

CITY COUNCIL REGULAR MEETING
Tuesday, July 12, 2022, 6:00 P.M.
Brewer City Hall Council Chambers

- I. Call to Order** (Mayor Daniels)
- II. Roll Call** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America** (Mayor Daniels)
- A. Minutes of the May 31, 2022 Special Meeting and Minutes of the June 7, 2022 Regular Meeting** (Councilor Ferris)
- B. Awards, Petitions and Public Comments**
 - 1. (2022-B020) RESOLVE Resolution of respect for David Hanna.
(Councilor Morin)
 - 2. Public Comments
- C. Consent Calendar**
 - 1. (2022-B021) RESOLVE Approve transfer to school capital fund reserve account.
(Councilor Phanthay)
 - 2. (2022-A114) ORDER Award contract for resurfacing a portion of Dirigo Drive and several surrounding streets. (Councilor Goss)
 - 3. (2022-A115) ORDER Grant approval to Delano Merritt d/b/a Cap's Tavern to allow patrons to consume alcohol at a special outdoor event on the establishment's property. (Councilor Ferris)
 - 4. (2022-A116) ORDER Accept asset forfeiture funds.
(Councilor Morin)
 - 5. (2022-A117) ORDER Accept proceeds from sale of scrap metal and appropriate for use. (Councilor Phanthay)
 - 6. (2022-A118) ORDER Authorize appropriation of funds for the sewer enterprise account wellness program. (Councilor Goss)
 - 7. (2022-A119) ORDER Authorize appropriation of funds for the water enterprise account wellness program. (Councilor Ferris)
 - 8. (2022-A120) ORDER Accept donations of books and materials and authorize sale of surplus books and materials. (Councilor Morin)
 - 9. (2022-A121) ORDER Accept Fiscal Year 2023 donations to the Brewer Public Library. (Councilor Phanthay)
- D. Monthly Reports** (Councilor Goss)
- E. Nominations, Appointments, Elections**
 - Consent Calendar**
 - 1. (2022-B022) RESOLVE Declare results of the June 14, 2022 State of Maine Primary Election. (Councilor Ferris)
 - 2. (2022-A122) ORDER Reappoint Animal Control Officer.
(Councilor Morin)
- F. Unfinished Business** (None)
- G. New Business**
 - 1. (2022-C009) ORDER Amend Chapter 31 of the Charter, Codes and Ordinances of the City of Brewer, entitled "Sewer and Pre-Treatment Ordinance", Article 12, Section 1200, "Meter Rates".
(Councilor Goss)

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2. (2022-A123) ORDER Convene in Executive Session Pursuant to Title 1, M.R.S.A. §405(6)(A) on a personnel matter. (Councilor Ferris)

H. New Items with Leave of Council

I. ADJOURN

A. Minutes of the May 31, 2022 Special Meeting and Minutes of the June 7, 2022 Regular Meeting

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

B. Awards, Petitions and Public Comments

2022-B020

July 12, 2022

TITLE: RESOLVE, RESOLUTION OF RESPECT FOR DAVID HANNA.

Filed June 23, 2022

By Jenn M. Morin

WHEREAS, on the 5th day of June 2022 death brought to a close the full and active life of David Hanna; and

WHEREAS, David was born in Rochester, New York in 1941 and was raised and educated in St. Petersburg, Florida; and

WHEREAS, after serving in the military, David raised his family and had a long career as a pharmacist in northern California; and

WHEREAS, David came to Maine in 1993, moved to Brewer in 2004, and joined the Brewer Historical Society in 2005; and

WHEREAS, in service to the Brewer Historical Society David has been recognized as an accomplished writer, teacher, and advocate for the preservation of the history of the City of Brewer; and

WHEREAS, David has authored numerous history articles, his work has appeared in Memories of Maine, and the Bangor Metro, and in 2019 David wrote the book “A History of Brewer, Maine”; and

WHEREAS, as a representative of the Brewer Historical Society, David has been called upon to serve on a number of boards, committees and projects for the City of Brewer, including the 2015 Brewer Comprehensive Plan Committee, as historical consultant for the Brewer Community School Planning

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Committee, and as a part of the Brewer Elementary School Closing Committee resulting in the preservation of the 1925 High School/Middle School which was later added to the National Registry of Historic Places; and

WHEREAS, David, with his extensive knowledge, and passion for history, has become an integral part of telling the story of the history of Brewer; and

WHEREAS, David loved his life and his family, good food, good conversations, and rides in his little red sports car.

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive influence of David Hanna to the well-being of the City of Brewer and that he earned the respect of all who knew him; and

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

ACTION: Councilor Morin moved that the resolve be adopted. Councilor Goss seconded the motion. Councilor Goss praised Library Director Darren French for his recent work assisting the Brewer Historical Society. Councilor Goss said there's a tremendous marriage between the Brewer Historical Society and the Library, and that David is looking down and smiling. Mayor Daniels said that the Brewer Historical Society had recently voted to rename their resource center the David Hanna Historical Research Center. Mayor Daniels noted some recent positive developments for Brewer Historical Society, and said that David would have been pleased. The motion passed with a unanimous vote.

Public Comments

School Superintendent Gregg Palmer expressed thanks to the Council for taking up the School Department capital reserve account on the agenda. The School Superintendent said that he appreciated the support of the Councils as well as City staff.

C. Consent Calendar

2022-A114

July 12, 2022

TITLE: ORDER, AWARD CONTRACT FOR RESURFACING A PORTION OF DIRIGO DRIVE AND SEVERAL SURROUNDING STREETS.

Filed June 28, 2022

By Jerry Goss

WHEREAS, bids were publicly solicited, received and opened on June 24, 2022 for the paving

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of a portion of Dirigo Drive and several other nearby City streets as anticipated in the Fiscal Year 2023 (FY23) Capital Improvement Program (CIP) approved by the Brewer City Council on June 7, 2022; and

WHEREAS, the bids received were comparable to other pavement prices for this year, but were still beyond the planned budget; and

WHEREAS, funds remain available from the general paving account to cover the overage.

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to execute a contract with Hopkins Paving, the lowest acceptable bidder, in an amount not to exceed \$450,000 (bid amount plus approximately \$5,000 for contingency) for the City street paving bid; and

BE IT FURTHER ORDERED, that the cost of this contract shall be charged to CIP account 0510113-551644 Dirigo/Sparks/Greenpoint Resurface; and

BE IT FURTHER ORDERED, the City Council hereby authorizes the reallocation of \$100,000 from CIP account 0510113-551311 Paving (General) to 0510113-551644 to cover the overage.

Statement of Fact: This order awards the paving contract for a portion of Dirigo Drive, Sparks Avenue, Bartlett Street, portions of Greenpoint Road, and a portion of Wilson Street, a project that was included in the approved FY23 CIP. The paving is expected to be completed summer/fall of 2022. The bid tabulation for the project is attached. Pavement prices came in at a reasonable price, so Public Works has agreed to cover the overage (approximately \$100,000) with funds from the general paving account.

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City of Brewer, Maine
BID BREAKDOWN FOR THE 2022 RESURFACING CONTRACT (Opened 6-24-22)

Name Northeast Paving
 Address Bangor, ME

Item #	Description	Units Bid	Unit Price	Total Price
1	9.5 mm Machine Placed	100	\$140.00	\$14,000.00
2	12.5 mm Machine Placed	3450	\$138.00	\$476,100.00
3	19 mm Machine Placed	350	\$167.00	\$58,450.00
4	19mm or 9.5mm Hand Placed	100	\$341.00	\$34,100.00
5	Shim 9.5mm	100	\$275.00	\$27,500.00
6	Grinding Various Depths	29180	\$5.50	\$160,490.00
7	Full Depth Milling	2270	\$10.00	\$22,700.00
Total for Items #2,3,6,7)			Total of Bid	\$717,740.00

Name Vaughn D. Thibodeau II Inc.
 Address 924 Odlin Rd Bangor, ME 04401

Item #	Description	Units Bid	Unit Price	Total Price
1	9.5 mm Machine Placed	100	\$117.00	\$11,700.00
2	12.5 mm Machine Placed	3450	\$117.00	\$403,650.00
3	19 mm Machine Placed	350	\$117.00	\$40,950.00
4	19mm or 9.5mm Hand Placed	100	\$270.00	\$27,000.00
5	Shim 9.5mm	100	\$270.00	\$27,000.00
6	Grinding Various Depths	29180	\$3.17	\$92,500.60
7	Full Depth Milling	2270	\$4.77	\$10,827.90
Total for Items #2,3,6,7)			Total of Bid	\$547,928.50

Name Hopkins Landscaping
 Address 917 Blackstream Rd, Hermon, ME 04401

Item #	Description	Units Bid	Unit Price	Total Price
1	9.5 mm Machine Placed	100	\$150.00	\$15,000.00
2	12.5 mm Machine Placed	3450	\$95.72	\$330,234.00
3	19 mm Machine Placed	350	\$94.22	\$32,977.00
4	19mm or 9.5mm Hand Placed	100	\$250.00	\$25,000.00
5	Shim 9.5mm	100	\$150.00	\$15,000.00
6	Grinding Various Depths	29180	\$2.50	\$72,950.00
7	Full Depth Milling	2270	\$3.75	\$8,512.50
Total for Items #2,3,6,7)			Total of Bid	\$444,673.50

Name B & B Paving
 Address 61 Dave's Way, Hermon, ME 04401

Item #	Description	Units Bid	Unit Price	Total Price
1	9.5 mm Machine Placed	100	\$130.00	\$13,000.00
2	12.5 mm Machine Placed	3450	\$97.00	\$334,650.00
3	19 mm Machine Placed	350	\$95.00	\$33,250.00
4	19mm or 9.5mm Hand Placed	100	\$200.00	\$20,000.00
5	Shim 9.5mm	100	\$115.00	\$11,500.00
6	Grinding Various Depths	29180	\$3.50	\$102,130.00
7	Full Depth Milling	2270	\$3.50	\$7,945.00
Total for Items #2,3,6,7)			Total of Bid	\$477,975.00

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2022-A115

July 12, 2022

TITLE: ORDER, GRANT APPROVAL TO DELANO MERRITT D/B/A CAP'S TAVERN TO ALLOW PATRONS TO CONSUME ALCOHOL AT A SPECIAL OUTDOOR EVENT ON THE ESTABLISHMENT'S PROPERTY.

Filed July 1, 2022
By Joseph L. Ferris

WHEREAS, Delano Merritt d/b/a Cap's Tavern, is licensed by the State of Maine, Bureau of Alcoholic Beverages, to sell liquor within the confines of its establishment at 494 South Main Street; and

WHEREAS, Cap's Tavern has submitted a request to the City Council for approval to allow consumption of alcohol in an outdoor area on its premises at 494 South Main Street on Sunday, July 17, 2022 from 12:00 noon to 10:00 p.m. with a live band; and

WHEREAS, it is the understanding of the City Council that the Bureau of Alcoholic Beverages may permit patrons of Cap's Tavern to consume alcohol in an outdoor area if the City Council approves such activity; and

WHEREAS, it is the sense of the Brewer City Council that permitting patrons of Cap's Tavern to consume alcohol in an outdoor area at 494 South Main Street under conditions established by the Bureau of Alcoholic Beverages will not be detrimental to the peace, health and safety of the citizens of the City of Brewer.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith approves Delano Merritt d/b/a Cap's Tavern's request for permission to sell and allow patrons to consume alcohol in an enclosed and designated area at 494 South Main Street from 12:00 noon to 10:00 p.m. Sunday, July 17, 2022 with a live band; and

BE IT FURTHER, ORDERED, that the City Clerk inform the Bureau of Alcoholic Beverages of this approval of the Brewer City Council.

Statement of Fact: Requests from Brewer establishments to conduct an outdoor event require the approval of the City Council.

2022-A116

July 12, 2022

TITLE: ORDER, ACCEPT ASSET FORFEITURE FUNDS.

Filed July 5, 2022
By Jenn M. Morin

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WHEREAS, the Brewer Police Department has conducted an investigation where a sum of money was seized and forfeited by a defendant involved in the investigation; and

WHEREAS, this sum of money was offered to the City of Brewer in recognition of the Brewer Police Department's valuable assistance in the successful completion of the investigation; and

WHEREAS, under Maine Law, Title 15 M.R.S.A., §5824 (3) the City Council must take a public vote before any forfeited assets or money can be transferred to the City.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, Maine, by vote of its City Council, does herewith approve the transfer of the following sum of money and assets forfeited as a result of the recent criminal investigation cited:

Penobscot Unified Court Docket Number	Assets
21-2525	\$1,780 US Currency

; and

BE IT FUTHER ORDERED, that these funds be deposited into the State Asset Forfeiture Receipt Account 0200101-320000 and that expenditures be hereby authorized from the appropriate State Asset Forfeiture Expense Account within this Org (0200101).

Statement of Fact: The Brewer Police Department was awarded \$1,780 in asset forfeiture funds as a result of a successful criminal drug prosecution. These assets have been ordered by the court to be turned over to the Brewer Police Department.

2022-A117

July 12, 2022

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

Filed July 6, 2022
By Soubanh Phanthay

WHEREAS, the Public Works Department anticipates small quantities of scrap metal from various vehicle repair projects and, occasionally, construction projects in Fiscal Year 2023 (FY23) that will result in new revenues; and

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

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith declares such scrap metal surplus, authorizes the sale of the surplus property and the receipt of the proceeds to

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0106604-300490 (Public Works Miscellaneous Revenue) and authorizes the appropriation and expenditure of funds received from recycling this scrap metal in FY23 from account 0116641-504200 (PW Vehicle Maintenance and Repair).

Statement of Fact: Scrap metal is generated at the Public Works facility from discarded parts, including: brake pads, disk and drums; exhaust parts; damaged wheels; plow cutting edges and shoes; and other miscellaneous items. Because such items are replaced out of the vehicle maintenance budget, Public Works requests these funds be rolled back into the vehicle maintenance budget. This is an annual order.

2022-A118

July 12, 2022

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

Filed July 6, 2022
By Jerry Goss

WHEREAS, the Sewer Department anticipates small quantities of scrap metal from various construction projects in Fiscal Year 2023 (FY23) that will result in new revenues; and

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

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith declares such scrap metal surplus, authorizes the sale of the surplus property and the receipt of the proceeds in 0680001-300410 (Sewer Wellness Sale of Assets) and authorizes the appropriation and expenditure of funds received from recycling scrap metal in FY23 from account 0680001-500844 (Sewer Wellness Expense) to support the sewer wellness program which shall be funded by the proceeds from the sale of such surplus City property.

Statement of Fact: This annual order anticipates collection of small amounts of scrap metal from various sewer construction projects throughout the year and authorizes their sale. The proceeds are deposited into the Sewer Wellness account and used to support employee wellness purchases.

2022-A119

July 12, 2022

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

Filed July 6, 2022
By Joseph L. Ferris

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WHEREAS, the Water Department anticipates small quantities of scrap metal from various construction projects in Fiscal Year 2023 (FY23) that will result in new revenues; and

WHEREAS, the Water Department would like to dedicate all proceeds from the sale of such scrap metal to fund and support Water Wellness program initiatives.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith declares such scrap metal surplus, authorizes the sale of the surplus property and the receipt of the proceeds in account 0670001-300410 (Water Wellness Sale of Assets) and authorizes the appropriation and expenditure of funds received from recycling scrap metal in FY23 from account 0670001-500844 (Water Wellness Expense) to support the water wellness program which shall be funded by the proceeds from the sale of such surplus city property.

Statement of Fact: This annual order anticipates collection of small amounts of scrap metal from various water construction projects throughout the year and authorizes their sale. The proceeds are deposited into the Water Wellness account and used to support employee wellness purchases.

