

City Council Minutes
Tuesday, July 9, 2024

Regular Meeting
City Hall Council Chambers

Tuesday, July 9, 2024
6:00 p.m.

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

Councilor Daniels-present
Councilor Kimball-present
Mayor Morin-present
Councilor O'Halloran-absent
Councilor Phanthay-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, William Kimball, Soubanh Phanthay, and Jenn Morin;
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, July 9, 2024 beginning at 6:00 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. | 07/03/2024 | 17:13 |
| Dani O'Halloran | | | | |
| William Kimball | V. Migliore | CC. | 07/03/2024 | 17:21 |
| Soubanh Phanthay | V. Migliore | CC. | 07/03/2024 | 17:19 |
| Jenn Morin | V. Migliore | CC. | 07/03/2024 | 17:23 |

CITY COUNCIL REGULAR MEETING

Tuesday, July 9, 2024 6:00 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 of the June 4, 2024 Regular Meeting** (Councilor Daniels)
- B. **Awards, Petitions and Public Comments**
 - 1. (2024-B032) RESOLVE Recognize Army National Guard Soldiers for contributions to Brewer Police Department shooting range reconstruction project and name shooting range training house. (Councilor Kimball)
 - 2. Public Comments
- C. **Consent Calendar**
 - 1. (2024-A118) ORDER Accept donations to the City of Brewer to support the Brewer Riverwalk Festival. (Councilor Phanthay)
 - 2. (2024-A119) ORDER Accept fees to the City of Brewer for tables in the craft fair and business section of the Brewer Riverwalk Festival. (Councilor Daniels)
 - 3. (2024-A120) ORDER Accept donation to Brewer Public Library from Kiwanis Club of Brewer. (Councilor Kimball)
 - 4. (2024-A121) ORDER Accept asset forfeiture funds. (Councilor Phanthay)
 - 5. (2024-A122) ORDER Authorize one-year extension of Frost Septic hauled wastewater contract. (Councilor Daniels)
 - 6. (2024-A123) ORDER Authorize construction of flood prevention wall around Brewer Cove pump station. (Councilor Kimball)
 - 7. (2024-A124) ORDER Authorize installation of replacement standby generator at Brewer Cove Pump Station. (Councilor Phanthay)
 - 8. (2024-B033) RESOLVE Designate Doyle Field press box as the Ken Perrone Press Box. (Councilor Daniels)
 - 9. (2024-A125) ORDER Accept donations of books and materials and authorize sale of surplus books and materials. (Councilor Kimball)
 - 10. (2024-A126) ORDER Accept grants from Harold Alford Center for the Advancement of Maine's Workforce. (Councilor Phanthay)
 - 11. (2024-A127) ORDER Accept proceeds from sale of scrap metal and appropriate for use. (Councilor Daniels)
 - 12. (2024-A128) ORDER Authorize appropriation of funds for the Water Enterprise Account Wellness Program. (Councilor Kimball)
 - 13. (2024-A129) ORDER Authorize appropriation of funds for the Sewer Enterprise Account Wellness Program. (Councilor Phanthay)
 - 14. (2024-A130) ORDER Accept Fiscal Year 2025 donations to Brewer Public Library. (Councilor Daniels)

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15. (2024-A131) ORDER Authorize adjustment of sewer manholes on Parkway South and State Street as part of Maine Department of Transportation project. (Councilor Kimball)
16. (2024-A132) ORDER Authorize purchase of Placer.ai subscription for visitor and customer analytics. (Councilor Phanthay)
17. (2024-A133) ORDER Accept donation to Brewer Fire Department and Brewer Police Department from Judy Street. (Councilor Daniels)
18. (2024-A134) ORDER Authorize contract with Eastwood Contractors, Inc. for replacement of Sherwood Forest water lines. (Councilor Kimball)
19. (2024-A135) ORDER Confirm acceptance of Maple Street Extension for highway purposes. (Councilor Phanthay)
20. (2024-A136) ORDER Authorize five-year contract with Motorola Solutions, Inc. for body and car cameras for Brewer Police Department. (Councilor Daniels)
21. (2024-A137) ORDER Authorize purchase of two replacement vehicles for Brewer Police Department. (Councilor Kimball)

D. Monthly Reports (Councilor Phanthay)

E. Nominations, Appointments, Elections

Consent Calendar

1. (2024-B034) RESOLVE Declare results of the June 11, 2024 State of Maine Primary Election. (Councilor Daniels)
2. (2024-A138) ORDER Reappoint Health Officer and Deputy Health Officer of the City of Brewer. (Councilor Kimball)
3. (2024-A139) ORDER Reappoint Animal Control Officer. (Councilor Phanthay)

F. Unfinished Business (none)

G. New Business

1. (2024-C012) ORDER Amend Chapter 31 of the Charter, Codes and Ordinances of the City of Brewer, entitled “Environmental Ordinance”, Article 12 “Schedule of Sewer Rates”, Section 1200. (Councilor Daniels)
2. (2024-A140) ORDER Convene in executive session pursuant to Title 1 M.R.S.A. §405(6)(E) for a legal consultation. (Councilor Kimball)

H. New Items with Leave of Council

I. ADJOURN

A. Minutes of the June 4, 2024 Regular Meeting

ACTION: Councilor Daniels moved that the minutes to the June 4, 2024 Regular Meeting be accepted and placed on file. Councilor Phanthay seconded the motion. The motion passed with a vote of 4 to 0.

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B. Awards, Petitions and Public Comments

2024-B032

July 9, 2024

TITLE: RESOLVE, RECOGNIZE ARMY NATIONAL GUARD SOLDIERS FOR CONTRIBUTIONS TO BREWER POLICE DEPARTMENT SHOOTING RANGE RECONSTRUCTION PROJECT AND NAME SHOOTING RANGE TRAINING HOUSE.

Filed July 1, 2024
By William Kimball

WHEREAS, the City of Brewer Police Department received tremendous support and assistance from the Army National Guard through the Innovative Readiness Training program in making improvements to the Brewer Police Department shooting range and building a training building for the shooting range; and

WHEREAS, Army National Guard soldiers provided in excess of \$130,000 in value to the City of Brewer shooting range reconstruction project in the form of fuel, labor and machinery; and

WHEREAS, Sergeant First Class (SFC) John Wells served as the Subject Matter Expert in Masonry for the 185th Engineer Support Company Detachment in support of this project; and

WHEREAS, SFC Wells played a pivotal role in the design and construction of the training house, and as a skilled practitioner sacrificed personally to ensure that the building was properly constructed to the highest standards; and

WHEREAS, Brewer Police Department shooting range reconstruction project will provide tremendous benefit for law enforcement at every level: local; county; state; and federal.

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the citizens of the City of Brewer, Maine, herewith recognizes the Army National Guard's 185th Engineer Support Company Detachment for their outstanding work benefiting the City of Brewer, the Brewer Police Department, as well as local, county, state and federal law enforcement; and

BE IT FURTHER RESOLVED, that the training building for the Brewer Police Department shooting range shall henceforth be named the "SFC John Wells and 185th Engineer Support Company Detachment Shoot House" in recognition of their efforts.

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ACTION: Councilor Kimball moved that the resolve be adopted. Councilor Daniels seconded the motion. Councilor Kimball read the resolve into the record. City of Brewer Public Safety Director Jason Moffit said that, upon review of final numbers for the Brewer shooting range reconstruction project, that the Army National Guard soldiers had provided even more value than originally estimated, adding upwards of \$230,000 in value for the completion of the project. The Public Safety Director praised the Army National Guard soldiers, stating that they had done a tremendous job, and that the project had been well organized and well executed. The Public Safety Director said that the project highlighted the Innovative Readiness Training (IRT) program, giving the soldiers opportunity to train, while supporting Maine Communities. Captain Henry Gibson, Training Officer of the 133rd Engineer Battalion and overseer of the IRT program for the engineers, thanked the Council and the Public Safety Director. Captain Gibson said that it was a blessing to serve communities throughout Maine with IRT projects, and that it was particularly meaningful for this project in Brewer, the birthplace of Joshua Chamberlain, as the 133rd carries the lineage of Joshua Chamberlain’s own regiment the 20th Maine Infantry Regiment. Captain Gibson offered his apologies that Sargent Wells was not able to attend the meeting. The Public Safety Director also praised City of Brewer Engineer Jeremy Caron for his work in his support of the project. Councilor Kimball, Councilor Phanthay, and Councilor Daniels presented Brewer Challenge Coins to the Army National Guard Soldiers that were present. The motion passed with a vote of 4 to 0.

Public Comments

There were no public comments.

C. Consent Calendar

2024-A118

July 9, 2024

TITLE: ORDER, ACCEPT DONATIONS TO THE CITY OF BREWER TO SUPPORT THE BREWER RIVERWALK FESTIVAL.

Filed June 5, 2024
By Soubanh Phanthay

WHEREAS, the Brewer Riverwalk Festival is in need of financial support to continue to be a successful event year after year; and

WHEREAS, the following businesses have made donations to support the Brewer Riverwalk Festival:

| | |
|---------------------------------------|----------------|
| GoNetSpeed | \$ 500 |
| <u>Epstein Commercial Real Estate</u> | <u>\$1,000</u> |
| TOTAL | \$ 1,500 |

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NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts these donations and directs that the funds be deposited in the Riverwalk Events Account (0200000-320000-57003); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from the Riverwalk Events Expense Account (0200000-520000-57003) for the purpose of marketing and other fees incorporated in running the Brewer Riverwalk Festival successfully.

Statement of Fact: The City received donations totaling \$1,500 from two local businesses for the purpose of financially supporting the Brewer Riverwalk Festival. These donations will help pay for fireworks, marketing and supplies for the Riverwalk Festival. This order accepts the funds and appropriates them for expenditure to support the event.

2024-A119

July 9, 2024

TITLE: ORDER, ACCEPT FEES TO THE CITY OF BREWER FOR TABLES IN THE CRAFT FAIR AND BUSINESS SECTION PART OF THE BREWER RIVERWALK FESTIVAL.

Filed June 5, 2024
By Michele Daniels

WHEREAS, crafters and businesses that wish to secure a spot to set up a table during the Brewer Riverwalk Festival must pay a fee; and

WHEREAS, fees in the amount of \$2,850 have been collected for the purpose of securing a spot in the Brewer Riverwalk craft fair.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts the fees and directs that the funds be deposited in the Riverwalk Events Account (0200000-320000-57003); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from the Riverwalk Events Expense Account (0200000-520000-57003) for the purpose of marketing and other fees incorporated in running the Brewer Riverwalk successfully.

Statement of Fact: The City of Brewer Economic Development Office received fees from craft vendors and businesses for the purpose of securing a spot during the Brewer Riverwalk Festival, to financially support the Riverwalk Festival.

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2024-A120

July 9, 2024

TITLE: ORDER, ACCEPT DONATION TO BREWER PUBLIC LIBRARY FROM
KIWANIS CLUB OF BREWER.

Filed June 14, 2024
By William Kimball

WHEREAS, the City of Brewer Public Library has received a contribution of \$500 from
Kiwanis Club of Brewer; and

WHEREAS, it is the wish of the donor and the recommendation of the Library Director that
these funds be used to for the 2024 Summer Reading Program; and

WHEREAS, Kiwanis has faithfully supported children's reading and literacy efforts at the
Brewer Public Library for many years, and has been a great supporter of the annual Summer Reading
Program.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council accepts this contribution
totaling \$500 from Kiwanis Club of Brewer and authorizes its deposit in account 0600072-360000-
72011 (Kiwanis Grant Revenue) and expenditure from account 0600072-560000-72011 (Kiwanis Grant
Expenses).

Statement of Fact: This order accepts a donation from Kiwanis Club of Brewer to support the 2024
Summer Reading Program at the City of Brewer Public Library.

2024-A121

July 9, 2024

TITLE: ORDER, ACCEPT ASSET FORFEITURE FUNDS.

Filed June 20, 2024
By Soubanh Phanthay

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.

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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

22-1473

Assets

\$508 U.S. Currency

; and

BE IT FURTHER 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 \$508 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.

2024-A122

July 9, 2024

TITLE: ORDER, AUTHORIZE ONE-YEAR EXTENSION OF FROST SEPTIC HAULED WASTEWATER CONTRACT.

Filed June 25, 2024

By Michele Daniels

WHEREAS, the City of Brewer and Frost Septic have had a working relationship for many years and both the City and Frost Septic wish to continue working together in the years to come; and

WHEREAS, for the past three years Frost Septic has had a contract with the City of Brewer to haul wastewater to the City of Brewer Water Pollution Control Facility; and

WHEREAS, the current contract with Frost Septic expired on June 30th, 2024 and has a provision for a one-year extension, but such an extension is not automatic.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the contract with Frost Septic to be extended under the current terms for the period of one year, expiring on June 30, 2025.

Statement of Fact: Frost Septic is the single biggest user of the Water Pollution Control Facility besides the City residents themselves. Frost has a contracted delivery amount of at least 2,000,000 gallons a year which they regularly exceed. The City and Frost started discussions before the end of the current contract but some possible changes to the current contract need more time to consider. This extension gives the City time to look at the proposed changes, ensure constant revenue to the WPCF, and keeps Frost Septic delivering their hauled waste to Brewer.

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2024-A123

July 9, 2024

TITLE: ORDER, AUTHORIZE CONSTRUCTION OF FLOOD PREVENTION WALL
 AROUND BREWER COVE PUMP STATION.

Filed June 25, 2024
By William Kimball

WHEREAS, the City of Brewer owns and maintains the Brewer Cove pump station located on South Main Street, and is responsible for its upkeep and maintenance; and

WHEREAS, excessive wet weather events and high river tides are becoming more common; and

WHEREAS, the Brewer Cove pump station is located at a lower elevation than the surrounding lots; and

WHEREAS, the Brewer Cove pump station has nearly flooded twice in the past year, and did completely flood in December of 2023 causing extensive damage; and

WHEREAS, a physical barrier is needed to protect the vital equipment and prevent further damage and environmental impact, and so funding for this project was included in the Fiscal Year 2025 (FY25) Sewer Capital Improvement Program (CIP).

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the City Manager, or his designee, to sign a purchase order for up to \$40,000 (\$26,317 contract plus contingency) with Sunshine Masonry of Orrington, Maine, to construct a flood prevention wall at the Brewer Cove pump station; and

BE IT FURTHER ORDERED, that the costs of this project shall be charged to Sewer CIP Brewer Cove Flood Wall account (0581002-582003) and funded with Sewer Capital Reserve monies; 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.

| Brewer Cove Flood Wall Prevention | | |
|--|--------------|--------|
| Vendor | Quote | |
| Sunshine Masonry (Orrington) | \$ | 26,317 |
| H&H Masonry (Brewer) | \$ | 27,000 |
| D&O Concrete, LLC. (Old Town) | \$ | 43,223 |

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Statement of Fact: Flooding and wet weather is a growing hazard to the City of Brewer sewer system. The Brewer Cove pump station is an in-ground station which sits in a depression, so it is vulnerable to flooding. This order authorizes the building of a wall which will protect the station from these events, help save money on costly repairs, and maintain our high standards for preventing overflows along the river.

2024-A124

July 9, 2024

TITLE: ORDER, AUTHORIZE INSTALLATION OF REPLACEMENT STANDBY GENERATOR AT BREWER COVE PUMP STATION.

Filed June 25, 2024
By Soubanh Phanthay

WHEREAS, the City of Brewer owns and maintains the sewer pump station at Brewer Cove on South Main Street and this pump station currently has a standby generator that is in need of replacement; and

WHEREAS, weather events in the past have caused power failures at this station and resulted in sewer back-ups and Department of Environmental Protection involvement; and

WHEREAS, the existing generator has been in service since 1997 and, while awaiting replacement parts, was further damaged during the December 2023 flooding; and

WHEREAS, funding to replace this generator was included in the Fiscal Year 2025 Water Pollution Control Facility Capital Improvement Program; and

WHEREAS, quotes were solicited with three companies responding, two of which had terms acceptable to the City.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, authorizes the City Manager, or his designee, to sign a purchase order with lowest acceptable bidder, Seeley Electric of Otis, Maine, in an amount not to exceed \$55,300 (contracted price plus contingency) to purchase and install an emergency generator at the Brewer Cove location and to charge the expense to the Brewer Cove Generator CIP account (0581003-583027), which will be funded by Sewer Capital Reserve funds; and

BE IT FURTHER ORDERED, that the City Council declares the 1997 generator as surplus and authorizes the Director of Environmental Services, or his designee, to dispose of it as would be in the best interest of Brewer sewer ratepayers and to deposit any proceeds in the Sewer Capital Reserve account (0700000-110805); and

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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.

| Brewer Cove Standby Generator Installation | |
|--|--------------|
| Vendor | Quote |
| Maine Generator and Solar Power (Milo) | \$ 37,850 |
| Seeley Electric (Otis)* | \$ 55,300 |
| MC Electric (Bangor) | \$ 70,000 |
| *lowest quote with terms acceptable to the City | |

Statement of Fact: This order authorizes the purchase and installation of a replacement standby generator at Brewer Cove, a project that was included in the Fiscal Year 2025 Sewer budget. The current 60KW generator has been out of service for many months due to multiple failing parts and lead times from suppliers. A portable 50KW generator is currently being used, but that is not a viable long-term solution as the portable is needed at other stations without standby generators. The motor side of the current generator is still usable, but not the generator side.

2024-B033

July 9, 2024

TITLE: RESOLVE, DESIGNATE DOYLE FIELD PRESS BOX AS THE KEN PERRONE PRESS BOX.

Filed June 27, 2024
By Michele Daniels

WHEREAS, Ken Perrone was football and baseball coach at Brewer High School from 1967 to 1973, successfully leading the Brewer High School Football Team to two state championships; and

WHEREAS, in 1970, the Brewer High School Football Team was recognized as a nationally ranked team under Coach Perrone’s leadership; and

WHEREAS, Doyle Field was home field for Coach Perrone’s football and baseball teams; and

WHEREAS, the Brewer High School Athletic Department and the Brewer All-Sports Boosters are raising funds and planning improvements to Brewer athletic facilities, including the press box at Doyle Field: and

WHEREAS, the Brewer High School Athletic Department and The Brewer Athletic Hall of Fame have requested to rename the press box at Doyle Field in Coach Perrone’s honor.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive impact of Coach Perrone on the Brewer athletic tradition; and

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BE IT FURTHER ORDERED, that the Press Box at Doyle Field shall henceforth be name the “Ken Perrone Press Box”, with a commemorative plaque affixed to the building recognizing Coach Perrone’s achievements.

Statement of Fact: At the recommendation of the Brewer High School Athletic Department and the Brewer Athletic Hall of Fame, this resolution names the Doyle Field press box in honor of former Brewer High School football and baseball coach Ken Perrone.

2024-A125

July 9, 2024

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

Filed June 27, 2024
By William Kimball

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

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.

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2024-A126

July 9, 2024

TITLE: ORDER, ACCEPT GRANTS FROM THE HAROLD ALFOND CENTER FOR THE ADVANCEMENT OF MAINE'S WORKFORCE.

Filed June 27, 2024
By Soubanh Phanthay

WHEREAS, the City of Brewer has joined the Harold Alfond Center for the Advancement of Maine's Workforce as a Compact Member to provide its employees with expanded workforce training opportunities and scholarships; and

WHEREAS, Compact Members have streamlined access to the Center's services, which include grants of up to \$1,200 per employee to help with the cost of training frontline workers.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith accepts all Alfond grant funds received in Fiscal Year 2025 and authorizes their deposit into the appropriate departmental revenue account; and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from the corresponding departmental expense account to support staff training.

Statement of Fact: The City of Brewer expects to receive grant funds from the Harold Alfond Center for the Advancement of Maine's Workforce to help pay for Brewer employees to attend training. This order accepts the funds and authorizes their expenditure.

2024-A127

July 9, 2024

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

Filed June 27, 2024
By Michele Daniels

WHEREAS, the City of Brewer Public Works Department anticipates small quantities of scrap metal from various vehicle repair projects and, occasionally, construction projects in Fiscal Year 2025 (FY25) that will result in new revenues; and

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

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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 0106604-300490 (Public Works Miscellaneous Revenue) and authorizes the appropriation and expenditure of funds received from recycling this scrap metal in FY25 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.

2024-A128

July 9, 2024

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

Filed June 27, 2024
By William Kimball

WHEREAS, the City of Brewer Water Department anticipates small quantities of scrap metal from various construction projects in Fiscal Year 2025 (FY25) 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 FY25 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.

2024-A129

July 9, 2024

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

Filed June 27, 2024
By Soubanh Phanthyay

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WHEREAS, the City of Brewer Sewer Department anticipates small quantities of scrap metal from various construction projects in Fiscal Year 2025 (FY25) 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 FY25 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.

2024-A130

July 9, 2024

TITLE: ORDER, ACCEPT FISCAL YEAR 2025 DONATIONS TO BREWER PUBLIC LIBRARY.

Filed June 27, 2024
By Michele Daniels

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 2025 (FY25) donations be appropriated and expended as requested by donors.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council accepts all unrestricted FY25 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.

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Statement of Fact: This order is a blanket acceptance of unrestricted FY25 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.

2024-A131

July 9, 2024

TITLE: ORDER, AUTHORIZE ADJUSTMENT OF SEWER MANHOLES ON PARKWAY SOUTH AND STATE STREET AS PART OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT.

Filed June 28, 2024
By William Kimball

WHEREAS, the City of Brewer owns and maintains the sewer main on Parkway South and State Street and its associated manhole covers set in the road surface; and

WHEREAS, the Maine Department of Transportation (MDOT) paving project requires manhole covers to be lowered and removed before the milling of pavement can be finished and then raised back to a final grade once the paving is completed; and

WHEREAS, quotes were solicited but only one firm, Facility Construction Services of Old Town, Maine, submitted a bid of \$43,000; and

WHEREAS, the Fiscal Year 2025 sewer budget includes funding for this expense.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the expenditure of up to \$50,000 (\$43,000 for the contract plus \$7,000 for contingency) from account 0818101-502700 (Sewer Line Materials and Supplies) to complete the process of lowering and raising manholes during the MDOT paving project on Parkway South and State 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 in the purchase of contractor services for this project.

Statement of Fact: This order authorizes the Brewer Department of Environmental Services to contract with Facilities Construction Services of Old Town, Maine for \$43,000 (plus up to \$7,000 for contingency) to lower manhole covers for milling Parkway South and State Street, and then raise the covers back up to grade once the paving is complete. Multiple bid packages went out but only one was returned.

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Tuesday, July 9, 2024

2024-A132

July 9, 2024

TITLE: ORDER, AUTHORIZE PURCHASE OF PLACER.AI SUBSCRIPTION FOR VISITOR AND CUSTOMER ANALYTICS.

Filed July 1, 2024
By Soubanh Phanthay

WHEREAS, understanding visitor and customer behavior is crucial for the development and support of local businesses; and

WHEREAS, accurate data on visitor and customer patterns can help the City of Brewer and local businesses make informed decisions regarding marketing, event planning, and resource allocation; and

WHEREAS, Placer.ai provides comprehensive and anonymized data on visitor and customer demographics, foot traffic, and behavioral patterns; and

WHEREAS, a Placer.ai subscription will enable the City and local businesses to better understand the needs and preferences of those who come into Brewer; and

WHEREAS, the Economic Development Department has researched various options and found that Placer.ai offers a robust and user-friendly platform that meets the City's requirements for data analysis; and

WHEREAS, the data provided by Placer.ai can be used to attract new businesses, improve existing business operations, and enhance the overall economic vitality of the City; and

WHEREAS, the City has tax increment financing (TIF) funds available to cover the cost of purchasing a Placer.ai subscription.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its council herewith authorizes the appropriation and expenditure of up to \$15,000 in tax increment financing (TIF) funds from the Economic Development expense account (0115701-501070) for the purchase of a Placer.ai subscription; 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 services for this project.

Statement of Fact: This order authorizes the expenditure of up to \$15,000 in TIF funding for the purchase and implementation of Placer.ai to provide the City of Brewer and local businesses with valuable data on visitors and customers, thereby enhancing economic development efforts.

City Council Minutes
Tuesday, July 9, 2024

2024-A133

July 9, 2024

TITLE: ORDER, ACCEPT DONATION TO BREWER FIRE DEPARTMENT AND
BREWER POLICE DEPARTMENT FROM JUDY STREET.

Filed July 1, 2024
By Michele Daniels

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

WHEREAS, the Fire Department and Police Department will use these funds to offset training and employee event expenses.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts this generous donation, from Judy Street and directs that the donated funds be receipted to account 0105804-300490 (Police) and 0105904-0300490 (Fire); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from account 0115801-501550 (Police Community Relations) and 0115911-502900 (Fire Misc. Supplied and Expenses).

Statement of Fact: The City of Brewer Fire and Police Departments each received donations of \$500 from Judy Street. These funds will be used to offset training and employee event expenses.

2024-A134

July 9, 2024

TITLE: ORDER, AUTHORIZE CONTRACT WITH EASTWOOD CONTRACTORS,
INC. FOR REPLACEMENT OF SHERWOOD FOREST WATER
LINES.

Filed July 2, 2024
By William Kimball

WHEREAS, water lines in Sherwood Forest on Nottingham Way, Alan-A-Dale Road, and Birchwood Boulevard in the City of Brewer are prone to failure; and

WHEREAS, replacement of these lines was approved as a part of the Fiscal Year 2024 (FY24) Capital Improvement Program (CIP); and

WHEREAS, the City of Brewer Water Department has been approved for an \$1,583,000 Maine Drinking Water State Revolving Fund (SRF) low interest loan with 35% (\$ 554,050) principal forgiveness leaving the rate payers a total obligation of \$1,028,950; and

City Council Minutes

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WHEREAS, the Water Department has solicited bids to replace the water line with Eastwood Contractors, Inc., of Brewer, Maine, submitting the low bid of \$1,359,325.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith authorizes the City Manager, or his designee, to enter into a contract for the amount of \$1,359,325 with Eastwood Contractors, Inc., for the replacement of these waterlines; and

BE IT FURTHER ORDERED, that the City Council herewith authorizes a contingency of up to 5%, or \$68,000 to be used, if necessary, during this project; and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of up to \$1,427,325 for this work, to be paid for with the Drinking Water SRF funding; and

BE IT FURTHER ORDERED that the costs of this water line replacement work be charged to Water CIP account 0571001-571017 (Main replacements - Alan-a-dale, Birchwood, Nottingham).

| Sherwood Forest Water Main Bids | | |
|--|---------------------------|----------------------------|
| <u>Vendor</u> | <u>Initial Bid</u> | <u>Adjusted Bid</u> |
| Gordon Contracting, Inc. | \$ 3,084,215 | |
| Eastwood Contractors, Inc. | \$ 1,974,950 | \$ 1,359,325 |

Statement of Fact: This order authorizes the Water Department to enter into a contract to replace the main lines on Birchwood Boulevard from Edgewood Drive to the first intersection of Lorraine Avenue, Alan-a-Dale Road, and Nottingham Way.

City Council Minutes

Tuesday, July 9, 2024

80 Exchange Street | Suite 400
Bangor, Maine 04401
www.woodardcurran.com

T 800.426.4262
F 207.945.5492

Via Electronic Mail

6/28/2024



Rodney Butler, Superintendent
Brewer Water Department
223 Green Point Road
Brewer, Maine 04412

Re: Letter of Recommendation to Award
Brewer Water Main Replacement - Contract 1

Dear Rodney:

We have reviewed the bids for the Brewer Water Main Contract 1 project. The two bidders are Gordon Contracting, Inc. and Eastwood Contractors, Inc. It appears that Eastwood Contractors, Inc. represents the lowest eligible bidder, with a Base Bid of \$1,409,500.00, and a Bid Alternate of \$565,450.00, for a total of \$1,974,950.00. The other bid was Gordon Contracting, Inc. with a total bid amount of \$3,084,215.00, which included \$2,311,535.00 for the Base Bid and \$772,680.00 for the Bid Alternate. A copy of the bid tabulation is attached to this letter.

The Base Bid included water main and service installation on Birchwood Boulevard from Edgewood Drive to the second intersection of Lorraine Avenue and Alan-a-Dale Road. The Bid Alternate included water main and service installation on Nottingham Way.

Eastwood Contractors, Inc. has completed satisfactory work on previous projects, including several projects for the City of Brewer. Woodard & Curran performed reference checks, and spoke to Jeff Day, the Superintendent of the Lincoln Water District, regarding Eastwood Contractors' work on the Taylor Street Water Main Replacement Project. This project, which is still ongoing, includes roughly 3,000 feet of DI pipe installation replacing existing cast iron water main. Jeff Day spoke highly of his experience with the contractor, saying their paperwork had been returned timely, they were ahead of schedule, and they would work with them again. We have also received very positive feedback from Larry Girvan from the Maine Drinking Water Program. Therefore, it is recommended that the construction contract be awarded to Eastwood Contractors, Inc.

To date, the available funding for this Work totals \$1,583,000.00, which was awarded to the Brewer Water Department in 2023 by the Maine Drinking Water State Revolving Fund (DWSRF) program. This funding must be sufficient to cover the cost of construction as well as the other related construction expenses including construction administration, inspection, DWSRF program management fee, legal and administrative fees and interim financing as well as a recommended contingency of 5% of the total construction cost. When considering all of these other project expenses, Eastwood Contractor Base Bid amount of \$1,409,500.00 will result in a contingency of less than 5% and is therefore not recommended that the City proceed.

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After reviewing the Bids, W&C and the Brewer Water Department reached out to Eastwood Contractors to negotiate a project scope within the available budget. These negotiations resulted in an adjustment to the scope of work to include water main replacement and reconnection of existing services on Birchwood Boulevard from Edgewood Drive to the first intersection of Lorraine Avenue, Alan-a-Dale Road and Nottingham Way. This new project scope eliminates new services and water main replacement on Birchwood Boulevard from the first intersection of Lorraine Avenue to the second and results in a total cost of \$1,359,325.00, which will put the project within the available funding budget of \$1,583,000.00.

We recommend that you award the Brewer Water Main – Contract 1 project to Eastwood Contractors for a total amount of \$1,359,325.00.

A copy of the Notice of Award is also included with this recommendation. If the City agrees with this recommendation, please execute the Notice of Award, and submit a copy back to us so we can provide the signed notice to Eastwood Contractors, Inc.

Please reach out if you would like to discuss the information provided in greater detail. We have enjoyed working with the City through the design phase of the Project and look forward to continuing our work as the project moves into the construction phase.

Sincerely,

Woodard & Curran, Inc.

A handwritten signature in blue ink that reads "Kayla Marquis".

Kayla Marquis, P.E.
Project Engineer

Enclosure(s):

- Bid Tab
- Eastwood Contractors, Inc. Bid
- Updated Project Scope Pricing
- Notice of Award

PN: 0229924.06

City Council Minutes

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| WOODARD & CURRAN, INC. City of Brewer, ME Brewer Water Main Replacement- Contract 1 (0229924.06) Bid Tabulation Bid Opening Date: May 9, 2024 | | | | | | | |
|---|-------------------------------------|------|--------------------|-------------------------|------------------|---------------------------|------------------|
| Item No. | Description | Unit | Estimated Quantity | Gordon Contracting Inc. | | Eastwood Contractors Inc. | |
| | | | | Unit Bid Price | Total Item Price | Unit Bid Price | Total Item Price |
| 1 | Administration & General Conditions | LS | 1 | \$ 375,000.00 | \$ 375,000.00 | \$ 50,000.00 | \$ 50,000.00 |
| 2 | Excavation of Unsuitable Materials | CY | 5 | \$ 45.00 | \$ 225.00 | \$ 60.00 | \$ 300.00 |
| 3 | Select Backfill | CY | 5 | \$ 68.00 | \$ 340.00 | \$ 65.00 | \$ 325.00 |
| 4 | Rock Excavation | CY | 150 | \$ 450.00 | \$ 67,500.00 | \$ 450.00 | \$ 67,500.00 |
| 5 | Testing Allowance | AL | 1 | \$ 3,000.00 | \$ 3,000.00 | \$ 3,000.00 | \$ 3,000.00 |
| 6 | Test Pits | EA | 2 | \$ 1,500.00 | \$ 3,000.00 | \$ 1,500.00 | \$ 3,000.00 |
| 7 | Trench Insulation | LF | 500 | \$ 10.00 | \$ 5,000.00 | \$ 20.00 | \$ 10,000.00 |
| 8 | Temporary Water Main | LS | 1 | \$ 250,000.00 | \$ 250,000.00 | \$ 75,000.00 | \$ 75,000.00 |
| 9 | Flowable Concrete Fill | CY | 40 | \$ 550.00 | \$ 22,000.00 | \$ 215.00 | \$ 8,600.00 |
| 10 | 8-Inch DI Water Main | LF | 3430 | \$ 175.00 | \$ 600,250.00 | \$ 165.00 | \$ 565,950.00 |
| 11 | 8-Inch Gate Valve and Box | EA | 12 | \$ 7,500.00 | \$ 90,000.00 | \$ 4,600.00 | \$ 55,200.00 |
| 12 | 12-Inch Gate Valve and Box | EA | 4 | \$ 11,000.00 | \$ 44,000.00 | \$ 7,100.00 | \$ 28,400.00 |
| 13 | Hydrant Assemblies | EA | 5 | \$ 17,500.00 | \$ 87,500.00 | \$ 12,000.00 | \$ 60,000.00 |
| 14 | 3/4-Inch Corporation Stop | EA | 57 | \$ 950.00 | \$ 54,150.00 | \$ 695.00 | \$ 39,615.00 |
| 15 | 1-Inch Corporation Stop | EA | 4 | \$ 975.00 | \$ 3,900.00 | \$ 725.00 | \$ 2,900.00 |
| 16 | 3/4-Inch Curb Stop | EA | 57 | \$ 950.00 | \$ 54,150.00 | \$ 1,080.00 | \$ 61,560.00 |
| 17 | 1-Inch Curb Stop | EA | 4 | \$ 1,000.00 | \$ 4,000.00 | \$ 1,175.00 | \$ 4,700.00 |
| 18 | 3/4-Inch Copper Service | LF | 1535 | \$ 142.00 | \$ 217,970.00 | \$ 110.00 | \$ 168,850.00 |
| 19 | 1-Inch Copper Service | LF | 110 | \$ 155.00 | \$ 17,050.00 | \$ 120.00 | \$ 13,200.00 |
| 20 | Bituminous Pavement Trench Repair | SY | 3300 | \$ 125.00 | \$ 412,500.00 | \$ 58.00 | \$ 191,400.00 |
| Total BASE Bid Price | | | | \$ 2,311,535.00 | | \$ 1,409,500.00 | |
| Item No. | Description | Unit | Estimated Quantity | Gordon Contracting Inc. | | Eastwood Contractors Inc. | |
| | | | | Unit Bid Price | Total Item Price | Unit Bid Price | Total Item Price |
| 8A | Temporary Water Main | LS | 1 | \$ 77,500.00 | \$ 77,500.00 | \$ 38,000.00 | \$ 38,000.00 |
| 10A | 8-Inch DI Water Main | LF | 1720 | \$ 175.00 | \$ 301,000.00 | \$ 165.00 | \$ 283,800.00 |
| 11A | 8-Inch Gate Valve and Box | EA | 3 | \$ 7,500.00 | \$ 22,500.00 | \$ 4,500.00 | \$ 13,500.00 |
| 12A | 12-Inch Gate Valve and Box | EA | 2 | \$ 11,000.00 | \$ 22,000.00 | \$ 6,950.00 | \$ 13,900.00 |
| 13A | Hydrant Assemblies | EA | 2 | \$ 17,500.00 | \$ 35,000.00 | \$ 12,000.00 | \$ 24,000.00 |
| 14A | 3/4-Inch Corporation Stop | EA | 17 | \$ 950.00 | \$ 16,150.00 | \$ 695.00 | \$ 11,815.00 |
| 15A | 1-Inch Corporation Stop | EA | 2 | \$ 975.00 | \$ 1,950.00 | \$ 725.00 | \$ 1,450.00 |
| 16A | 3/4-Inch Curb Stop | EA | 17 | \$ 950.00 | \$ 16,150.00 | \$ 1,080.00 | \$ 18,360.00 |
| 17A | 1-Inch Curb Stop | EA | 2 | \$ 1,000.00 | \$ 2,000.00 | \$ 1,175.00 | \$ 2,350.00 |
| 18A | 3/4-Inch Copper Service | LF | 465 | \$ 142.00 | \$ 66,030.00 | \$ 115.00 | \$ 53,475.00 |
| 19A | 1-Inch Copper Service | LF | 80 | \$ 155.00 | \$ 12,400.00 | \$ 110.00 | \$ 8,800.00 |
| 20A | Bituminous Pavement Trench Repair | SY | 1600 | \$ 125.00 | \$ 200,000.00 | \$ 60.00 | \$ 96,000.00 |
| Total ALTERNATE Bid Price | | | | \$ 772,680.00 | | \$ 565,450.00 | |
| Total Bid Price | | | | \$ 3,084,215.00 | | \$ 1,974,950.00 | |

City Council Minutes
Tuesday, July 9, 2024

2024-A135

July 9, 2024

TITLE: ORDER, CONFIRM ACCEPTANCE OF MAPLE STREET EXTENSION FOR HIGHWAY PURPOSES.

Filed July 2, 2024
By Soubanh Phanthay

WHEREAS, by deed from Morin Brick Company dated October 9, 1990, and recorded in the Penobscot County Registry of Deeds in Book 4735, Page 326, and deed from C. N. Brown Company dated October 15, 1990, and recorded in the Penobscot County Registry of Deeds in Book 4735, Page 321, certain land was dedicated to the City of Brewer, without claim for damages, for the purposes of establishing a roadway connecting Maple Street and Robertson Boulevard (the “Maple Street Extension”); and

WHEREAS, the City of Brewer accepted Maple Street Extension for highway purposes, in accordance with 23 M.R.S. § 3025, and constructed a public way known as Maple Street Extension, as depicted on a set of plans entitled “Maple Street Extension (Construction Drawings)”, by C.E.S., Inc., dated June 28, 1990, a copy of which is on file at the City of Brewer; and

WHEREAS, the City of Brewer has continuously maintained, and the general public has continuously utilized, Maple Street Extension in accordance with its status as a public way for thirty (30) or more years; and

WHEREAS, Maple Street Extension was changed to Robertson Boulevard as part of E-911 legislation enacted in 1998; and

WHEREAS, the City Council desires to confirm, clarify, and supplement the records of the City of Brewer by confirming its acceptance of the dedication of Maple Street Extension for highway purposes, all in accordance with 23 M.R.S. § 3025.

NOW, THEREFORE, BET IT ORDERED, that the City of Brewer, by a vote of its City Council, hereby confirms acceptance of the dedication of Maple Street Extension for highway purposes; and

BE IT FURTHER ORDERED, that the City Clerk shall record an attested copy of this Order in the Penobscot County Registry of Deeds; and

BE IT FURTHER ORDERED, that the City Manager or his designee(s) is hereby authorized and directed to take all necessary and appropriate steps to effectuate this Order.

Statement of Fact: This Order confirms the prior acceptance of the dedication of Maple Street Extension for highway purposes.

City Council Minutes
Tuesday, July 9, 2024

2024-A136

July 9, 2024

TITLE: ORDER, AUTHORIZE FIVE-YEAR CONTRACT WITH MOTOROLA SOLUTIONS, INC. FOR BODY AND CAR CAMERAS FOR BREWER POLICE DEPARTMENT.

Filed July 2, 2024
By Michele Daniels

WHEREAS, the Brewer Police Department has received a quote from Motorola Solutions, Inc., for a five-year video as a service subscription-based contract for sixteen body-worn cameras, six vehicle cameras, and associated hardware, software, cloud storage services and support to replace the Department's existing body and car cameras that have exceeded their useful lives; and

WHEREAS, the net cost of the five-year contract is \$169,760, broken down as follows:

| | |
|--------------------------------|------------|
| <i>Year 1 Upfront Costs</i> | \$ 23,320 |
| <i>Year 1 Subscription Fee</i> | 32,688 |
| <i>Less Trade In</i> | (17,000) |
| Year 1 Total | \$ 39,008 |
| Year 2 Subscription Fee | 32,688 |
| Year 3 Subscription Fee | 32,688 |
| Year 4 Subscription Fee | 32,688 |
| Year 5 Subscription Fee | 32,688 |
| Total 5-Year Contract Cost | \$ 169,760 |

;and

WHEREAS, funding for this service was included in the Fiscal Year 2025 Police Department budget.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith authorizes the City Manager, or his designee, to execute the necessary documents to enter into a five-year contract with Motorola Solutions, Inc., for body and car camera equipment, services, and support for the City of Brewer Police Department; and

BE IT FURTHER ORDERED, that the annual cost of this service shall be charged to the Police Body & Car Cameras account #0115811 503010; and

BE IT FURTHER ORDERED, that the City Council hereby declares the department's existing body and car cameras as surplus and authorizes the City Manager, or his designee, to dispose of the equipment by allowing for trade-in to offset the upfront costs of the new equipment; 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 contractor services for this project.

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Statement of Fact: This order authorizes the City of Brewer Police Department to contract with Motorola Solutions to replace its existing equipment with new body cameras, car cameras, and cloud services under a five-year subscription-based contract with a total cost of \$169,760. Year 1 of the contract, which includes upfront implementation costs, is \$39,008 (net of trade-in) and Years 2 through 5 are \$32,688 each.

2024-A137

July 9, 2024

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

Filed July 2, 2024
By William Kimball

WHEREAS, the approved Fiscal Year 2025 (FY25) Capital Improvement Program (CIP) included funding for replacement of two police vehicles: one for primary patrol use and one for unmarked police use; and

WHEREAS, a bid was solicited for two new vehicles to be placed in service from Island Tech Services (ITS); and

WHEREAS, the bid for the primary patrol vehicle consisted of one 2023 Ford Utility Police Interceptor, at a cost of \$42,673.55, and with installed equipment the cost is \$60,485.30; and

WHEREAS, the bid for the unmarked police vehicle consisted of one 2023 Chevy Tahoe Special Service Vehicle (SSV), at a cost of \$48,000 and with installed equipment the cost is \$63,071.86, a trade-in allowance for a 2016 Ford Explorer and a 2018 Ford Police Interceptor is \$18,500 for a total purchase price of \$44,571.86.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the City Manager or his designee to sign a purchase order with Island Tech Services (ITS) and McGovern MHQ 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 City Manager or his designee to sign a purchase order with ITS and Kinley Automotive Group for the amount of its bid price and authorizes the appropriation and expenditure of this amount from capital account 0510132-511205 (Police Unmarked Vehicles) to fund the purchase of the 2023 Chevy Tahoe SSV; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure from CIP account 0510132-511200 (Police Vehicles) and 0510132-511205 (Police Unmarked Vehicles) the funding necessary to cover the cost of equipping the vehicles, however, such expenditures shall not exceed funding available as approved in the FY25 CIP; and

City Council Minutes

Tuesday, July 9, 2024

BE IT FURTHER ORDERED, the City Council hereby declares the Police Department's 2016 Ford Explorer (VIN#1FM5K8D88GGD08383), and 2018 Ford Utility Police Interceptor (VIN#1FM5K8ARXJGC07656) surplus and authorizes the City Manager or his designee to dispose of the vehicles by allowing for trade-in to offset the purchase price of the new police vehicles; 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.

| Two Replacement Vehicles for Brewer PD | | |
|---|---|-----------------------|
| Vendor | Model | Purchase Price |
| McGovern MHQ, Inc: | 2023 Police Interceptor Utility, purchase price | \$ 42,673.55 |
| Kinley Automotive Group | 2023 Chevy Tahoe SSV, purchase price | \$ 48,000.00 |
| | Vehicle Trade-Ins: | |
| | 2016 Ford Explorer | \$ 12,000.00 |
| | 2018 Ford Utility Police Interceptor | \$ 6,500.00 |

Statement of Fact: This order authorizes the purchase of two police vehicles as authorized in the FY25 CIP. Two vehicles from the Police Department fleet will be used for trade-in to offset the purchase prices of the two new vehicles. Production challenges have made 2024 Ford Utility Police Interceptors unavailable, currently there is a shortage of 2023 models in state. Island Tech Services (ITS) is the vendor that provides and installs all police equipment in our fleet: emergency lights, sirens, light controllers, camera systems, radios, radar, etc. ITS has a network of automotive vendors in the Eastern United States that offer government fleet contract pricing and has readily available inventory. ITS has quoted vehicle price, using said vendors, as well as equipment and related installation costs. These purchased vehicles will be completely outfitted and ready for service.

ACTION: Councilor Phanthay moved that the orders on the consent calendar have passage and that the resolve be adopted. Councilor Daniels seconded the motion. The motion passed with a vote of 4 to 0.

D. Monthly Reports

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

City Council Minutes
Tuesday, July 9, 2024

**E. Nominations, Appointments, Elections
Consent Calendar**

2024-A138

July 9, 2024

TITLE: ORDER, REAPPOINT HEALTH OFFICER AND DEPUTY HEALTH OFFICER
OF THE CITY OF BREWER.

Filed June 27, 2024
By William Kimball

WHEREAS, Title 22, M.R.S.A., Chapter 153, §451 states, “Every municipality in the State shall employ a local health officer who is appointed by the municipal officers of that municipality.”; and

WHEREAS, Chapter 11, of the Charter, Codes and Ordinances of the City of Brewer, Article 1, Section 101 states, “There shall be a Health Officer of the City appointed by the City Council for a period of three (3) years...”

NOW, THERFORE, BE IT ORDERED, that Kristie Rines is herewith reappointed as Health Officer for the City of Brewer; and

BE IT FURTHER ORDERED, that Richard K. Houp is herewith reappointed Deputy Health Officer for the City of Brewer; and

BE IT FURTHER ORDERED, that Ms. Rines’ and Mr. Houp’s terms shall begin on July 1, 2024, and will expire on June 30, 2027.

Statement of Fact: This is a routine appointment.

2024-A139

July 9, 2024

TITLE: ORDER, REAPPOINT ANIMAL CONTROL OFFICER.

Filed June 27, 2024
By Soubanh Phanthay

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

WHEREAS, Chapter 26 of the Charter, Codes and Ordinances of the City of Brewer, entitled “Animal Control”, Article 2, Section 201 states, “The City Council shall appoint one or more animal control officers in accordance with Title 7, Chapter 725 of the Maine Revised Statutes Annotated (1964) as amended.”

City Council Minutes

Tuesday, July 9, 2024

NOW, THEREFORE, BE IT ORDERED, that Detective Savannah Lutz is herewith reappointed as Animal Control Officer for the City of Brewer for a term that shall commence on July 1, 2024 and expires June 30, 2025.

Statement of Fact: This is a routine appointment.

ACTION: Councilor Daniels asked that Resolve 2024-B034 be removed from the Consent Calendar. Councilor Daniels moved that the remaining orders on the consent calendar have passage. Councilor Phanthay seconded the motion. The motion passed with a vote of 4 to 0.

2024-B034

July 9, 2024

TITLE: RESOLVE, DECLARE RESULTS OF THE JUNE 11, 2024 STATE OF MAINE
PRIMARY ELECTION.

Filed June 12, 2024

By ~~Michele Daniels~~
Soubanh Phanthay

WHEREAS, the State of Maine Primary Election was held on June 11, 2024; 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 Brewer City Council declares the results for the City of the State of Maine Primary Election as follows:

City Council Minutes
Tuesday, July 9, 2024

STATE OF MAINE RETURN OF VOTES CAST - DEMOCRATIC

MUNICIPALITY: BREWER - 1 (1-1)

UNITED STATES SENATOR

165 COSTELLO, DAVID ALLEN

50 BLANK

REPRESENTATIVE TO CONGRESS (District 2)

204 GOLDEN, JARED FORREST

11 BLANK

STATE SENATOR (District 10)

196 DANIELS, MICHELE LABREE

19 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 20)

197 O'HALLORAN, DANI L.

16 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 24)

2 PERRY, JOSEPH C.

0 SMITH, ZACHARY J.

0 BLANK

REGISTER OF PROBATE

201 STUPAK, RENEE M.

14 BLANK

COUNTY COMMISSIONER (District 1)

58 LEONARD, JOSEPH A.

142 TREMBLE, DANIEL J.

15 BLANK

City Council Minutes
Tuesday, July 9, 2024

STATE OF MAINE RETURN OF VOTES CAST - REPUBLICAN

MUNICIPALITY: BREWER - 1 (1-1)

UNITED STATES SENATOR

359 KOUZOUNAS, DEMI

118 BLANK

REPRESENTATIVE TO CONGRESS (District 2)

143 SOBOLESKI, MICHAEL

319 THERIAULT, AUSTIN

15 BLANK

STATE SENATOR (District 10)

223 HAGGAN, DAVID G.

248 LYFORD, PETER A.

6 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 20)

386 MORIN, JENNIFER MARIE

69 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 24)

20 LAPOINTE, DANIEL

2 BLANK

REGISTER OF PROBATE

394 SIMMONS, HILARI K.

83 BLANK

COUNTY COMMISSIONER (District 1)

414 WESTON, CARY M.

63 BLANK

City Council Minutes

Tuesday, July 9, 2024

ACTION: Councilor Daniels moved that the resolve be adopted. Councilor Phanthay seconded the motion. Councilor Daniels moved that the resolve be amended by removing her name as sponsor and replacing it with the name of Councilor Phanthay. Councilor Kimball seconded the motion. The motion to amend the order passed with a vote of 4 to 0. The motion to adopt the resolve as amended passed with a vote of 4 to 0.

F. Unfinished Business

There was no unfinished business.

G. New Business

2024-C012

July 9, 2024

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

Filed June 10, 2024

By Michele Daniels

BE IT ORDAINED, by the City Council of the City of Brewer in City Council assembled that Chapter 31 of the Charter, Codes and Ordinances of the City of Brewer entitled “Environmental Ordinance” be amended by changing Article 12, Section 1200 to read as follows:

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, ~~2023~~ 2024 billing, the following rates shall apply:

For the first 1,000 cu. ft. per quarter: ~~\$115.20~~ \$121.00 minimum charge for Residential customers classified in the billing system as User Type 9.

For the first 1,200 cu. ft. per quarter: ~~\$138.24~~ \$145.20 minimum charge for all other users not otherwise classified as a Residential customer.

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Effective beginning with the period covered by the September, ~~2023~~ 2024 billing, the following rates shall apply:

For all in excess of 1,000 cu. ft. per quarter: ~~\$11.52~~ \$12.10 per 100 cu. ft.

Statement of Fact: The Fiscal Year 2025 budget approved by the Brewer City Council includes an increase of 5% in the sewer rate, or about \$8.05 per quarter for the average residential sewer user. This order amends City Ordinance to reflect this change in rate.

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

2024-A140

July 9, 2024

TITLE: ORDER, CONVENE IN EXECUTIVE SESSION PURSUANT TO TITLE 1,
M.R.S.A. §405(6)(E) FOR A LEGAL CONSULTATION.

Filed June 10, 2024
By William Kimball

BE IT ORDERED, that the Brewer City Council convene in executive session pursuant to Title 1, Maine Revised Statutes Annotated, §405(6)(E) for a legal consultation.

Statement of Fact: This order permits the Council to go into executive session for a legal consultation.

ACTION: Councilor Kimball moved that the order have passage. Councilor Daniels seconded the motion. The motion passed with a vote of 4 to 0. Mayor Morin said that the Council would recess to go into executive session.

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

Councilor Daniels-present
Councilor Kimball-present
Mayor Morin-present

Councilor O'Halloran-absent
Councilor Phanthay-present

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

H. New Items with Leave of Council

There were no new items with leave of Council.

City Council Minutes
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I. ADJOURN

ACTION: Councilor Daniels moved to adjourn. Councilor Phanthay seconded the motion. The motion passed with a vote of 4 to 0. The meeting was adjourned at 7:05 P.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine