

City Council Minutes
Tuesday, August 8, 2023

Regular Meeting
City Hall Council Chambers

Tuesday, August 8, 2023
6:00 p.m.

Councilor Ferris-present
Councilor Daniels-present
Mayor Phanthay-absent

Councilor Goss-present
Deputy Mayor Morin-present

Deputy Mayor Morin declared that a quorum was present. City Manager Stephen Bost and City Solicitor Johnathan Pottle were also present.

Deputy Mayor Morin led members of the council and others present in reciting the pledge of allegiance to the flag of the United States of America.

Deputy Mayor Morin read the notice for the regular meeting.

TO: Joseph Ferris, Jerry Goss, Michele Daniels, Jenn Morin, and Soubanh Phanthay; MEMBERS OF THE BREWER CITY COUNCIL. You are hereby notified that a regular meeting of the City Council of the City of Brewer will be held on Tuesday, August 8, 2023 at 6:00 p.m., at 80 North Main Street, to consider and act on the items on the attached agenda.

s/ Soubanh Phanthay
Mayor and Chairman of the City Council
Or _____
Majority of the City Council

a true copy, attest: s/Vincent P. Migliore
City Clerk

OFFICER'S RETURN

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 L. Ferris	Favreau	Off.	08/04/2023	16:40
Jerry Goss	Rose	Off.	08/04/2023	16:48
Michele Daniels	Jones	Sgt.	08/04/2023	17:30
Jenn Morin	Jones	Sgt.	08/04/2023	16:45
Soubanh Phanthay	Rose	Off.	08/04/2023	16:44

CITY COUNCIL REGULAR MEETING
Tuesday, August 8, 2023 6:00 P.M.
Brewer City Hall Council Chambers

- I. Call to Order** (Mayor Phanthay)
- II. Roll Call** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America** (Mayor Phanthay)
- A. Minutes of the July 11, 2023 Regular Meeting** (Councilor Daniels)
- B. Awards, Petitions and Public Comments**
 - 1. (2023-B024) RESOLVE Resolution of Respect for Dr. Betsy M. Webb.
(Councilor Ferris)
 - 2. (2023-B025) RESOLVE Recognize Peter Rancourt for service to the City of
Brewer and the Brewer High School Community.
(Councilor Goss)
 - 3. Public Comments
- C. Consent Calendar**
 - 1. (2023-A101) ORDER Accept donations to the Brewer Fire Department and the
Brewer Police Department from Judy Street and Tracey
Morales. (Councilor Morin)
 - 2. (2023-A102) ORDER Tax Release Deed, Map 21, Lot 27, land on Elm Street,
Brewer, Maine. (Councilor Ferris)
 - 3. (2023-A103) ORDER Tax Release Deed, Map 21, Lot 20, land on Central
Avenue, Brewer, Maine. (Councilor Goss)
 - 4. (2023-A104) ORDER Tax Release Deed, Map 22, Lot 159 land and building on
22 Oak Street, Brewer, Maine. (Councilor Daniels)
 - 5. (2023-A105) ORDER Approve installation of pressure transducer and Variable
Frequency Drives (VFDs) at the South Main Street pump
station. (Councilor Morin)
 - 6. (2023-A106) ORDER Award contract for slipline of Tannery Brook storm drain
pipe. (Councilor Ferris)
 - 7. (2023-A107) ORDER Authorize purchase of replacement vehicle for Brewer
Police Department. (Councilor Goss)
 - 8. (2023-A108) ORDER Authorize purchase of radio repeaters for Brewer Police
Department. (Councilor Daniels)
- D. Monthly Reports** (Councilor Morin)
- E. Nominations, Appointments, Elections**
- F. Unfinished Business**
 - Consent Calendar**
 - 1. (2023-C010) ORDER Amend Chapter 24 of the Charter, Codes and Ordinances of
the City of Brewer, entitled “Land Use Code”, Article 4,
“Performance Standards”, Sections 426 and 436, Article 6,
“Site Plan Review”, Sections 605.1, 606 and 610, and
Article 14, “Definitions”. (Councilor Ferris)

City Council Minutes
Tuesday, August 8, 2023

2. (2023-C011) ORDER Amend Chapter 5 of the Charter, Codes and Ordinances of the City of Brewer, entitled "Assessor", Article 2 "The Board of Assessment Review", Section 202, "Composition of the Board". (Councilor Goss)
3. (2023-C012) ORDER Amend Chapter 34 of the Charter, Codes and Ordinances of the City of Brewer, entitled "Board of Appeals of the City of Brewer". (Councilor Daniels)
4. (2023-C013) ORDER Amend Chapter 8 of the Charter, Codes and Ordinances of the City of Brewer, entitled "Elections", Article 3, "Municipal Elections", by adding Section 303, "Incompatibility of Offices". (Councilor Morin)
5. (2023-C015) ORDER Amend 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. (Councilor Goss)

G. New Business

1. (2023-C016) ORDER Enact and add Chapter 52 of the Charter, Codes and Ordinances of the City of Brewer, entitled "City of Brewer Moratorium Ordinance on Large-Scale Solar Energy Systems". (Councilor Daniels)

H. New Items with Leave of Council

I. ADJOURN

A. Minutes of the July 11, 2023 Regular Meeting

ACTION: Councilor Daniels moved that the minutes to the July 11, 2023 regular meeting be accepted and placed on file. Councilor Goss seconded the motion. The motion passed with a vote of 4-0.

B. Awards, Petitions and Public Comments

2023-B024

August 8, 2023

TITLE: RESOLVE, RESOLUTION OF RESPECT FOR DR. BETSY M. WEBB.

Filed February 13, 2023
By Joseph L. Ferris

WHEREAS, on the 24th day of November 2022 death brought to a close the full and active life of Dr. Betsy MacGregor Webb; and

WHEREAS, Betsy was born in Bridgeport, Connecticut; and

WHEREAS, Betsy married the love of her life and best friend Calvin (Chip) Webb, and they shared thirty-nine years of marriage and raised two boys together; and

City Council Minutes
Tuesday, August 8, 2023

WHEREAS, Betsy graduated from Husson University with a degree in Education, having done student teaching in Brewer during the 1982-1983 school year; and

WHEREAS, Betsy earned her Master's in Education from University of Southern Maine, her CAS and Doctorate of Education; and

WHEREAS, Betsy was hired as the Brewer State Street School's Principal/Technology Director in 1997, and then went on to serve as Brewer Superintendent of Schools from 2001 to 2005; and

WHEREAS, Betsy was recognized in 2012 as Maine School Superintendents' Association Outstanding Leader, and in 2013 was named Maine Superintendent of the Year; and

WHEREAS, Betsy was a passionate, committed educational leader who believed all students are capable of learning at high levels and the key to their success is acceleration; and

WHEREAS, Betsy enjoyed spending time outdoors with her family, sitting by the fire, surrounded by loved ones, sharing stories and laughs.

NOW, THEREFORE BE IT RESOLVED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive influence of Dr. Betsy M. Webb to the well-being and development of the community and earned the respect of all who knew her; 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 her family in testimony to the high esteem held for Dr. Betsy M. Webb by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Ferris moved that the resolve be adopted. Councilor Goss seconded the motion. Councilor Ferris said he was on the School Board when Betsy was hired as Superintendent in 2001, and that Betsy had been a terrific Superintendent. Councilor Ferris noted that Betsy had served on the Board of Directors for the Brewer Economic Development Corporation and that he was grateful for her service in that capacity. Councilor Ferris said Betsy loved being in the classroom, and that her death at such a young age had been a tremendous loss. Calvin Webb received copies of the resolution on behalf of Betsy's family and expressed his gratitude to the Council. Calvin said that Betsy greatly respected Councilor Ferris. Councilor Goss said that he had been fortunate to work with Betsy on the Brewer School Administrative Team. Councilor Goss said that Betsy was tremendous to work with, knowledgeable, friendly, and that she always had the kids' best interests at heart. Councilor Goss said that Betsy was going to be missed, but that she had left her mark on the City of Brewer. The motion passed with a vote of 4-0.

City Council Minutes
Tuesday, August 8, 2023

2023-B025

August 8, 2023

TITLE: RESOLVE, RECOGNIZE PETER RANCOURT FOR SERVICE TO THE CITY OF BREWER AND THE BREWER HIGH SCHOOL COMMUNITY.

Filed July 18, 2023
By Jerry Goss

WHEREAS, the Brewer City Council recognizes Officer Peter Rancourt for twenty-three years of dedicated service to the City of Brewer and to the Brewer High School Community; and

WHEREAS, Officer Rancourt was hired as a Brewer Police Officer on June 29, 2000; and

WHEREAS, Officer Rancourt was assigned to the Brewer High School as the School Resource Officer for most of his career; and

WHEREAS, Officer Rancourt touched the lives of many and was a positive force for the school and for the community, serving with humor, wit, and charm; and

WHEREAS, Officer Rancourt cared deeply for the students and staff at Brewer High School and, in turn, the students and staff cared deeply for him, as several graduating classes dedicated the publication of their High School Yearbook to Officer Rancourt; and

WHEREAS, Officer Rancourt retired from service on July 5, 2023, and he will be greatly missed by the Brewer Police Department and the Brewer community as a whole.

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council hereby recognizes Officer Peter Rancourt for his dedication, service, and contributions to the betterment of the City of Brewer and the surrounding community; and

BE IT FURTHER RESOLVED, that the Brewer City Council, on behalf of the citizens of the City of Brewer, thanks Officer Rancourt for his service and wishes him all the best on a well-deserved retirement.

ACTION: Councilor Goss moved that the resolve be adopted. Councilor Daniels seconded the motion. Councilor Goss presented to Officer Rancourt a written copy of the resolution, a Brewer Challenge Coin, and a plaque commemorating his years of service to the City of Brewer. Councilor Goss said that he was the Principal of Brewer High School when Officer Rancourt became the School Resource Officer, and that the City had been extremely fortunate over the years to have had Officer Rancourt serving in that role. City of Brewer Public Safety Director Jason Moffit reminisced about his time in the Police Academy with Officer Rancourt. The Public Safety Director said that Officer Rancourt was an all-around great individual, a man of many talents, beloved by the students, and that the City of Brewer could not have had a better School Resource Officer. Current School Resource Officers, Officer Willey and Officer Freeman praised Officer Rancourt for his kindness and for his mentorship,

City Council Minutes
Tuesday, August 8, 2023

and presented Officer Rancourt with a custom designed Hawaiian shirt. Officer Rancourt said that early in his career he received some basic training in what was then called Citizens Involved in Trauma that helped and supported kids in need and the program struck a chord with him. Officer Rancourt said that when he came to Brewer and expressed interest in becoming a School Resource Officer Councilor Goss, Principal of the High School at that time, took him in and was very generous. Officer Rancourt said that he loved “his” kids and that he had been able to assist in solving a number of crimes over the years just by knowing his kids. Officer Rancourt expressed his gratitude to the Council. Councilor Daniels reflected on how Officer Rancourt had made a unique impression on each of her children, and how he had the respect of the students. Councilor Goss said we would never know how many kids were alive and functioning well today because Officer Rancourt took the time to talk things through with them. Councilor Goss thanked Officer Rancourt; Officer Rancourt said that it was absolutely his pleasure to serve. The motion passed with a vote of 4-0.

Public Comments

Deputy Mayor Morin invited City of Brewer Finance Director Karen Fussell to discuss recent changes to the mil rate for the City of Brewer. The Finance Director said that in finalizing the tax commitment, the City Assessor realized more taxable value than originally estimated, allowing the City to lower its mil rate beyond the reduction approved in the Fiscal Year 2024 Budget. The Finance Director said that instead of a \$1.00 decrease in the mil rate, the City would be able to reduce the mil rate by \$1.80, and that the 2024 tax rate would be \$20.10 per \$1,000 in assessed value, an 8.22% decrease from the \$21.90 rate of Fiscal Year 2023. The Finance Director said that the lower mil rate would help offset valuation increases, resulting in a milder increase for most taxpayers. The Finance Director noted that the unusual housing market had made the assessment process challenging, and thanked City of Brewer Tax Assessor Valerie Moon for her efforts in completing the tax commitment.

C. Consent Calendar

2023-A101

August 8, 2023

TITLE: ORDER, ACCEPT DONATIONS TO THE BREWER FIRE DEPARTMENT AND THE BREWER POLICE DEPARTMENT FROM JUDY STREET AND TRACEY MORALES.

Filed July 12, 2023
By Jenn M. Morin

WHEREAS, the City of Brewer Fire Department and the City of Brewer Police Department have each received a donation of \$500 from Judy Street and Tracey Morales; and

WHEREAS, it is the request of the donors that these funds be used to provide food for the Fire Department and Police Department crews while they are on duty.

City Council Minutes
Tuesday, August 8, 2023

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council, herewith accepts these donations, totaling \$1,000, from Judy Street and Tracey Morales, and directs that the donated funds be receipted to account 0105904-300490 (Fire Misc. Revenues) and 0105804-300490 (Police Misc. Revenues), respectively; and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from account 0115911 502900 (Fire Misc. Supplies and Expenses) and 0115811-502900 (Police Misc. Supplies and Expenses).

Statement of Fact: This order accepts two \$500 contributions and authorizes their expenditure to provide food for the Fire and Police Department crews while working on duty as requested by the donors.

NOTE: The Brewer Police and Fire Departments send a letter of acknowledgement and appreciation on behalf of the City Council for all contributions received.

2023-A102

August 8, 2023

TITLE: ORDER, TAX RELEASE DEED, MAP 21, LOT 27, LAND ON ELM STREET,
BREWER, MAINE.

Filed July 21, 2023
By Joseph L. Ferris

BE IT ORDERED THAT, a municipal Release Deed be issued to Estate of Philip E. White TSGT, of Brewer, County of Penobscot, releasing all interest that the City of Brewer may have acquired by virtue of Tax liens on the property; and

BE IT FURTHER ORDERED, that the Brewer City Manager is herewith authorized to execute this Release Deed on behalf of the City of Brewer.

Statement of fact: This order authorizes the release of the interest in land on Elm Street that the City acquired by virtue of foreclosed Tax liens, which have now been paid in full. A total of \$3,835.08 was collected, \$3,212.70 along with \$424.15 in interest and \$198.23 in costs.

RELEASE DEED
Estate of White, Philip E. TSGT

City of Brewer, a body politic located in the County of Penobscot, State of Maine, for consideration paid, **releases to Estate of Philip E. White TSGT, against whom taxes were assessed**, of Brewer, County of PENOBSOT, State of Maine, the land in Brewer, County of Penobscot, State of Maine as follows:

Map 21, Lot 27 of the Assessor's Tax Maps of the
City of Brewer, Maine.

Excepting and reserving all public easements or other public interests in the

City Council Minutes
Tuesday, August 8, 2023

above-described parcel for roads, sewers, or other purposes

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

<u>Volume</u>	<u>Page</u>
15569	6
16081	8
16523	259
16864	182

City of Brewer has caused this deed to be sealed with its corporate seal and signed in its corporate name by Stephen Bost, its City Manager, duly authorized this 16th day of August AD 2023

WITNESS:

CITY OF BREWER

Stephen Bost
City Manager
Duly authorized

STATE OF MAINE

PENOBSCOT, ss

DATE August 16, 2023

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

Before me,

Mary J. Marquis, Notary Public-Maine
My Commission expires February 4, 2029

2023-A103

August 8, 2023

TITLE: ORDER, TAX RELEASE DEED, MAP 21, LOT 20, LAND ON CENTRAL AVENUE, BREWER, MAINE.

Filed July 21, 2023
By Jerry Goss

BE IT ORDERED THAT, a municipal Release Deed be issued to Estate of Philip E. White TSGT, of Brewer, County of Penobscot, releasing all interest that the City of Brewer may have acquired by virtue of Tax liens on the property; and

BE IT FURTHER ORDERED, that the Brewer City Manager is herewith authorized to execute this Release Deed on behalf of the City of Brewer.

City Council Minutes
Tuesday, August 8, 2023

Statement of fact: This order authorizes the release of the interest in land on Central Avenue, that the City acquired by virtue of foreclosed Tax liens, which has now been paid in full. A total of \$472.17 was collected, \$230.99 along with \$42.95 in interest and \$198.23 in costs.

RELEASE DEED
Estate of White, Philip E. TSGT

City of Brewer, a body politic located in the County of Penobscot, State of Maine, for consideration paid, **releases to Estate of Philip E. White TSGT, against whom taxes were assessed**, of Brewer, County of PENOBSBOT, State of Maine, the land in Brewer, County of Penobscot, State of Maine as follows:

Map 21, Lot 20 of the Assessor's Tax Maps of the
City of Brewer, Maine.

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

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

<u>Volume</u>	<u>Page</u>
15569	5
16081	7
16523	258
16864	180

City of Brewer has caused this deed to be sealed with its corporate seal and signed in its corporate name by Stephen Bost, its City Manager, duly authorized this 16th day of August AD 2023

WITNESS:

CITY OF BREWER

Stephen Bost
City Manager
Duly authorized

STATE OF MAINE

PENOBSBOT, ss

DATE August 16, 2023

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

Before me,

Mary J. Marquis, Notary Public-Maine
My Commission expires February 4, 2029

City Council Minutes
Tuesday, August 8, 2023

2023-A104

August 8, 2023

TITLE: ORDER, TAX RELEASE DEED, MAP 22, LOT 159 LAND AND BUILDING ON
22 OAK STREET, BREWER. MAINE.

Filed July 21, 2023
By Michele Daniels

BE IT ORDERED THAT, a municipal Release Deed be issued to Kathleen M. Piper, of Brewer, County of Penobscot, releasing all interest that the City of Brewer may have acquired by virtue of Tax liens on the property; and

BE IT FURTHER ORDERED, that the Brewer City Manager is herewith authorized to execute this Release Deed on behalf of the City of Brewer.

Statement of fact: This order authorizes the release of the interest in 22 Oak Street that the City acquired by virtue of foreclosed Tax lien, which has now been paid in full. A total of \$7,611.87 was collected, \$6,462.18 along with \$849.39 in interest and \$300.30 in costs.

**RELEASE DEED
Kathleen M. Piper**

City of Brewer, a body politic located in the County of Penobscot, State of Maine, for consideration paid, **releases to Kathleen M. Piper, against whom taxes were assessed**, of Brewer, County of PENOBSCOT, State of Maine, the land in Brewer, County of Penobscot, State of Maine as follows:

Map 22, Lot 159 of the Assessor's Tax Maps of the
City of Brewer, Maine.

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

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

<u>Volume</u>	<u>Page</u>
15192	256
15569	22
16081	20
16523	271
16864	193

City of Brewer has caused this deed to be sealed with its corporate seal and signed in its corporate name by Stephen Bost, its City Manager, duly authorized this 16th day of August AD 2023

WITNESS:

CITY OF BREWER

Stephen Bost

City Council Minutes
Tuesday, August 8, 2023

City Manager
Duly authorized

STATE OF MAINE

PENOBSCOT, ss

DATE August 16, 2023

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

Before me,

Mary J. Marquis, Notary Public-Maine
My Commission expires February 4, 2029

2023-A105

August 8, 2023

TITLE: ORDER, APPROVE INSTALLATION OF PRESSURE TRANSDUCER AND VARIABLE FREQUENCY DRIVES (VFDS) AT THE SOUTH MAIN STREET PUMP STATION.

Filed July 31, 2023
By Jenn M. Morin

WHEREAS, the City of Brewer owns and maintains a sewer pump station on South Main Street;
and

WHEREAS, the City is investigating soapy discharges that affect the South Main Street pump station and cause monitoring equipment to malfunction and give false readings; and

WHEREAS, installation of a pressure transducer will solve the issues caused by these soapy discharges; and

WHEREAS, electricity costs are increasing and Variable Frequency Drive (VFD) technology can help the Department of Environmental Services better control this cost; and

WHEREAS, VFD technology will lessen the uneven vibrations of motors which can cause excessive wear on check valves; and

WHEREAS, the Environmental Services Department solicited bids for the project to install a pressure transducer and VFDs and received two bids, and the lowest bidder was Seeley Electric for \$70,500 (or \$60,500 if they find they can use the existing conduits).

City Council Minutes
Tuesday, August 8, 2023

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, authorizes the Director of Environmental Services to contract with Seeley Electric to purchase and install a pressure transducer and VFDs at the South Main Street sewer pump station; and

BE IT FURTHER ORDERED, that the Brewer City Council hereby authorizes the expenditure of American Rescue Plan Act (ARPA) funds set aside for the Sewer Department as approved in the Department's Fiscal Year 2024 Capital Improvement Plan, which shall be charged to account 0200001-520000-20611; and

BE FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of up to \$10,500 in Sewer Asset Reserve funds (0800000-110805), if needed, to support costs above available ARPA funds if the existing conduits need replacement.

<u>Project to Install Pressure Tranducer and Variable Frequency Drives</u>	
<u>Vendor</u>	<u>Bid</u>
Seeley Electric	\$ 70,500
MC Electric	\$ 72,500

Statement of Fact: This order authorizes the Department of Environmental Services to install a pressure transducer to monitor wet well levels at the pump station, and install VFDs to better control electricity costs and improve the City's ability to adjust pumping cycles and speeds along the force main.

2023-A106

August 8, 2023

TITLE: ORDER, AWARD CONTRACT FOR SLIPLINE OF TANNERY BROOK
STORM DRAIN PIPE.

Filed July 28, 2023
By Jospheh L. Ferris

WHEREAS, a six-foot (6') tall brick combined sewer pipeline that outlets to the Penobscot River was installed in the City of Brewer over one-hundred years ago; and

WHEREAS, some years later, after several sewer separation projects, the line became a stormwater only pipe; and

WHEREAS, the pipe is in a heavily developed area of the City which includes Mason's Brewing Company, the Dirigo School building, and the pipe runs under a busy section of South Main Street; and

City Council Minutes
Tuesday, August 8, 2023

WHEREAS, after entering the storm drain and evaluating the pipe, it was determined that the pipe was still in good enough condition to complete a slipline of the first approximately four-hundred feet (400') to get beyond major obstacles; and

WHEREAS, the slipline alternative would save hundreds of thousands of dollars in construction costs and significantly reduce traffic delays and issues while extending the useful life of this section of pipe an estimated fifty to seventy-five years; and

WHEREAS, Everett J Prescott (EJP) and CLH & Son, Inc., have been working with the City of Brewer in its investigations of pipe condition and alignment for over a year and have intricate knowledge of the pipe and all of the obstacles that potentially exist with this project; and

WHEREAS, CLH & Son, Inc. is a highly reputable company that has done numerous slipline projects around the State of Maine and, in particular, for the Maine Department of Transportation.

NOW, THEREFORE, BE IT ORDERED that the Brewer City Manager, or his designee, is authorized to execute a contract with CLH & Son, Inc. in the amount not to exceed \$722,143 to complete the slipline of Tannery Brook Storm Drain Pipe project; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of \$70,000 of Unassigned Fund Balance (0119903-509130) for this purchase to supplement the \$700,000 approved as part of the Fiscal Year 2023 Capital Improvement Program; and

BE IT FURTHER ORDERED, that the Brewer City Council herewith exercises its authority under Chapter 36, Section 404 of the City's Purchasing Ordinance for the provision of these specialty services; and

BE IT FURTHER ORDERED, that the cost of this project shall be charged to account 0510113-551600-66509 (Storm Drain – S Main Slipline).

Statement of Fact: This order authorizes a contract with CLH & Son, Inc. to complete the slipline of the 6' tall brick line that outlets near the Hardy Street pump station. This project addresses a major storm drain that runs under a very busy section of South Main Street that would create a severe interruption to the surrounding area and the general public that travels this area if a failure ever occurred.

City Council Minutes
Tuesday, August 8, 2023

PROPOSAL



C.L.H. & SON INC.

2841 TURNER ROAD
 AUBURN, ME 04210
 TELEPHONE: (207) 784-0610
 FAX: (207) 784-6048



PROPOSAL FOR: Jeremy Caron	PHONE NO. 207-989-8430	DATE: 7-13-23
ADDRESS: Jeremy Caron City Engineer City of Brewer 221 Greenpoint Road Brewer, ME 04412	OWNER: City of Brewer	PROJECT NAME & ADDRESS: South Main Street 72" sewer liner
STARTING DATE:	SITE PLAN REFERENCE:	

THANK YOU FOR THE OPPORTUNITY TO SUBMIT THE FOLLOWING PROPOSAL -
WORK DESCRIPTION

EQUIPMENT, LABOR AND MATERIALS FOR THE FOLLOWING

- Mobilize equipment and personnel to the site
- Install erosion control needed
- Install temporary fencing around outlet tide gate by the walking path
- Cut and build a dog House excavation pit on the upstream side of Gibbons CT
- Install water by-pass
- Clean existing pipe
- Install skid rails
- Supply and Install (approx) 400' of 51" Channelline liner pipe
- Build grout retaining Bulkheads
- Supply and pump Light Weight Cellular Concrete into annular space
- Install New CB riser at Gibbons CT
- Clean up project site

TOTAL \$722,143

NOTE: Gibbons CT end will be closed of for project. We will need that corner of the parking lot at the park. We will need to use the pump station parking lot on the outlet to access the hatch at the tide gate

THIS PROPOSAL IS GOOD FOR 30 DAYS UNLESS OTHERWISE NOTED

TERMS OF PROPOSAL

PAYMENT IN FULL UPON COMPLETION OF WORK, OR ANY PORTION COMPLETED WITHIN EACH MONTH, WITHIN 10 DAYS. MATERIALS ORDERED IN ADVANCE WILL BE INVOICED UPON SITE DELIVERY AND ARE PAYABLE WITHIN 10 DAYS. INTEREST IS CHARGED ON ANY PAST DUE BALANCES AT A RATE OF 1.5% PER MONTH. THE BUYER AGREES TO PAY ANY EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES, NECESSARY TO COLLECT PAST DUE AMOUNTS.

AUTHORIZED SIGNATURE: _____ DATE: _____

ACCEPTANCE OF PROPOSAL

THE ABOVE PRICES ARE ACCEPTED AND YOU ARE AUTHORIZED TO PERFORM THE WORK DESCRIBED. PAYMENT WILL BE MADE AS SPECIFIED.

SIGNATURE: _____ DATE: _____

SIGNATURE: _____ DATE: _____

ACCEPTANCE OF COMPLETED WORK

SIGNATURE: _____ DATE: _____

City Council Minutes
Tuesday, August 8, 2023

2023-A107

August 8, 2023

TITLE: ORDER, AUTHORIZE PURCHASE OF REPLACEMENT VEHICLE FOR
BREWER POLICE DEPARTMENT.

Filed August 2, 2023
By Jerry Goss

WHEREAS, the approved Fiscal Year 2024 (FY24) Capital Improvement Program (CIP) included funding for replacement of a police vehicle for primary patrol use; and

WHEREAS, a bid was solicited for a new vehicle to be placed in service from Darling's Ford in Bangor; and

WHEREAS, the bid for the primary patrol vehicle consisted of one 2023 Ford Utility Police Interceptor with a lighting and siren package, at a cost of \$47,500 with a trade in allowance for a 2016 Ford Utility Police Interceptor valued at \$2,600, for a total purchase price for the new patrol vehicle of \$44,900; and

WHEREAS, bid prices do not include the cost to equip the vehicle.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the City Manager or his designee to sign a purchase order with Darling's Ford of Bangor for the amount of its bid price and authorizes the appropriation and expenditure of this amount from capital account 0510132-511200 (Police Cruiser) to fund the purchase of the 2023 Ford Utility Police Interceptor; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure from CIP account 0510132-511200 an additional \$7,000 from CIP Unallocated Fund Balance (0510140-551090) to cover the cost of equipping the vehicle; and

BE IT FURTHER ORDERED, the City Council hereby declares the Police Department's 2016 Ford Utility Police Interceptor (VIN#1FM5K8AR5GGC26415) surplus and authorizes the City Manager or his designee to dispose of the vehicle by allowing for trade in to offset the purchase price of the new police vehicle; and

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

2023 Ford Utility Police Interceptor	
Manufacturer's Suggested Retail Price	\$ 51,384
Darling's Bid	\$ 47,500
Quirk Auto Group Bid	\$ 47,984

City Council Minutes
Tuesday, August 8, 2023

Statement of Fact: This order authorizes the purchase of one marked police vehicle as authorized in the FY24 CIP and appropriates an additional \$7,000 to equip it. One vehicle from the Police Department fleet will be used for trade-in to offset the purchase price of the new vehicle.

2023-A108

August 8, 2023

TITLE: ORDER, AUTHORIZE PURCHASE OF RADIO REPEATERS FOR BREWER
POLICE DEPARTMENT.

Filed August 2, 2023
By Michele Daniels

WHEREAS, the Brewer Police Department needs to install in-car repeaters for reliable radio communications; and

WHEREAS, the total project cost is \$15,868, of which \$10,000 in Capital Improvement Program (CIP) funds has been approved for Fiscal Year 2024; and

WHEREAS, the remaining \$5,868 will be paid from State Asset Forfeiture Fund.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith authorizes \$10,000 to be expended from account #0510132-551239 CIP Radio Trunk Repeaters and \$5,868 to be expended from account #0200101-502900 State Asset Forfeiture; and

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

Statement of Fact: This order authorizes the Brewer Police Departments to purchase radio repeaters for patrol cars to improve reception for portable radios in various areas of the City. The total cost for this project is \$15,868, of which \$10,000 will be paid from CIP funds and the remaining balance from State Asset Forfeiture Funds.

ACTION: Councilor Daniels moved that the orders on the consent calendar have passage. Councilor Goss seconded the motion. The motion passed with a vote of 4-0.

D. Monthly Reports

ACTION: Councilor Goss moved that the monthly reports from department heads be accepted and placed on file. Councilor Ferris seconded the motion. The motion passed with a vote of 4-0.

City Council Minutes
Tuesday, August 8, 2023

E. Nominations, Appointments, Elections

There were no nominations, appointments, or elections.

F. Unfinished Business

2023-C010

June 13, 2023

TITLE: ORDER, AMEND CHAPTER 24 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED "LAND USE CODE", ARTICLE 4, "PERFORMANCE STANDARDS", SECTIONS 426 AND 436, ARTICLE 6, "SITE PLAN REVIEW", SECTIONS 605.1, 606, AND 610, AND ARTICLE 14, "DEFINITIONS".

Filed June 1, 2023
By Joseph L. Ferris

BE IT ORDAINED, by the Brewer City Council that Chapter 24, of the Charter, Codes and Ordinances of the City of Brewer, entitled "Land Use Code", shall be amended by revising the following subsections to, Article 4, Article 6, and Article 14:

ARTICLE 4 PERFORMANCE STANDARDS

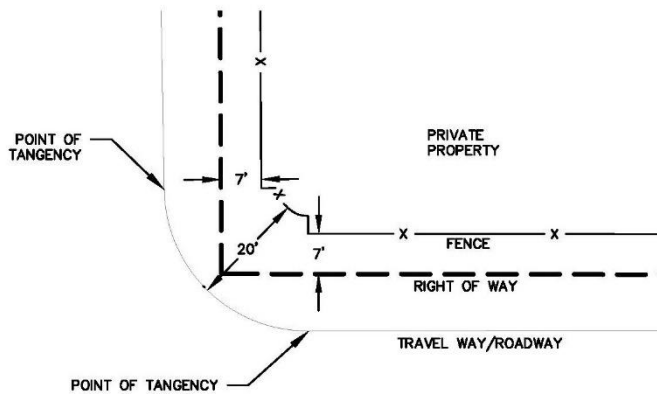
426 PLANTING

Planting set-back for all trees and shrubs with a potential height of over three (3) feet shall be governed by the following:

- 426.1** There shall be a minimum set-back of seven (7) feet from the street right-of-way line, on all straight-of-ways.
- 426.2** At street intersections where a radius of curvature is shown on the plan or deed, the minimum set-back line shall be ~~determined by locating the edge of the right-of-way trees, plants or shrubs~~ seven (7) feet behind said right-of-way line and/or twenty feet (20') from the edge of the travel way until the point of tangency, whichever is greater.

City Council Minutes
Tuesday, August 8, 2023

426.3 At street intersections where there is no known radius ~~or of~~ curvature allowed, the minimum set-back line shall be twenty feet (20') from the edge of travel way until the point of tangency determined by locating a line parallel to and fifteen (15) feet wider than the existing street lines concerned. ~~These fifteen (15) foot set-back lines shall then become the minimum set-back line for planting.~~

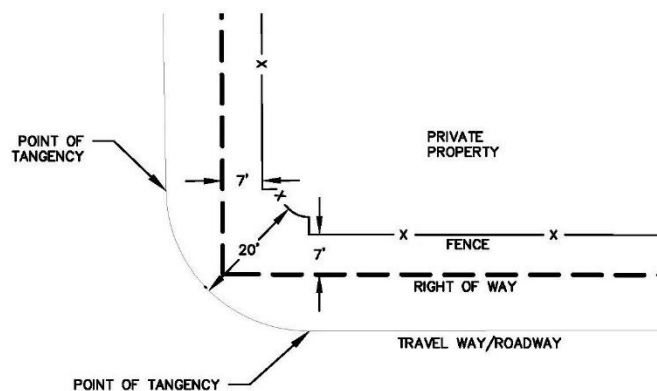


426.4 Landscaping and plantings shall also adhere to the minimum requirement for clear space around hydrants as included in Chapter 40 (Water Department), Section 303 of the City of Brewer Charter, Codes and Ordinances.

436 YARDS AND SETBACKS

436.7 FENCES

There shall be a seven foot (7') front yard setback for fences when along a public road, private road, or common driveway. At intersections where a radius of curvature is shown on the plan or deed, the minimum set-back line shall be seven (7) feet behind said right-of-way line and/or twenty feet (20')



City Council Minutes
Tuesday, August 8, 2023

from the edge of the travel way until the point of tangency, whichever is greater. At street intersections where there is no known radius of curvature, the minimum set-back line shall be twenty feet (20') from the edge of travel way until the point of tangency.

Fences may be placed directly on side and rear property lines. Consideration should be made for access to maintain the fence.

Fences shall also adhere to the minimum requirement for clear space around hydrants as included in Chapter 40 (Water Department), Section 303 of the City of Brewer Charter, Codes and Ordinances.

ARTICLE 6 SITE PLAN REVIEW

605.1 EXPIRATION OF PLANNING BOARD APPROVAL (#2)

The ability and procedure of a major site plan to be approved and constructed in phases shall be determined on a case-by-case basis by the Planning Board. If permitted, details of such phasing shall be outlined on the site plan and written Planning Board Order. Previously approved site plans may be eligible for phasing if brought before the Planning Board for an amended site plan review within eighteen months of approval.

Site plan approval granted by the Planning Board shall expire if the work or use involved is not commenced within one year of the date which the approval is granted, or if the work is not substantially completed within eighteen months of the site plan approval date. For projects approved for completion in phases, site plan approval shall expire if the work does not meet the phasing conditions approved for the project.

Expiration of the applicable dates prior to commencement or substantial completion shall void the site plan approval unless the Code Enforcement Officer has granted an extension for a period not to exceed ninety days based on the Code Enforcement Officer's written finding of a reasonable cause. If additional extensions are required, the Planning Board may grant such additional extensions based on a written finding of reasonable cause.

Requests for the Planning Board to grant an extension shall include a letter stating the reason for the extension request, proposed extension date, and the non-refundable fee as set forth in the then current City Council adopted fee schedule, payable to the City of Brewer. Three (3) copies of the above information and the check shall be submitted to the Planning Department four weeks prior to the Planning Board meeting.

606 REQUIRED INFORMATION (#2)

Application for the establishment of uses and/or site improvements requiring site plan review shall be accompanied by plans (one inch equals twenty feet is preferred) drawn to scale, and

City Council Minutes
Tuesday, August 8, 2023

accompanying written materials bound either in a punch and bind or 3-ring binder. Site plans shall be based on field measurements and current on-site data prepared, signed, and stamped by a State of Maine licensed professional land surveyor, engineer, or landscape architect. For purposes of site plan review, the “site” consists of the entire parcel of land and not just the portion developed. The required submission containing at a minimum the following information:

610 SITE PLAN AMENDMENTS

Minor revisions to an approved site plan may be permitted by the City Planner, subject to the following conditions:

- 610.1** A narrative and revised plan(s) showing the revision is submitted (in three copies) to the Planning Department along with the non-refundable fee as set forth in the then current City Council adopted fee schedule, payable to the City of Brewer.

ARTICLE 14 DEFINITIONS

Structure: Anything constructed, built or erected, the use of which requires a temporary or permanent location on the ground, or attached to something temporarily or permanently located on the ground. This term shall not include fences, retaining walls, sidewalks, walkways, driveways, out-door parking lots and their attendant paving.

Statement of Fact: These ordinance amendments are proposed in order to clarify items, update site plan procedures, and better address setbacks for landscaping and fences. The Planning Board held a public hearing on June 5, 2023 and unanimously made the recommendation to adopt these amendments to Chapter 24 Land Use Code as written.

2023-C011

July 11, 2023

TITLE: ORDER, AMEND CHAPTER 5 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “ASSESSOR”, ARTICLE 2 “THE BOARD OF ASSESMENT REVIEW”, SECTION 202 “COMPOSITION OF THE BOARD”.

Filed June 20, 2023

By Jerry Goss

BE IT ORDAINED, by the Brewer City Council that Chapter 5 of the Charter, Codes and Ordinances of the City of Brewer entitled “Assessor”, Article 2 “The Board of Assessment Review”, Section 202 “Composition of the Board”, shall be amended as follows:

SECTION 202 COMPOSITION OF THE BOARD

City Council Minutes
Tuesday, August 8, 2023

The Board shall consist of five (5) members who are appointed by the City Council and shall serve for a three (3) year term ending on March 31. The members appointed to the Board must be residents and voters in the City of Brewer.

Statement of Fact: A recent audit of the amendment history for Chapter 5 “Assessor” revealed that language describing the term for members of the Board of Assessment Review was not properly added to the Ordinance. This amendment adds the language that was previously intended.

2023-C012

July 11, 2023

TITLE: ORDER, AMEND CHAPTER 34 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “BOARD OF APPEALS OF THE CITY OF BREWER”.

Filed June 21, 2023
By Michele Daniels

BE IT ORDAINED, by the Brewer City Council that Chapter 34 of the Charter, Codes and Ordinances of the City of Brewer entitled “Board of Appeals of the City of Brewer”, shall be amended as follows:

The purpose of this chapter is to establish a Board of Appeals for the City of Brewer under ~~Title 30, M.R.S.A. (1964) Sec. 2411, et seq., as amended.~~ the Maine Constitution; Title 30-A M.R.S.A., Section 3001, Title 30-A M.R.S.A., Section 2691, and the Brewer City Charter.

Statement of Fact: A recent audit of the amendment history for Chapter 34 “Board of Appeals of the City of Brewer” revealed that language updating a statutory reference was not properly added to the Ordinance. This amendment updates the statutory reference as intended.

2023-C015

July 11, 2023

TITLE: ORDER, AMEND 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.

Filed July 5, 2023
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 be amended by changing Article 12, Section 1200 to read as follows:

City Council Minutes
Tuesday, August 8, 2023

ARTICLE 12. SCHEDULE OF SEWER RATES

SECTION 1200 METER RATES

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

QUARTERLY

Effective beginning with and retroactive, the period covered by the September, ~~2022~~ 2023 billing, the following rates shall apply:

For the first 1,000 cu. ft. per quarter: ~~\$102.70~~ \$115.20 minimum charge for Residential customers classified in the billing system as User Type 9.

For the first 1200 cu. ft. per quarter: ~~\$123.24~~ \$138.24 minimum charge for all other users not otherwise classified as a Residential customer.

Effective beginning with the period covered by the September, ~~2022~~ 2023 billing, the following rates shall apply:

For all in excess of 1,000 cu. ft. per quarter: ~~\$10.27~~ \$11.52 per 100 cu. ft.

Statement of Fact: The Fiscal Year 2024 budget the Brewer City Council approved includes an increase in the sewer rate of \$1.25 per 100 cubic feet, or about \$17.35 per quarter for the average residential sewer user. This order amends City Ordinance to reflect this change.

ACTION: Councilor Daniels asked for Amendment 2023-C013 to be removed from the consent calendar. Councilor Ferris moved that the remaining amendments on the consent calendar be enacted. Councilor Goss seconded the motion. The motion passed with a vote of 4-0.

2023-C013

July 11, 2023

TITLE: ORDER, AMEND CHAPTER 8 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED "ELECTIONS", ARTICLE 3, "MUNICIPAL ELECTIONS", BY ADDING SECTION 303, "INCOMPATIBILITY OF OFFICES".

Filed June 27, 2023
By Jenn M. Morin

City Council Minutes
Tuesday, August 8, 2023

BE IT ORDAINED, by the Brewer City Council that Chapter 8 of the Charter, Codes and Ordinances of the City of Brewer entitled “Elections”, Article 3, “Municipal Elections”, be amended by adding the following section:

SECTION 303 INCOMPATIBILITY OF OFFICES

The elected municipal offices of the City of Brewer are incompatible, and a single resident cannot hold more than one elected municipal office simultaneously. A resident may not file as a candidate for more than one elected municipal office during a single municipal election. The City Clerk shall not issue nomination petitions to a resident for more than one elected municipal office during a single municipal election.

Statement of Fact: This amendment clarifies that the elected municipal offices for the City of Brewer are incompatible, and that a single resident cannot file as a candidate for more than one office, and that nomination petitions cannot be issued to a single resident for more than one office.

Councilor Daniels expressed her concern with the amendment, agreeing that residents could not file petitions for more than one municipal office, but saying she believed that residents should be able to take out nomination petitions for more than one office. Councilor Daniels said in a scenario where a resident took out papers for one office and decided to seek a different office instead it is unclear how that resident would do so. Councilor Daniels said that residents should have the right to take out papers for as many offices as they wish, and that the only restriction should be that they can only file for one office. Deputy Mayor Morin said that she preferred that residents make a decision about which municipal office they will pursue before they begin collecting signatures. Deputy Mayor Morin said that issuing petitions for more than one office is bad practice and the City Solicitor’s memorandum on the matter supported the amendment. The city clerk spoke in defense of the amendment and said that the City Solicitor’s memorandum made it clear that the amendment is consistent with state law. The city clerk said that whether the amendment was enacted or not, in future elections requests for nomination petitions for multiple offices would be denied, but that the amendment would serve to make the matter plain and clear. Councilor Daniels said she felt that prohibiting the issuance of nomination petitions would be taking away rights. Councilor Goss said that the wording of the amendment was clear and would clarify the matter for everybody and that he supported the amendment.