2022-A120

July 12, 2022

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

Filed July 6, 2022
By Jenn M. Morin

WHEREAS, from time to time the Brewer Public Library receives donations of books and materials; and

WHEREAS, some of the books and materials received the Library already has or does not need; and

WHEREAS, from time to time the Library reviews its collection and retires books that are no longer in use; and

WHEREAS, the library would like to offer such unneeded books and materials to the public in exchange for a donation to the Library.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts the donations of books and materials it may receive throughout the year; and

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BE IT FURTHER ORDERED, that the City Council hereby authorizes the Library Director to identify throughout the year books and materials that are unneeded and the City Council declares such items to be surplus and further authorizes the Library to offer the items to the public in exchange for a donation to the Library; and

BE IT FURTHER ORDERED, that the City Council hereby directs that these proceeds be deposited in revenue account 0107204-300410 (Library Sale of Assets) and that these proceeds be appropriated for expenditure from expense account 0117201-502750 (Books) for the purpose of replenishing Library inventory with the more current and requested items.

Statement of Fact: This annual order anticipates the sale of surplus books and materials throughout the year and authorizes the use of the sale proceeds to fund the purchase of new books.

2022-A121

July 12, 2022

TITLE: ORDER, ACCEPT FISCAL YEAR 2023 DONATIONS TO THE BREWER PUBLIC LIBRARY.

Filed July 6, 2022
By Soubanh Phanthay

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

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

WHEREAS, it is the recommendation and request of the Library Director that the upcoming Fiscal Year 2023 (FY23) donations be appropriated and expended as requested by donors.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council accepts all unrestricted FY23 contributions and memorial donations to the City of Brewer Public Library and authorizes their deposit into account 0107204-300420 (Library Contributions/Donations); and

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

Statement of Fact: This order is a blanket acceptance of unrestricted FY23 contributions to the City of Brewer Public Library, and authorizes the expenditure of these contributions to support the Library programming budget and the purchase of new books.

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ACTION: Councilor Ferris asked that Resolve 2022-B021 removed from the consent calendar. Councilor Phanthay moved that the orders on the consent calendar have passage. Councilor Ferris seconded the motion. The motion passed with a unanimous vote.

2022-B021

July 12, 2022

TITLE: RESOLVE, APPROVE TRANSFER TO SCHOOL CAPITAL FUND RESERVE ACCOUNT.

Filed June 9, 2022
By Soubanh Phanthay

WHEREAS, in June 2021, the City Council adopted 2021-B006 approving the Brewer School Department’s establishment of a capital reserve account for major maintenance and improvements to school facilities; and

WHEREAS, on June 8, 2022, the Brewer School Committee approved the transfer of \$400,000 from unrestricted School fund balance to the School capital reserve fund, given that it expects to have a sufficient fund balance to support Fiscal Year 2023 and future needs; and

WHEREAS, expenditures from the School capital reserve fund shall be approved by the Brewer School Committee, subject to final review and approval by the Brewer City Council.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby approves the School Department’s transfer of \$400,000 from unrestricted School fund balance to its capital reserve fund.

Audited fund balance 06.30.21	\$ 3,939,374
Projected FY22 addition	\$ 450,000
Transfer to capital reserve fund	\$ (400,000)
Use to balance FY23 budget	\$ (1,850,343)
	\$ 2,139,031
FY23 fund balance limit @9%	\$ 2,207,560

Statement of Fact: This order approves the School Department’s transfer of \$400,000 in available School fund balance to the capital reserve account established last year. In addition to being prudent from a fiscal planning perspective, this transfer helps keep the School below its statutory maximum fund balance level.

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ACTION: Councilor Ferris asked City Finance Director Karen Fussell to explain what this resolve would do. The Finance Director explained that the School Department wished to establish a capital reserve fund by taking \$400,000 from its current fund balance and dedicating it to capital projects, a transfer which requires council authorization. Councilor Morin asked how the capital reserve funds would be different from the funds controlled by the Brewer High School Board of Trustees. The Finance Director noted that the City and the Board of Trustees are separate financial entities, and that this capital reserve fund would be under the complete control of the City and the School Department, though the funds will be used in support of Board of Trustee's assets. School Superintendent Gregg Palmer added that, rather than having these funds sit idly in the School Department's fund balance, the capital reserve fund was a promise to the public to handle unforeseen capital needs. Acting City Solicitor Andy Hamilton asked if this transfer would help the School Department not to exceed the statutory maximum fund balance. The Finance Director said that capital reserve funds are not subject to the statutory fund balance maximum, and that unused capital funds could also be transferred back to the fund balance in the future. Mayor Daniels noted that using the capital reserve fund requires the approval of both the School Committee and the City Council, and asked if the School Department would be able to access the funds quickly when needed. The School Superintendent said that the School Department has ways of addressing emergency situations, but in the long-term funds could then be drawn from the capital reserve account. Councilor Ferris moved that the resolve be adopted. Councilor Goss seconded the motion. The motion passed with a unanimous vote.

D. Monthly Reports

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

E. Nominations, Appointments, Elections Consent Calendar

2022-B022

July 12, 2022

TITLE: RESOLVE, DECLARE RESULTS OF THE JUNE 14, 2022 STATE OF MAINE
PRIMARY ELECTION.

Filed June 29, 2022

By Joseph L. Ferris

WHEREAS, the State of Maine Primary Election was held on June 14, 2022; 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 the State of Maine Primary Election as follows:

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STATE OF MAINE RETURN OF VOTES CAST - REPUBLICAN

MUNICIPALITY: BREWER - 1 (1-1)

GOVERNOR

507 LEPAGE, PAUL R.

34 BLANK

REPRESENTATIVE TO CONGRESS (District 2)

158 CARUSO, ELIZABETH M.

370 POLIQUIN, BRUCE

13 BLANK

STATE SENATOR (District 10)

322 CROSS, ROBERT N.

213 LYFORD, PETER A.

6 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 20)

463 MORIN, JENNIFER MARIE

64 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 24)

14 HATHAWAY, RODERICK ALLEN

0 BLANK

COUNTY TREASURER

473 MOWER, GLENN E.

68 BLANK

REGISTER OF DEEDS

473 BULAY, SUSAN F.

68 BLANK

SHERIFF

498 MORTON, TROY JAMES

43 BLANK

Certified by the Municipal Clerk:



Signature of Clerk

06/15/2022

Date

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STATE OF MAINE RETURN OF VOTES CAST - DEMOCRATIC

MUNICIPALITY: BREWER - 1 (1-1)

GOVERNOR

205 MILLS, JANET T.

12 BLANK

REPRESENTATIVE TO CONGRESS (District 2)

201 GOLDEN, JARED FORREST

16 BLANK

STATE SENATOR (District 10)

204 CAMMACK, RALPH E. JR.

13 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 20)

205 O'CONNELL, KEVIN J.M.

8 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 24)

3 PERRY, JOSEPH C.

1 BLANK

JUDGE OF PROBATE

206 SEANEY, BETH

11 BLANK

COUNTY TREASURER

206 STANLEY, STEPHEN S.

11 BLANK

DISTRICT ATTORNEY (District 5)

203 ALMY, R. CHRISTOPHER

14 BLANK

Certified by the Municipal Clerk:



Signature of Clerk

06/15/2022

Date

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2022-A122

July 12, 2022

TITLE: ORDER, REAPPOINT ANIMAL CONTROL OFFICER.

Filed July 6, 2022
By Jenn M. Morin

WHEREAS, Title 7, M.R.S.A. §3947 states, “Each municipality shall appoint one or more animal control officers...”

NOW, THEREFORE, BE IT ORDERED, that Officer Michael Parady is herewith reappointed as Animal Control Officer for the City of Brewer for a term that commenced July 1, 2022 and expires June 30, 2023.

Statement of Fact: This is a routine appointment.

ACTION: Councilor Ferris moved that the order on the consent calendar have passage and the resolve be adopted. Councilor Goss seconded the motion. The motion passed with a unanimous vote.

F. Unfinished Business

There was no unfinished business.

G. New Business

2022-C009

July 12, 2022

TITLE: ORDER, AMEND CHAPTER 31 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “SEWER AND PRE-TREATMENT ORDINANCE”, ARTICLE 12, SECTION 1200, “METER RATES”.

Filed July 6, 2022
By Jerry Goss

BE IT ORDAINED, by the Brewer City Council that Chapter 31, of the Charter, Codes and Ordinances of the City of Brewer, entitled “Sewer and Pre-Treatment Ordinance”, Article 12, Schedule of Sewer Rates, Section 1200, “Meter Rates”, shall be amended as follows:

ARTICLE 12 - SCHEDULE OF SEWER RATES

SECTION 1200. METER RATES

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Rates based on water meter readings for the use of and for the services furnished, or to be furnished by the municipal sewer facility on property having water metered service, not including meters used exclusively for water not draining into sewers:

QUARTERLY

Effective beginning with and retroactive, the period covered by the September, ~~2021~~ 2022 billing, the following rates shall apply:

For the first 1,000 cu. ft. per quarter: ~~\$96.70~~ \$102.70 minimum charge for Residential customers classified in the billing system as User Type 9.

For the first 1200 cu. ft. per quarter: ~~\$116.04~~ \$123.24 minimum charge for all other users not otherwise classified as a Residential customer.

Effective beginning with the period covered by the September, ~~2021~~ 2022 billing, the following rates shall apply:

For all in excess of 1,000 cu. ft. per quarter: ~~\$9.67~~ \$10.27 per 100 cu. ft.

Statement of Fact: The FY23 budget approved by the City Council includes an increase in the sewer rate of \$0.60 per 100 cubic feet, or about \$8.33 per quarter for the average residential sewer user. This order amends City Ordinance to reflect this change.

ACTION: Councilor Goss moved that the amendment be certified and filed with the city clerk for posting. Councilor Ferris seconded the motion. The motion passed with a unanimous vote.

2022-A123

July 12, 2022

TITLE: ORDER, CONVENE IN EXECUTIVE SESSION PURSUANT TO TITLE 1
M.R.S.A. §405(6)(A) ON A PERSONNEL MATTER.

Filed June 29, 2022
By Joseph L. Ferris

BE IT ORDERED, that the Brewer City Council convene in executive session pursuant to Title 1, Maine Revised Statutes Annotated, §405(6)(A) on a personnel matter.

ACTION: Councilor Ferris moved that the order have passage. Councilor Goss seconded the motion. The motion passed with a unanimous vote. Mayor Daniels said that the Council would recess to go into executive session and then reconvene to consider one more item.

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Tuesday, July 12, 2022

The regular meeting was called back to order at by Mayor Michele Daniels. The city clerk called the roll:

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

Councilor Ferris-present
Councilor Phanthay-present

Mayor Daniels declared that a quorum was present. City Manager Stephen Bost was also present.

H. New Items with Leave of Council

ACTION: Mayor Daniels introduced Order 2022-A124 “Extend the City Manager’s Contract.” under suspension of the rules. Mayor Daniels asked the City Clerk to poll the Council to see if there is unanimous consent to take up this order. The Council members voted 5 to 0 unanimous consent to take up Order 2022-A124 under suspension of the rules.

2022-A124

July 12, 2022

TITLE: ORDER, EXTEND THE CITY MANAGER’S EMPLOYMENT CONTRACT.

Filed July 12, 2022
By Jenn M. Morin and
Michele Daniels

WHEREAS, the Brewer City Council has completed a performance evaluation of the City Manager, Stephen M. Bost, and

WHEREAS, the City Council believes it to be in the best interest of the citizens, businesses, employees and staff of the City of Brewer to extend the term of the City Manager’s employment contract.

NOW, THEREFORE, BE IT ORDERED, that Section 2(A) of the Employment Contract of the City Manager, Stephen M. Bost, is amended to provide for an expiration date of June 30, 2025, and in all other respects, the Employment Contract will remain in full force and effect.

ACTION: Councilor Morin moved that the order have passage. Councilor Goss seconded the motion. The motion passed with a unanimous vote.

City Council Minutes
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I. ADJOURN

ACTION: Councilor Goss moved that the meeting be adjourned. Councilor Ferris seconded the motion. The motion passed with a unanimous vote. The meeting was adjourned at 7:14 P.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine