STREET, LINE ITEM #1

Filed October 31, 2019

By Jerry Goss

BE IT ORDAINED, by the Brewer City Council that the Brewer City Traffic Code shall be amended by changing Chapter 19, Article 3, Section 315, Schedule A, NORTH MAIN STREET, by editing line item 1 as follows:

(1) On the northerly side of North Main Street beginning at a point 100' southwesterly from the westerly side of the intersection of Betton St. and North Main Street, southwesterly to a point ~~55'~~ **75'** northeasterly of the easterly side of the intersection of Union Street and North Main Street.

## STATEMENT OF FACT

This ordinance change is necessary to meet recent direction that has been given by Maine DOT in regards to the distance to the first parking spot in relation to a crosswalk. Maine DOT now requires a minimum of 20' clear space around a crosswalk. During the plan review for the recently completed

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North Main and Church Rapid Flashing Beacon Crosswalk project, Maine DOT requested that the parking space closest to the crosswalk in front of City Hall be removed to meet the new standard.

**ACTION:** Councilor Goss moved that the amendment be filed with the City Clerk for posting. The motion was seconded and passed unanimously.

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

There were none.

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## **I. ADJOURN**

**ACTION:** Chairman Uhlenhake said she would accept a motion for adjournment. Councilor Goss moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting was adjourned at 6:19 pm.

ADJOURNED, ATTEST: \_\_\_\_\_ Ronda J. Hogan  
City Clerk

A TRUE COPY, ATTEST: \_\_\_\_\_ Brewer, Maine

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The annual meeting was called to order by the City Clerk. The City Clerk called the roll:

Councilor Morelli-present

Councilor O'Connell-present

Councilor Ferris-present

Councilor Goss-present

Chairman Uhlenhake-present

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

The City Clerk swore in Michele L. Daniels and Soubanh Phanthay as a members of the City Council of the City of Brewer for three-year terms.

The City Clerk swore in Shane Boyes as a member of the Brewer Superintending School Committee, for a three-year term and Mia Cattan as the Student Representative Member of the School Committee. Beverly Uhlenhake was sworn in as High School District Trustee for a five-year term.

**CITY CLERK:** The next item on the agenda is the election of the mayor. At this time do I have any nominations on the floor?

**COUNCILOR FERRIS:** Ms. Clerk, I'd like to nominate Councilor Goss for Mayor.

**CITY CLERK:** Not hearing any other nominations for the position of Mayor, nominations will cease.

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CITY CLERK: All in favor of Jerry Goss as the Mayor/Chairperson of the City Council of the City of Brewer? 5 to 0 vote.

The City Clerk swore Jerry Goss in as Mayor/Chairperson of the City Council of the City of Brewer.

MAYOR GOSS: At this time, we would like to elect a Deputy Mayor/Vice Chairperson of the City Council. Do I have any nominations?

COUNCILOR FERRIS: Mr. Mayor, I'd like to nominate Thomas Morelli.

MAYOR GOSS: Any further nominations?

MAYOR GOSS: Okay. The nominations have been taken and ceased. Now I need a vote for the Deputy Mayor/Vice Chairperson position, Thomas Morelli. All those in favor? 5 to 0 vote. Thomas Morelli is the Deputy Mayor/Vice Chairperson.

The City Clerk swore in Thomas Morelli as the Deputy Mayor/Vice Chairperson of the City Council of the City of Brewer.

MAYOR GOSS: Councilor Uhlenhake & Councilor O'Connell would you please come forward. Mayor Goss congratulated and recognized Councilor Uhlenhake for serving as Mayor of the Brewer City Council for the past year by presenting her a plaque and a gavel inscribed with the dates of her service. Mayor Goss congratulated and recognized Councilor O'Connell for serving as a Councilor and Mayor of the City of Brewer and presented him with a plaque.

Mayor Goss welcomed Councilor Daniels and Councilor Phanthay to the Council.

Councilor Ferris thanked Councilor Uhlenhake and O'Connell for the wonderful years they spent on the Council together and wished them both well. Councilor Morelli thanked both past Councilors for helping him during his first year and wished them both well.

Mayor Goss gave his Mayor's remarks and thoughts for the upcoming year. He started by thanking his wife Jean, his rock, stating that he could not do it without her. As Mayor he is excited to work with the rest of the Council and provide policies, procedures and funding for the City to do their jobs.

MAYOR GOSS: Continuing on with the agenda, appointments and committee establishments. I appoint all of the City Councilors to the Committee on Finance.

-Councilor Morelli and Councilor Daniels to serve as a sub-committee to interview candidates for standing boards and committees.

-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 Morelli as the Council's liaison to the Parks and Recreation Committee.

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

-Councilor Ferris as the liaison to the School Committee.

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MAYOR GOSS announced that Kevin Forrest was elected Chairman of the Brewer School Committee and Mark Farley was elected as Vice-Chairman.

Mayor Goss issued Brewer Challenge Coins to members of the audience and issued the challenge to promote the City of Brewer.

MAYOR GOSS: We will now take up the four resolves on the agenda:

2019-B034

November 19, 2019

TITLE: RESOLVE, ESTABLISH LOCATION FOR REGULAR MEETINGS.

Filed November 13, 2019

By Thomas Morelli

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

NOW, THEREFORE, BE IT RESOLVED, that for and during the year from November 19, 2019 and including November 17, 2020 the place for holding regular meetings of the City Council be established as the Council Chambers in Brewer City Hall.

**ACTION:** Councilor Morelli moved that the resolve be adopted. The motion was seconded and passed by unanimous vote.

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2019-B035

November 19, 2019

TITLE: RESOLVE, ESTABLISH TIME AND DATES OF REGULAR MEETINGS.

Filed November 13, 2019

By Joseph L. Ferris

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; and

NOW, THEREFORE, BE IT RESOLVED, that for and during the year from November 19, 2019 to and including November 17, 2020 regular meetings of the City Council shall be held at 6:00p.m. on the following dates:

Tuesday	December	10, 2019	6:00 P.M.
Tuesday	January	21, 2020	6:00 P.M.
Tuesday	February	11, 2020	6:00 P.M.
Tuesday	March	10, 2020	6:00 P.M.

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Tuesday	March	31, 2020	6:00 P.M.
Tuesday	May	12, 2020	6:00 P.M.
Tuesday	June	2, 2020	6:00 P.M.
Tuesday	July	14, 2020	6:00 P.M.
Tuesday	August	11, 2020	6:00 P.M.
Tuesday	September	8, 2020	6:00 P.M.
Tuesday	October	13, 2020	6:00 P.M.
Tuesday	November	17, 2020	6:00 P.M.

**ACTION:** Councilor Ferris moved that the resolve be adopted. The motion was seconded and passed by unanimous vote.

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2019-B036

November 19, 2019

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

Filed November 13, 2019  
By Michele Daniels

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

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;*

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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 Daniels moved that the resolve be adopted. The motion was seconded and passed by unanimous vote.

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2019-B037

November 19, 2019

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

Filed November 13, 2019

By Soubanh Phanthay

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
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 Phanthay moved that the resolve be adopted. The motion was seconded and passed by unanimous vote.

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# City Council Minutes

November 19, 2019

Mayor Goss recognized Jordan Parkhurst, a 17-year-old Brewer High School Senior who passed away in a car accident over the weekend, by explaining that the hockey stick on display in the Council Chambers tonight was a hockey tradition. Mayor Goss thanked the City of Brewer first responders, educators, administrators and our students in the Brewer School System for demonstrating our Community of Caring.

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## **VI. Adjourn 2019 Annual Meeting**

**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 7:45 pm.

ADJOURNED, ATTEST: \_\_\_\_\_ Ronda J. Hogan  
City Clerk

A TRUE COPY, ATTEST: \_\_\_\_\_ Brewer, Maine