ACTION: Councilor Goss moved that Amendment 2023-C013 be enacted. Councilor Ferris seconded the motion. The motion passed with a vote of 3-1: Councilor Ferris, Councilor Goss, and Deputy-Mayor Morin in favor; Councilor Daniels opposed.

City Council Minutes
Tuesday, August 8, 2023

G. New Business

2023-C016

August 8, 2023

TITLE: ORDER, ENACT AND ADD CHAPTER 52 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED "CITY OF BREWER MORATORIUM ORDINANCE ON LARGE-SCALE SOLAR ENERGY SYSTEMS".

Filed July 31, 2023
By Michele Daniels

WHEREAS, the City of Brewer first created local regulations for solar energy systems in 2020; and

WHEREAS, there have been many site plan applications received for large-scale solar energy systems with five projects receiving site plan approval; and

WHEREAS, there continues to be interest in developers creating large-scale solar energy systems in Brewer; and

WHEREAS, there have been recommendations by State agencies and other organizations for improving designs and performance standards for such projects; and

WHEREAS, the City of Brewer desires to review and revise ordinances to include such recommendations and provide the best regulations for the residents of the City of Brewer for orderly and responsible development; and

WHEREAS, a moratorium is necessary for the City to review and revise its Land Use Code and other applicable Codes and Ordinance to determine, prepare, and adopt ordinance/code provisions to better address large-scale solar energy systems in order to avoid serious public harm or overburdening of public facilities; and

WHEREAS, the process for amending local ordinances takes several months for public hearing, Planning Board review and recommendation, and City Council posting and action; and

WHEREAS, it is anticipated that said review and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the City enacts this Moratorium Ordinance on Large-Scale Solar Energy Systems.

City Council Minutes
Tuesday, August 8, 2023

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Brewer that the following Chapter 52 entitled “Moratorium Ordinance on Large-Scale Solar Energy Systems” be, and hereby is, enacted, and, in furtherance thereof, the City Council does hereby declare a moratorium on the acceptance and processing of any applications in the City regarding Large-Scale Solar Energy Systems. For the purpose of this moratorium “Large-Scale Solar Energy Systems” shall be the same as defined in Article 14 of the Brewer Land Use Code; and

BE IT FURTHER ENACTED, that this Moratorium Ordinance shall remain in effect for one hundred and eighty (180) days from the date of enactment of this Ordinance, unless extended, repealed, or modified by the City Council, for express purpose of drafting an amendment or amendments to the City’s current Land Use Code and other applicable Codes and Ordinances to adequately address large-scale solar energy systems; and

BE IT FURTHER ENACTED, that notwithstanding the provisions of 1 M.R.S.A. §302 or any other law to the contrary, this Ordinance, when enacted, shall apply to and govern any land use or zoning regulations for which an application for a site plan or any other required approval has not been granted final approval (including without limitation any pending proceeding) by the Code Enforcement Officer, Planning Board, or other City officials or boards prior to the enactment date of this Ordinance; and

BE IT FURTHER ENACTED, that during the time this Moratorium Ordinance is in effect, no officer, official, employee, office, administrative board or agency of the City shall accept, process, approve deny, or in any other way act upon any application for a license, site plan review, and/or any other permits or licenses related to Large-Scale Solar Energy Systems; and

BE IT FURTHER ENACTED, that those provisions of the City’s current Land Use Code and other applicable Codes and Ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained and as it may be extended as permitted by law, but not otherwise; and

BE IT FURTHER ENACTED, that if a person or entity is in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the City shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties, injunctive relief, and its reasonable attorney’s fees and costs in prosecuting any such violations; and

BE IT FURTHER ENACTED, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

Statement of Fact: This Moratorium Ordinance is to prevent local review and approval of Large-Scale Solar Energy Systems that are not currently approved by the Brewer Planning Board for a period of one hundred eighty (180) days from the date of enactment of this Moratorium Ordinance.

City Council Minutes
Tuesday, August 8, 2023

Deputy Mayor Morin asked Brewer City Planner Linda Johns to speak about the amendment. The City Planner said the amendment would give City staff and the City Council one-hundred-and-eighty days to review local ordinances and potentially make changes. The City Planner said that various organizations and agencies were currently studying the effects of large-scale solar energy systems and that some of that information could be pertinent to the City of Brewer. The City Planner said that staff would consider modifying the ordinance with respect to surety guarantees, creating a standard that all applicants would adhere to. Deputy Mayor Morin asked how the moratorium would affect projects that had been approved, but that had not yet completed work. The City Planner said that projects that had received site-plan approval would continue. The City Planner said that five large-scale solar projects have been approved already: one in operation; two in construction; one about to begin construction; with the status of the remaining project unclear. Deputy Mayor Morin restated that the moratorium would be for one-hundred-and-eighty days for the City to “get its ducks in a row” and to standardize the flow of information from applicants, and asked the City Planner if she felt that would be helpful. The City Planner said that it would be very helpful. Deputy Mayor Morin asked the City Planner if she could see any drawbacks to the moratorium. The City Planner said that from her perspective the moratorium would be positive and that it would give staff the best opportunity to protect the City’s interests especially since amendments to the ordinance can take two to three months. Councilor Daniels asked the City Planner to define “large-scale solar energy systems”. The City Planner said that the definition was twenty-five kilowatts and above, a threshold intended to exempt small household solar installations.

ACTION: Councilor Daniels moved that the amendment be certified and filed with the city clerk for posting. Councilor Goss seconded the motion. The motion passed with a vote of 4-0.

H. New Items with Leave of Council

There were no new items with leave of council.

I. ADJOURN

ACTION: Councilor Daniels moved that the meeting be adjourned. Councilor Ferris seconded the motion. The motion passed with a vote of 4-0. The meeting was adjourned at 6:50 P.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine