

City Council Minutes
Wednesday, October 23, 2024

Regular Meeting
City Hall Council Chambers

Wednesday, October 23, 2024
10:00 a.m.

The special 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-present
Councilor Phanthay-present

Mayor Morin declared that a quorum was present. Acting City Manager Eric Glidden and City Attorney Sarah Newell were 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 special 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 **special meeting** of the City Council of the City of Brewer will be held on **Wednesday, October 23, 2024 beginning at 10:00 a.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			10/18/2024	
Dani O’Halloran			10/18/2024	
William Kimball			10/18/2024	
Soubanh Phanthay			10/18/2024	
Jenn Morin			10/18/2024	

CITY COUNCIL SPECIAL MEETING
Wednesday, October 23, 2024 10:00 A.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**
 - 1. (2024-A193) ORDER Authorize contract with Hampden Electrical for installation of pump station generator. (Councilor O’Halloran)
 - 2. (2024-A194) ORDER Rescind Order 2024-A027 and approve alternate vendor to supply materials for Capri Street Park improvements. (Councilor Daniels)
 - 3. (2024-A195) ORDER Accept Gloria C. MacKenzie grant award to Brewer Fire Department. (Councilor Kimball)
- D. Monthly Reports** (none)
- E. Nominations, Appointments, Elections** (none)
- F. Unfinished Business** (none)
- G. New Business**
 - 1. (2024-C015) ORDER Amend Chapter 19 of the Charter, Codes and Ordinances of the City of Brewer, entitled “Traffic Code”, to amend Article 3, Schedule C, to improve emergency vehicle access on Vista Way. (Councilor Phanthay)
 - 2. (2024-A196) ORDER Convene in executive session pursuant to Title 1, M.R.S.A. §405(6)(E) to consult with legal counsel regarding City Council rights and duties. (Councilor Daniels)
- 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.

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C. Consent Calendar

2024-A193

October 23, 2024

TITLE: ORDER, AUTHORIZE CONTRACT WITH HAMPDEN ELECTRICAL FOR
INSTALLATION OF PUMP STATION GENERATOR.

Filed October 11, 2024

By Dani O'Halloran

WHEREAS, the Brewer Water Department Pump Station is in need of a backup option in the event of power outages; and

WHEREAS purchase and installation of a generator for the Brewer Water Department Pump Station is an approved Fiscal Year 2024 (FY24) Capital Improvement Program (CIP) project that is being funded primarily (90%) by a Federal Emergency Management Agency grant; and

WHEREAS, bids were solicited, received and evaluated for services to install and inspect the generator, the purchase of which was authorized under Council Order 2024-A055; and

WHEREAS, the Brewer Water Department received one bid for \$34,790 from Hampden Electrical of Bangor, Maine, and this bid amount falls within the overall budget approved for the generator project.

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 \$34,790 with Hampden Electrical for installation administration, on-site installation oversight, and post installation inspection of a generator at the Brewer Water Department Pump Station; and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of up to \$34,790 for this work from Water CIP account 0571003-573041 titled Generator-Interconnection approved in the Fiscal Year 2024 Capital Improvement Program.

Statement of Fact: This order authorizes the Brewer Water Department to enter into a contract with electrical company Hampden Electrical for installation services and inspections to install a generator at the Brewer Water Department Pump Station.

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2024-A194

October 23, 2024

TITLE: ORDER, RESCIND ORDER 2024-A027 AND APPROVE ALTERNATE
VENDOR TO SUPPLY MATERIALS FOR CAPRI STREET PARK
IMPROVEMENTS.

Filed October 18, 2024
By Michele Daniels

WHEREAS, on March 19, 2024 the Brewer City Council passed Order 2024-A027 to purchase materials from Clisham Construction to begin development of the old Capri Street School site; and

WHEREAS, due to other commitments, Clisham Construction cannot supply the needed materials for the project this fall; and

WHEREAS, Gardner Construction is able to supply the needed materials for development of the Capri Street site this fall, allowing Public Works to make significant progress on the project.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby rescinds order 2024-A027, approved on March 19, 2024 that approved the purchase of materials for the Capri Street site from Clisham Construction; and

BE IT FURTHER ORDERED, that the Brewer City Council approves the purchase of materials for the Capri Street site to be purchased from Gardner Construction of Bangor, Maine; and

BE IT FURTHER ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Gardner Construction, up to the amount of \$40,000 for supply and delivery of approximately 2,400 cubic yards of gravel; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to CIP account 510124-551454, titled, "Capri St. Park Improvements"; 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 supplies for this project.

Statement of Fact: Public Works had planned to start the Capri Street Park improvement project in the spring, and Clisham Construction was available to supply materials at that time. The project was delayed due to late season storms and other projects. Clisham Construction is no longer able to commit to supply the materials needed for the project. Gardner Construction offered the second lowest price in the spring and can still supply the materials this fall.

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2024-A195

October 23, 2024

TITLE: ORDER, ACCEPT GLORIA C. MACKENZIE GRANT AWARD TO BREWER
FIRE DEPARTMENT.

Filed October 18, 2024
By William Kimball

WHEREAS, the Brewer Fire Department has received a grant for \$11,970 through the Florida-based Gloria C. MacKenzie Foundation; and

WHEREAS, the Gloria C. MacKenzie Foundation has indicated its willingness to make a grant to the Brewer Fire Department provided that it enters into a Grant Agreement pursuant to which the Brewer Fire Department makes certain representations, warranties and covenants with respect to the grant.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith accepts these grant funds and authorizes their deposit into account #0600059-360000-59046 (MacKenzie Foundation Grant Revenue); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds in accordance with the grant terms from account #0600059-560000-59046 (MacKenzie Foundation Grant Expense); and

BE IT FURTHER ORDERED, that the City Manager, or his designee, is hereby authorized to enter into a Grant Agreement with the Gloria C. MacKenzie Foundation and to take such action as is necessary and desirable to comply with the Grant Agreement.

Statement of Fact: This order accepts a \$11,970 grant from the Gloria C. MacKenzie Foundation and authorizes their expenditure to support Fire Department operations in accordance with the grant's terms.

ACTION: Councilor O'Halloran moved that the orders on the consent calendar have passage. Councilor Daniels seconded the motion. The motion passed with a unanimous vote.

D. Monthly Reports

There were no monthly reports.

E. Nominations, Appointments, Elections

There were no nominations, appointments, or elections.

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F. Unfinished Business

There was no unfinished business.

G. New Business

2024-C015

October 23, 2024

TITLE: ORDER, AMEND CHAPTER 19 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED "TRAFFIC CODE", TO AMEND ARTICLE 3, SCHEDULE C, TO IMPROVE EMERGENCY VEHICLE ACCESS ON VISTA WAY.

Filed October 15, 2024
By Soubanh Phanthay

BE IT ORDAINED, by the Brewer City Council that Chapter 19, of the Charter, Codes and Ordinances of the City of Brewer, entitled "Traffic Code", Article 3, Schedule C, be amended by adding the following:

VISTA WAY

(1) On the westerly side of Vista Way starting approximately 420' south of the intersection with Wilson Street and continuing in a southerly direction for a distance of approximately 560' along Vista Way to back entrance of the Brewer High School lot.

Statement of fact: This ordinance amendment will address a parking problem along Vista Way where emergency vehicle access can be hindered because of vehicles parking on both sides the street during sporting events.

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

2024-A196

October 23, 2024

TITLE: ORDER, CONVENE IN EXECUTIVE SESSION PURSUANT TO TITLE 1, M.R.S.A. §405(6)(E) TO CONSULT WITH LEGAL COUNSEL REGARDING CITY COUNCIL RIGHTS AND DUTIES.

Filed October 15, 2024
By Michele Daniels

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BE IT ORDERED, that the Brewer City Council convene in executive session pursuant to Title 1, Maine Revised Statutes Annotated, §405(6)(E) to meet with consult counsel regarding City Council rights and duties.

ACTION: Councilor Daniels moved that the order have passage. Councilor Phanthay seconded the motion. The motion passed with a unanimous vote. The Council recessed to go into executive session.

The special meeting was called back to order by Mayor 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. Acting City Manager Eric Glidden and City Attorney Sarah Newell were also present.

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 11:15 A.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine