

City Council Minutes

May 29, 2018

Special Meeting  
City Hall Council Chambers

Tuesday, May 29, 2018  
6:00 p.m.

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

Councilor Vachon-present  
Councilor O’Connell-present  
Councilor Ferris-present

Councilor Uhlenhake-present  
Chairman Goss-present

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

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

Chairman Goss read the notice for the regular meeting.

TO: Joseph Ferris, Jerry Goss, Kevin O’Connell, Matthew Vachon and Beverly Uhlenhake  
MEMBERS OF THE BREWER CITY COUNCIL you are hereby notified a special meeting of the City Council will be held on Tuesday, May 29, 2018 at 6:00 p.m. in the Council Chambers at Brewer City Hall to consider and act on the items on the attached agenda.

s/Jerry Goss  
Mayor and Chairman of the City Council  
Or \_\_\_\_\_  
Majority of the City Council

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

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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	Martin	Officer	5/25/18	15:32
Matthew Vachon	A. Treadwell	Admin. Asst.	5/25/18	4:00 pm
Beverly Uhlenhake	Martin	Officer	5/25/18	15:26
Jerry Goss	Martin	Officer	5/25/18	15:12
Kevin O’Connell	A. Treadwell	Admin. Asst.	5/25/18	4:00 pm

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**CITY COUNCIL SPECIAL MEETING**  
**Tuesday, May 29, 2018 6:00 P.M.**  
**Brewer City Hall Council Chambers**

- I. Call to Order.** (Mayor Goss)
- II. Roll Call.** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America.** (Mayor Goss)
- A. Minutes of May 8, 2018 Regular Meeting** (Councilor O'Connell)
- B. Awards, Petitions and Public Comments.**
  - 1. Presentation: FY2019 City and School Budgets
  - 2. Public Comments
- C. Consent Calendar.**
  - 1. (2018-A096) ORDER Authorize purchase of former Public Safety building land on South Main Street (Councilor Vachon)
  - 2. (2018-A097) ORDER Authorize conveyance of portion of Sunset Park to the Brewer High School District for use as a parking lot (Councilor O'Connell)
  - 3. (2018-A098) ORDER Authorize promissory note between the Brewer High School District and the City of Brewer for the construction of a parking lot (Councilor Vachon)
  - 4. (2018-A099) ORDER Authorize a modification to the contract with the MDOT for Phase II of the Riverwalk Trail (Councilor Ferris)
  - 5. (2018-A100) ORDER Authorize expenditure of donation on Firefighter protective gear (Councilor Vachon)
  - 6. (2018-A101) ORDER Issue Warrant for June 12, 2018 City of Brewer School Budget Approval Election and set polling hours for June 12, 2018 City of Brewer School Budget Approval Election and State Primary and Referendum Election (Councilor O'Connell)
- D. Monthly Reports.**
- E. Nominations, Appointments, Elections.**
- F. Unfinished Business.**
- G. New Business.**
- H. New Items with Leave of Council.**
- I. ADJOURN.**

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**A. Minutes**

**ACTION:** Councilor O'Connell made a motion that the minutes be accepted and placed on file. The motion was seconded and accepted unanimously.

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

1. Presentation: FY2019 City and School Budgets

**ACTION:** Chairman Goss introduced City Manager, Stephen Bost and City Finance Director, Karen Fussell, to present the City side of the FY2019 budget.

To: Mayor Goss  
Members of the City Council  
From: Stephen M. Bost, City Manager  
Date: May 29, 2018

Re: **FY2019 Draft Municipal Budget**

It is my privilege to submit for your consideration the City of Brewer consolidated municipal budget for fiscal year 2019. The budget before you represents the diligent effort of staff across all departments, who have worked hard to limit growth in their budgets despite increasing costs for labor, goods and services.

Every year brings its new challenges, and each budget reflects a delicate balancing act between the programs, services and educational system taxpayers expect and the need to maintain a stable and affordable mil rate. I am pleased this year to present a budget to you that meets those goals.

**FY2019 Budget Highlights**

➤ The budget maintains a stable mil rate of \$22.50 despite another year of decline in the City's taxable value and another sizable—5.6%, or \$53,000—increase in County tax assessment. In the last 10 years, the tax Brewer pays Penobscot County has increased by 26%, or more than \$200,000. As was the case in FY17 and FY18, this year's decrease in revenue is also driven by a change in state law that shifts costs to the local level. The State's expansion of the Business Equipment Tax Exemption (BETE) program removes an estimated \$5 million in taxable value from Brewer's tax roll. Fortunately, we had a modest amount of new value that offset some of this loss.

Nonetheless, it is important for Brewer citizens to understand that maintaining the current tax rate is not sustainable over the long term in the face of a flat or shrinking tax base. Just as the budget preparations by the City and the School require thoughtfulness and balance, the City Council must determine the relationship between service levels and the ability and willingness of the property taxpayer to fund them.

➤ The proposed \$22.4 million School budget increases expenditures by 3.9%, or \$840,000. The FY19 budget continues funding of the STEM and sports programs added last year and includes funding for Phase 1 of the Track Resurfacing project. Importantly in this time of increased focus on student safety, the School budget also reestablishes support for the School Resource Officer at the Brewer Community School. In addition, the School is seeing continued needs associated with growing special needs and special education populations. The School's increase in spending is offset by a commensurate increase in non-property tax revenue, the most significant of which is an anticipated 8% increase in State aid to education.

➤ The proposed \$13.5 million City budget increases expenditures by 1.7%, or \$225,000, but offsets that with an equal increase in non-property tax revenues while at the same time reducing use of fund balance to

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support the budget by 15%.

The City budget maintains current programs and service levels and includes one staffing change for consideration. In recognition of the persistent staffing shortfalls in the Police Department brought on by extended medical absences and military deployments, the budget includes the addition of one patrol officer. Given budget constraints, however, this position would only be filled if we are successful in obtaining federal grant funding, and the City determines it can meet the grant's conditions.

For the third year in a row, the annual State minimum wage increase will add another \$27,000 in expense to the budget, the bulk of which is related to Parks and Recreation summer staff. Once again, a modest increase in certain Parks and Recreation Department fees is being proposed to help offset these costs.

The budget uses \$30,000 from the PERC Contract Expiration Reserve to cover some of the transition costs associated with the end of the PERC contract as well as offset the City's current, market-driven high recycling costs, which will fortunately drop dramatically once the Fiberight plant opens this fall.

On the positive side, the FY19 budget includes \$95,000 in savings from the street light acquisition and LED conversion project that is near completion as well as a 50% reduction in anticipated Fire vehicle maintenance and repair expenses.

- The FY2019 budget continues to utilize sheltered tax increment financing (TIF) revenues to offset over \$1.2 million in general fund expenses. FY19 will be the 11<sup>th</sup> year we have used TIF revenues to fund the entire Economic Development Department budget, along with over \$800,000 in debt service. These funds have been essential to important economic development initiatives such as redevelopment of the Waterfront District and construction of the very popular Riverwalk Trail. Within the next three years, three of the City's eight TIFs, which represent about a quarter of TIF revenue, will expire. The City has begun planning for this transition.
- This budget proposes a limited capital improvement program that relies primarily on existing resources and leveraged state and federal funds. A third of the \$1.58 million capital budget provides further TIF-financed investment in the City's waterfront area to capitalize on the success of the Riverwalk Trail, the second segment of which is slated to open this fall. The CIP also includes improvements to the former Capri Street school site as well as equipment purchases important to protecting Brewer's citizens, infrastructure, and employees such as critical breathing apparatus and hose, a police patrol vehicle, and a replacement street sweeper.
- The FY2019 water budget reflects an important step toward structural balance supported by the rate adjustment recently approved by the Maine Public Utilities Commission. The first increase in 13 years, the new rates will adjust the average residential customer's water bill by \$0.09 per day, or about \$8 per quarter. The additional revenue will allow the department to fund its infrastructure and asset replacement accounts at more appropriate levels while also addressing rising material, supply, and labor costs. In FY19, the department will begin a significant upgrade of the Hayes Treatment Plant to replace the ozone generation equipment, which has exceeded the manufacturer's life cycle and is considered obsolete.
- This budget holds the sewer rate stable. Thanks to the retirement of two bonds, FY19 sewer expenditures will actually be slightly lower than FY18, which helps offset a decline in revenue from sewer ratepayers due to lower usage. The sewer capital budget marks the start of a planned 5-year series of upgrades to the

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Water Pollution Control Facility, which was built in 1975 and is now 43 years old. A substantial portion of the projects will focus on enhancing operational and energy efficiency. Funding will come from the \$5.6 million federal award the City received last year.

In closing, I would like to recognize and thank City department heads, the School, and Finance Director Karen Fussell for their dedication and numerous contributions to this document. It is the ongoing efforts of Brewer's management team that keep our budget accountable and on track, and our municipal employees that make our city a great place to live, work, and do business day in and day out. As a result of their diligent efforts, Brewer has maintained the integrity of existing programs and service levels with no increase in the tax rate.

I look forward to discussing our City's FY2019 budget proposal with you.

Respectfully submitted,

Stephen M. Bost

Councilor Vachon asked if the City had heard back from the Federal Grant funding for an additional police officer. City Manager Stephen Bost replied that we have not heard, the City is in the application phase.

Chairman Goss asked the Finance Director how much money the City has lost in revenue sharing which was a real hit that came from the State years ago. The Finance Director stated that if we had been receiving revenue sharing at the original state approved percentage we would be receiving about a million dollars more a year, or 1.46 on the mill rate.

Councilor Uhlenhake asked the Finance Director how confident she was that Fiberight will be open and the City will be utilizing it come September. The Finance Director stated that she was very confident that Fiberight will be open before the end of the calendar year and that the City could be using it as soon as this summer for recycling collection; she reminded the Council and the community that one of the main reasons for the delay in opening was the appeal of the DEP permits, which set them back approximately 9 months.

Councilor O'Connell stated that he would like to repeat the last paragraph of the City Managers letter and thank all of those involved in the budget process.

Chairman Goss introduced School Superintendent, Cheri Towle, and the School Business & Finance Director, Gretchen Gardner, to present the School side of the FY2019 budget.

To: Mayor Goss  
Members of the City Council  
From: Dr. Cheri Towle, Superintendent  
Date: May 29, 2018

**Re: FY 2019 Brewer School Department Budget**

Good evening and thank you for listening to the overview of the school budget approved by the

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Brewer School Committee in a first and second reading at their April and May meetings. The budget before you represents a collaborative effort by the employees in the Brewer School Department, the administrative team, the school committee, the city manager, the finance director and the mayor to be as fiscally responsible to the citizens of Brewer but also meet the needs of our children that enter our schools, as well as, the mandates we are obligated to uphold by the state of Maine.

Every year brings new challenges and our 18-19 budget reflects those challenges but also reflects the following goals:

1. Create an educational spending plan centered around our children that prepares them for college, career and life
2. Create a budget that is fiscally responsible to our city
3. Improve and maintain the following:
  - a. Our academic programs aligned to our vision and newly adopted strategic plan
  - b. Our athletic and club activities
  - c. Opportunities in the Arts
  - d. Appropriate staffing levels and class sizes
4. Keep up with facility maintenance, improvements and safety needs

### **The Expenditure Side Explained.**

**Personnel is up \$677,589.** There are contractual salary increases and the resulting employer costs associated with those (Medicare, life insurance, MePERS, etc.). We have added several new positions to support our increased enrollment at a specific grade and special education needs, as well as, to meet the standards set under the Proficiency Based Education mandate. These positions include:

- Additional .5 FTE ASL Teacher
- Additional BCS Related Arts Teacher (STEM/Technology)
- Additional BCS Grade 3 Teacher
- Additional BCS Secretary
- (2) New BCS Reg Ed Tech III's
- (4) Additional BCS Spec Ed Tech I's (for Incoming CDS Students)
- BCS Instructional Supervisor to full work year
- New BHS Unified Winter Basketball/Cheer Coach
- New BHS Assistant Volleyball Coach

**Supplies and Services is up \$172,524.** This increase is due to increased materials in our STEM program, an increase in our marketing line, adding the BCS school resource officer back into the school budget, starting phase 1 of the track resurfacing, and paying for an interpreter needed for two students entering Brewer in the fall.

**Buildings and Grounds is up \$12,404.** This increase is due to some PLTW (STEM) equipment

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and projected electricity and heating costs.

**Transportation is up \$59,788.** This increase is due to increased special education costs, UTC costs, and increased contracted costs with Cyr bus for the 18-19 year.

**Superintendent/Administration is up \$16,078.** This increase is due to an increase in legal costs as we are negotiating two contracts this year.

**Out of District is up \$149,470.** This increase is due to the number of students being placed out of district. We continue to try and meet as many needs as we can within district.

**Vocational Education is down \$182,057.** CTE's now receive their own ED279 from the state but the district has to pay for transportation.

**Capital Outlay is down \$39,563.** This is due to lower IT equipment related costs.

**Trustees is down \$26,164.** This is due to lower interest payments.

**The Revenue Side Explained.**

**City Appropriation remains flat at \$7,669,309.** We are thankful to the city for the increase in revenue for the 17-18 fiscal year.

**State Subsidy is up \$811,865.** This was the amount stated on our ED279. Several reasons for an increase in subsidy are increased enrollment numbers, increased special education costs, and participation in an SMLC (School Management Leadership Centers). There was also a removal of CTE funds as CTE received their own funding this year.

**HS Tuition is up \$38,451.** This increased revenue comes from increased tuition rate and debt service.

**HS Special Ed Tuition is up \$100,000.** This increase in revenue is from increased billing projected to sending district students.

**Trans Advantage Students is down \$23,000.** This is down as we will have some students graduate from sending districts from this program.

**JROTC Reimbursement is up \$1000.** There is an increase in the Air Force MIP reimbursement.

**Gate Receipts are projected to be down \$3500.** We are basing this on lower ticket sales in the 17/18 school year.

**Athletic fees and Rental receipts are flat for next year as we are expecting no changes at this**

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time.

**Miscellaneous is up by \$7500.** This is due to a FY19 Bridge Year reimbursement.

**Carry Forward from the Fund Balance is down \$92,247.** We tried to use less of our fund balance than in the prior year and work hard to not use the amount we budget in this area.

**Summary.**

This budget represents a 3.9% increase in proposed expenditures but is covered mostly with increased revenue through state subsidy increases of 8.1%. As this budget meets many of the needs the teachers, administrators and school committee members reviewed, it did not meet all of our needs. However, we prioritized and thought outside of the box to find creative ways to meet our current needs now especially in special education as we continue to see our student needs increase. For example, just since the passing of the second reading, we have received two additional students with high needs that will need additional ed techs, contracted services and facility accommodations. These were not budgeted for but we will continue to find ways to meet these needs as we try to reevaluate our budget to meet the new priorities put before us. We are constantly needing to reprioritize based on who walks through the door. In closing, I would like to thank the administrative team, the School Committee, the City Council, Steve Bost and Karen Fussell for their dedication to this city and the support of the school department. It is through this collaborative process, that we can build a tremendous school system for all our children meeting the needs of those that live in Brewer and those that choose to send their children to Brewer.

Councilor O'Connell asked the Superintendent where the City is at with proficiency-based education, the Superintendent replied that proficiency-based education still exists. She stated that there were 4 bills proposed before the educational committee but none of the bills were heard before the legislature, so the current statute still stands.

Councilor O'Connell asked if volleyball had a varsity and JV team, Superintendent Towle said there was a varsity team. Councilor O'Connell asked if adding an assistant volleyball coach meant the program would field a JV team, Kevin Forest, Brewer School Committee member, stated that the school already had a JV and Varsity team, but the program was growing and had a need for an assistant.

Councilor O'Connell asked for details of what Phase I of the track resurfacing entailed. Business & Finance Director, Gretchen Gardner, answered by saying that some of the track has been worn out to bare asphalt and those surfaces need to be fixed to stay safe, that is what phase I encompasses.

Councilor O'Connell confirmed with Superintendent Towle that the State picked up the cost of Vocational Education.

Councilor O'Connell stated that he is excited about the grants that Superintendent Towle mentioned in her budget presentation.



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Councilor O'Connell seconded the last paragraph of Superintendent Towle's letter, thanking everyone for working together to make the budget process as smooth as possible.

Councilor Ferris asked Superintendent Towle about the bus service and if the school puts it out to bid. Superintendent Towle replied that the contract does go out to bid, however, Cyr bus is the only returning bid received. Superintendent Towle stated that they are looking into a transportation study to see if joining with other towns would be cheaper for bussing.

Chairman Goss thanked the Superintendent and the School Committee for their hard work in compiling the budget.

## 2. Public Comments

Deborah Deane, 1 Chamberlain Street, spoke in concern about an eroding bank on Prospect Street. She stated that Donna Thorton, when she was serving on the Council, had set aside monies to take care of the bank. Ms. Deane is concerned about the safety of the neighbors near this bank. The City Manager said that he would be more than happy to look at this issue if Ms. Deane would leave some contact information for him.

Ms. Deane also expressed concerns about how the City does not have a central location for shelter in the case of emergency situations/storms. The City Manager stated that the Brewer Auditorium has always been the City's shelter in emergencies and it is open 24 hours during an emergency. Councilor Ferris agreed with the City Manager that he thought the auditorium is the City shelter. Chairman Goss called on Ken Hanscom, Director of Parks and Recreation, who stated that the auditorium works directly with the Red Cross in the events of an emergency and the auditorium is open whenever there is a need.

Councilor O'Connell asked Parks and Recreation Director to compliment himself and his crew on the cemetery care, he said they look great. He also told the City Librarian that he had read her new story on the Storywalk and very much enjoyed it.

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## C. Consent Calendar

**ACTION:** Councilor Vachon moved that the orders have passage. The motion was seconded and passed by unanimous consent.

2018-A096

May 29, 2018

TITLE: ORDER, AUTHORIZE PURCHASE OF FORMER PUBLIC SAFETY BUILDING LAND ON SOUTH MAIN STREET

Filed May 22, 2018  
By Matthew Vachon

EMERGENCY PREAMBLE

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WHEREAS, orders passed by the Brewer City Council do not become effective until five days after approval unless such orders contain emergency preambles; and

WHEREAS, it is imperative that this order become effective immediately upon its passage to adhere to terms of the agreement; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Code and Ordinances of the City of Brewer and require that the following order become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer; and

WHEREAS, The City of Brewer had sold the property located at 124 South Main St. (Tax Map 28, Lot 47) to WOLO, LLC at a reduced price to incent his proposed project on the waterfront development area; and

WHEREAS, WOLO, LLC has decided not to move forward with his developing this property; and

WHEREAS, it is in the City's best interest to regain this property in order to secure an investment in the property that fits with the plan for development of the waterfront area; and

WHEREAS, WOLO, LLC has agreed to sell the property back to the City at its cost.

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby authorizes the purchase of the property located at 124 South Main St. (Tax Map 28, Lot 47) for an amount not to exceed \$26,585 plus certain other costs as specified in the Purchase and Sale Agreement dated May 22, 2018; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of the \$23,000 in revenue it received in FY17 from the sale of the property in question from CIP account 0510101-551100 (Property Acquisitions) to pay the \$23,000 principal amount due for the property and that the remaining costs of the property purchase be charged to 0115701-501070 (Economic Development Miscellaneous Professional Services); and

FURTHER ORDERED, that the City Council hereby authorizes the City Manager, or his designee, to execute any and all documents necessary to complete the property transfer.

EMERGENCY CLAUSE. In view of the emergency cited in the preamble this Order shall take effect upon approval.

**Statement of Fact**

The developer who purchased the former Public Safety Building lot on South Main Street in August 2016 has decided not to redevelop this property and has agreed to sell it back to the City. This order authorizes the City to buy back the land, which will preserve the City's rights with regard to this important parcel in proximity to the City's waterfront development area. Funding for the bulk of the \$26,585 cost will come from revenue received from its original sale in 2016 with the remainder coming from the Economic Development budget. This is an emergency order effective when approved by the City Council to facilitate closing of the transaction.

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2018-A097

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TITLE: ORDER, AUTHORIZE CONVEYANCE OF PORTION OF SUNSET  
PARK TO THE BREWER HIGH SCHOOL DISTRICT FOR USE  
AS A PARKING LOT

Filed May 22, 2018  
By Kevin O'Connell

WHEREAS, the Brewer High School District Trustees have determined that additional parking is needed to support the Brewer Community School; and

WHEREAS, the City has offered to convey a portion of the parcel known as Sunset Park located on Parkway South directly across from the Community School to the School District for use as a 75-space parking lot, which will be constructed by the City and paid for by the District; and

WHEREAS, it is the sense of the City Council that such a facility will improve safety and traffic circulation, reduce on-street congestion, and enhance the neighborhood and community.

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby authorizes the conveyance of an approximately 1.0-acre portion of Sunset Park (Tax Map 42, Lot 155), as described in the Municipal Quitclaim Deed between the City of Brewer and the Brewer High School District, for use as a parking lot; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager, or his designee, to execute any and all documents necessary to complete the property transfer.

**Statement of Fact**

This order authorizes the City Manager to execute documents necessary to transfer ownership of a 1.0-acre portion of Sunset Park on Parkway South to the Brewer High School District for its use as a 75-space parking lot.

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2018-A098

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TITLE: ORDER, AUTHORIZE PROMISSORY NOTE BETWEEN THE BREWER HIGH  
SCHOOL DISTRICT AND THE CITY OF BREWER FOR THE  
CONSTRUCTION OF A PARKING LOT

Filed May 22, 2018  
By Matthew Vachon

WHEREAS, the Brewer High School District Trustees have determined that additional parking is needed to support the Brewer Community School; and

WHEREAS, to facilitate this effort, the City is willing to convey to the District land on Parkway South

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across from the school and to design and construct a 75-space paved parking lot for the cost of materials; and

WHEREAS, the High School District Trustees have indicated they are able to reimburse the City \$137,000 in construction expense over a period of four years or less;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby authorizes the City to undertake the design and construction of the aforescribed parking lot project on Parkway South; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager, or his designee, to execute a promissory note with the Brewer High School District Trustees and any other documents or actions necessary to complete this project, secure repayment, and otherwise protect the interests of the City of Brewer.

### Statement of Fact

This order authorizes the City to design and construct a parking lot on Parkway South for a parking lot project to benefit the Brewer High School District and to establish a promissory note with them that provides for their repayment of the estimated \$137,000 in construction costs over no more than four years.

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2018-A099

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TITLE: ORDER, AUTHORIZE A MODIFICATION TO THE CONTRACT WITH THE MAINE DEPARTMENT OF TRANSPORTATION FOR PHASE II OF THE RIVERWALK TRAIL

Filed May 22, 2018

By Joseph L. Ferris

WHEREAS, Phase I of the Riverwalk Trail from Wilson Street to Hardy Street was completed during the fall of 2013 and quickly became a centerpiece of the community and a catalyst for waterfront development; and

WHEREAS, in August 2014, the City Council authorized the City to enter into an agreement with the Maine Department of Transportation (MDOT) to undertake Phase II of the trail between the Chamberlain and Penobscot Bridges with 80% of the funding coming from the remaining 2004 Waterfront Trail Congressional appropriation and 20% from the City in the form of \$275,000 in local match funds; and

WHEREAS, MDOT recently received bids to construct Phase II of the Riverwalk Trail and the proposals exceed current authorized amounts; and

WHEREAS, Phase II of the trail is an approved TIF-eligible project; and

WHEREAS, the City has sufficient funding available in its TIF Special Revenue Fund to pay the City's increased local share for Phase II of the trail.

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NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby authorizes the City Manager, or his designee, to execute a Modification to the existing Municipal/State Agreement with the Maine Department of Transportation for Phase II of the Riverwalk Trail increasing the City's 20% share to a maximum of \$375,000; and

BE IT FURTHER ORDERED, that funds for the City's match shall come from monies previously set aside for this purpose in the Waterfront Trail CIP account (0510121-551102) and, to the extent that additional funding is needed in this account to meet the City's match requirement, the Council hereby authorizes the appropriation and expenditure of TIF Special Revenue Funds for this purpose.

**Statement of Fact**

MDOT received bids for Phase II of the Riverwalk Trail and they exceeded original estimates. This order authorizes modification of the original agreement and the revised amount needed for the City's 20% cost share (\$375,000), which will be funded with TIF Special Revenue Funds.

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2018-A100

May 29, 2018

TITLE:           ORDER           AUTHORIZE EXPENDITURE OF DONATION FOR FIREFIGHTER  
PROTECTIVE GEAR

Filed May 23, 2018  
By Matthew Vachon

WHEREAS, at the May 8, 2018 City Council meeting, Del Merritt of Caps Tavern in Brewer presented the City of Brewer Fire Department with a donation of \$1,000 collected from patrons and the business itself in appreciation for all that the department has done to support the establishment; and

WHEREAS, the City Council voted on May 8 to accept these funds with gratitude; and

WHEREAS, the Brewer Fire Department wishes to use the donation to purchase 10 particulate hoods which will keep 99% percent of harmful contaminants from penetrating through a firefighter's skin on their head during a working structure fire.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith authorizes the appropriation and expenditure of this generous \$1,000 donation from 0115911-502810 (Fire Uniforms and Protective Clothing).

**Statement of Fact**

This order authorizes the Brewer Fire Department to spend the \$1,000 received from Caps Tavern to purchase 10 particulate hoods.

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2018-A101

May 29, 2018

TITLE:           ORDER,           ISSUE WARRANT FOR JUNE 12, 2018 CITY OF BREWER

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SCHOOL BUDGET APPROVAL ELECTION AND SET  
POLLING HOURS FOR JUNE 12, 2018 CITY OF BREWER  
SCHOOL BUDGET APPROVAL ELECTION AND STATE  
PRIMARY AND REFERENDUM ELECTION.

Filed May 23, 2018  
By Kevin O'Connell

WHEREAS, the City of Brewer School Budget Approval Election and State of Maine Primary & Referendum Election will be held on Tuesday, June 12, 2018; and

WHEREAS, Title 21-A, M.R.S.A., Section 626(1) provides that the polls must be opened between the hours of 6:00 a.m. and 8:00 a.m. on election day; and

WHEREAS, a poll opening time of 7:00 a.m. will, in the judgment of the municipal officers, meet the needs of the municipality for the June 12, 2018 election.

NOW, THEREFORE, BE IT ORDERED, that the municipal officers herewith set the time of 7:00 a.m. for opening the polls and a time of 8:00 p.m. for closing the polls for the June 12, 2018 City of Brewer School Budget Approval Election and State of Maine Primary & Referendum Election; and

BE IT FURTHER ORDERED, that the municipal officers issue a warrant for the City of Brewer School Budget Approval Election to be held on June 12, 2018 with the polls to open at 7:00 a.m. and close at 8:00 p.m.

**CITY OF BREWER  
MUNICIPAL ELECTION**

Penobscot ss.

State of Maine

To: \_\_\_\_\_, a Constable in the City of Brewer.

You are hereby required in the name of the State of Maine to notify the voters of the City of Brewer of the election described in this warrant.

**TO THE VOTERS OF THE CITY OF BREWER  
WARD 1, PRECINCTS 1 AND 2**

You are hereby notified that the municipal school budget approval election in the municipality will be held at the Brewer Auditorium on Tuesday, the twelfth day of June 2018 for the purpose of affecting the approval of:

Article 1: Do you favor approving the City of Brewer school budget for the upcoming school year that was adopted at the City Council meeting held on June 5, 2018 and that includes locally raised funds that exceed the required local contribution as described in the Essential Programs and Services Funding Act?

City Council Minutes  
May 29, 2018

The polls shall be opened at 7:00 A.M. and close at 8:00 P.M.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list, to accept the registration of any person eligible to vote and to accept new registrations.

A person who is not registered as a voter may not vote in any election.

Dated at Brewer, Maine this \_\_\_\_ day of May in the year of Our Lord, Two Thousand Eighteen.

Majority of the Municipal Officers of Brewer

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Statement of Fact**

This is an annual housekeeping order for elections.

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**D. Monthly Reports.**

(There were none)

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**E. Nominations, Appointments, Elections.**

(There were none)

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**F. Unfinished Business.**

(There was none)

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**G. New Business.**

(There was none)

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

(There were none)

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**I. Adjourn**

Chairman Goss said he would accept a motion for adjournment.

**ACTION:** Councilor Ferris moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting was adjourned at 7:15 p.m.

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

City Clerk

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

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