

City Council Minutes
Wednesday, October 30, 2024

Regular Meeting
City Hall Council Chambers

Wednesday, October 30, 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 O’Halloran-absent
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.

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 30, 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			10/25/2024	
Dani O’Halloran			10/25/2024	
William Kimball			10/25/2024	
Soubanh Phanthay			10/25/2024	
Jenn Morin			10/25/2024	

CITY COUNCIL SPECIAL MEETING
Wednesday, October 30, 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** (none)
 - D. Monthly Reports** (none)
 - E. Nominations, Appointments, Elections**
 - 1. (2024-B045) RESOLVE Confirm City Clerk’s appointment of Warden.
(Councilor O’Halloran)
 - F. Unfinished Business** (none)
 - G. New Business**
 - 1. (2024-A197) ORDER Authorize City’s participation in net energy billing tariff program. (Councilor Phanthay)
 - 2. (2024-A198) 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 Kimball)
 - H. New Items with Leave of Council**
 - I. ADJOURN**

Councilor O’Halloran joined the meeting at this time.

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.

City Council Minutes
Wednesday, October 30, 2024

D. Monthly Reports

There were no monthly reports.

E. Nominations, Appointments, Elections

2024-B045

October 30, 2024

TITLE: RESOLVE, CONFIRM CITY CLERK'S APPOINTMENT OF WARDEN.

Filed October 24, 2024

By Dani O'Halloran

WHEREAS, under Chapter 3 of the City of Brewer Charter, Codes and Ordinances, entitled "City Clerk", Section 103 "Appointments", the City Clerk is authorized to appoint wardens and ward clerks to preside over the City's voting district; and

WHEREAS, such appointments are subject to confirmation by the City Council; and

WHEREAS, the City Council concurs with this appointment of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk appoints Christine Lamson of 105 Washington Street as election warden for the City of Brewer; and

BE IT FURTHER RESOLVED, that the City Clerk's appointment of warden is herewith confirmed by the City Council.

Statement of Fact: The City Clerk is authorized to appoint wardens to preside over the City's voting district. One of the City's Warden's will be unable to participate in the election on November 5, this resolve accepts the appointment of a Warden to fill the vacancy.

ACTION: Councilor O'Halloran moved that the resolve be adopted. Councilor Daniels seconded the motion. The motion passed with a unanimous vote.

F. Unfinished Business

There was no unfinished business.

City Council Minutes
Wednesday, October 30, 2024

G. New Business

2024-A197

October 30, 2024

TITLE: ORDER, AUTHORIZE CITY'S PARTICIPATION IN NET ENERGY BILLING
TARIFF PROGRAM.

Filed October 24, 2024
By Soubanh Phanthay

WHEREAS, under Maine's net energy billing law, utility customers can offset their electricity bills using the output from small renewable generators; and

WHEREAS, the City spent over \$700,000 on electricity costs in Fiscal Year 2024; and

WHEREAS, at the September Council meeting, the Brewer City Council passed Order 2024-A169, which authorized the City of Brewer's participation in a net energy billing community solar program that would cover the City's smaller electrical accounts; and

WHEREAS, the City has identified a provider that can enroll the City's larger electrical accounts in a net energy billing tariff program specific to commercial customers; and

WHEREAS, the subscriber agreement has a term of 20 years, but will be accompanied by a Nonappropriation Addendum that allows for termination of the agreement without penalty should the City Council not appropriate funds for the contract in any given fiscal year.

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 one or more net energy billing tariff arrangements for the City's utility accounts as would be in the best interests of the citizens of Brewer; 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 these net energy billing credits.

Statement of Fact: This order authorizes the City to enter into one or more net energy billing tariff arrangements for its larger commercial accounts to achieve savings on the City's electricity costs.

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

City Council Minutes
Wednesday, October 30, 2024

2024-A198

October 30, 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 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) to meet with consult counsel regarding City Council rights and duties.

ACTION: Councilor Kimball 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 10:37 A.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine