

City Council Minutes
Tuesday, April 23, 2024

Special Meeting
City Hall Council Chambers

Tuesday, April 23, 2024
2:30 p.m.

The special meeting was called to order by Mayor Jenn Morin. The city clerk called the roll:

Councilor Daniels-present	Councilor O’Halloran-present
Councilor Kimball-present	Councilor Phanthay-present
Mayor Morin-present	

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

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.

Mayor Morin read the notice for the regular meeting.

TO: Michele Daniels, Dani O’Halloran, Soubanh Phanthay, and Jenn Morin; MEMBERS OF THE BREWER CITY COUNCIL. You are hereby notified that a **special meeting** of the City Council of the City of Brewer will be held on **Tuesday, April 23, 2024 beginning at 2:30 p.m.**, at 80 North Main Street, to consider and act on the items on the attached agenda.

s/ Jenn M. Morin
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
Michele Daniels	V. Migliore	CC.	04/19/2024	16:57
Dani O’Halloran	V. Migliore	CC.	04/19/2024	16:57
William Kimball	V. Migliore	CC.	04/19/2024	16:57
Soubanh Phanthay	V. Migliore	CC.	04/19/2024	16:57
Jenn Morin	V. Migliore	CC.	04/19/2024	16:57

CITY COUNCIL SPECIAL MEETING
Tuesday, April 23, 2024 2:30 P.M.
Brewer City Hall Council Chambers

- I. Call to Order** (Mayor Morin)
- II. Roll Call** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America** (Mayor Morin)
 - A. Minutes** (None)
 - B. Awards, Petitions and Public Comments** (None)
 - C. Consent Calendar** (None)
 - D. Monthly Reports** (None)
 - E. Nominations, Appointments, Elections** (None)
 - F. Unfinished Business** (None)
 - G. New Business**
 - 1. (2024-A063) ORDER Authorize appropriation to SBR Real Estate Holdings, LLC., for the purchase, remediation, and redevelopment of the former Getchell Brothers, Inc. property located at 1 and 11 Union Street, Brewer, Maine.
(Councilor Phanthay and Councilor Daniels)
 - 2. (2024-A064) ORDER Award contract for Riprap Installation off 202 South Main Street. (Councilor O’Halloran and Councilor Kimball)
- H. New Items with Leave of Council**
- I. ADJOURN**

A. Minutes

There were no minutes.

B. Awards, Petitions and Public Comments

There were no awards, petitions, or public comments.

C. Consent Calendar

There was no consent calendar.

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D. Monthly Reports

There were no monthly reports.

E. Nominations, Appointments, Elections

There were no nominations, appointments or elections.

F. Unfinished Business

There were no monthly reports.

G. New Business

2024-A063

April 23, 2024

TITLE: ORDER, AUTHORIZE APPROPRIATION TO SBR REAL ESTATE HOLDINGS, LLC., FOR THE PURCHASE, REMEDIATION, AND REDEVELOPMENT OF THE FORMER GETCHELL BROTHERS, INC. PROPERTY LOCATED AT 1 AND 11 UNION STREET, BREWER, MAINE.

Filed April 19, 2024
By Soubanh Phanthay and
Michele Daniels

EMERGENCY PREAMBLE

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, the City needs to close on the property on April 30, 2024; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Codes 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 former Getchell Brothers, Inc. property located at 1 and 11 Union Street, Brewer, Maine (Map 29, Lots 124 & 126), has been identified by the City of Brewer as a site in need of environmental cleanup and redevelopment; and

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WHEREAS, the City of Brewer wishes to encourage development of a commercial and industrial nature on the site which would avoid a low-value reuse of the site and result in planned, orderly growth within the community; and

WHEREAS, usage of the city-owned Limited Liability Corporation, SBR Real Estate Holdings, LLC. (SBR) to take and hold title to the former Getchell Brothers, Inc. property will permit the City to shield itself from environmental liability, as well as market, develop, and otherwise make use of the property for the betterment of the City; and

WHEREAS, the redevelopment of the former Getchell Brothers, Inc. property will enhance the local infrastructure and provide potential benefits to the residents of Brewer through improved land utilization and increased property values; and

WHEREAS, in order 2024-A004, the City Council previously approved the use of \$550,000 in Tax Increment Financing (TIF) funds for the purchase of the Getchell Brothers, Inc. property; and

WHEREAS, SBR anticipates the need for an additional \$25,000 in TIF funds for closing, legal, and other costs to ready the property for redevelopment.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by a vote of its City Council, herewith agrees to grant \$575,000 of TIF funds to SBR Real Estate Holdings, LLC. for the purpose of the purchase, environmental remediation, and redevelopment of the former Getchell Brothers, Inc. property located at 1 and 11 Union Street, Brewer, Maine; and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these TIF funds from Property Acquisition fund 0510101-551100; and

BE IT FURTHER ORDERED, that the City Manager or his designee is hereby authorized to take any and all actions and to sign any and all documents necessary to facilitate and complete the transfer of funds to SBR Real Estate Holdings, LLC.

Statement of Fact: The City of Brewer will provide a grant of \$575,000, which will come out of Tax Increment Financing (TIF) funds to the city-owned SBR Real Estate Holdings, LLC. for the purchase, environmental remediation, and redevelopment of the former Getchell Brothers, Inc. property located at 1 and 11 Union Street, Brewer, Maine. This order is necessary to mitigate environmental hazards and prepare the property for beneficial redevelopment.

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

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2024-A064

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TITLE: ORDER, AWARD CONTRACT FOR RIPRAP INSTALLATION OFF 202
SOUTH MAIN STREET.

Filed April 19, 2024
By Dani O'Halloran and
William Kimball

WHEREAS, the landowner at 202 South Main Street, while doing work on their property, has expressed concern to the City for a potential issue that could affect the nearby cemetery; and

WHEREAS, the City Engineer inspected the work and discussed with the contractor their planned work for the landowner; and

WHEREAS, it was determined the most prudent way to proceed in order to protect the cemetery would be to extend the riprap slope; and

WHEREAS, the contractor has indicated they are willing to do the additional work once the job for the landowner is completed.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Manager, or his designee, is authorized to execute a contract with Desuilt Contracting, in an amount not to exceed \$19,970 for riprap installation at 202 South Main Street; 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 to complete the work for this project; and

BE IT FURTHER ORDERED that charges for this contract shall be charged to ~~the account~~ <Account Number Forthcoming>. Cemetery Contracted Services (0117111-501040) and that the City Council hereby authorizes the appropriation and expenditure of \$19,970 in Undesignated Fund Balance (0109800-300901) to pay for this unanticipated one-time expense.

Statement of Fact: This order awards the contract for riprap installation at 202 South Main Street. The property owner at 202 South Main Street began their own independent project to address erosion issues on their property. After completing excavation, they notified the City that they had concerns for the adjacent City cemetery. In an effort to avoid potential issues in the future, the City will have the contractor extend the riprap to the top of the slope to protect the cemetery site.

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ACTION: Councilor O'Halloran moved that the order have passage. Councilor Phanthay seconded the motion. Councilor O'Halloran moved that the order be amended as written. Councilor Daniels seconded the motion. The Council voted unanimously to amend the order as written. The Council voted unanimously to pass the order as amended.

H. New Items with Leave of Council

There were no new items with leave of Council.

I. ADJOURN

ACTION: Councilor Daniels moved to adjourn. Councilor Phanthay seconded the motion. The motion passed with a unanimous vote. The meeting was adjourned at 2:37 P.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine