

**CITY COUNCIL REGULAR MEETING &
2024 ANNUAL MEETING
Tuesday, November 19, 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 October 8, 2024 Regular Meeting, Minutes of the October 23, 2024 Special Meeting, and Minutes of the October 30, 2024 Special Meeting** (Councilor Kimball)
- B. Awards, Petitions and Public Comments**
 - 1. (2024-B046) RESOLVE Resolution of Respect for George N. Bishop.
(Councilor Daniels)
 - 2. Acting City Manager’s Report
 - 3. Public Comments
- IV. Recess for Public Hearing**
 - 1. To consider changes to the Brewer City Council Remote Participation Policy.
- V. Adjourn Public Hearing**
- C. Consent Calendar**
 - 1. (2024-A199) ORDER Accept easement consent from Versant Power for property located at 290 Elm Street. (Councilor O’Halloran)
 - 2. (2024-A200) ORDER Accept donation from Elaine Albright to Brewer Public Library. (Councilor Kimball)
 - 3. (2024-A201) ORDER Declare items surplus and authorize disposition.
(Councilor Daniels)
 - 4. (2024-A202) ORDER Accept Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant Program funds. (Councilor O’Halloran)
 - 5. (2024-A203) ORDER Authorize use of Water Standpipe Reserve funds for inspection and cleaning of water tanks.
(Councilor Kimball)
 - 6. (2024-B047) RESOLVE Adopt City of Brewer City Councilor Handbook.
(Councilor Daniels)
 - 7. (2024-B048) RESOLVE Adopt City of Brewer City Council Remote Participation Policy by complete substitution. (Councilor O’Halloran)
 - 8. (2024-A204) ORDER Accept improvements to Brewer Community Pool and Brewer Public Library from Lowe’s Home Improvement.
(Councilor Kimball)
 - 9. (2024-A205) ORDER Authorize payment to Hopkins Landscape and Paving for milling and paving services on North Main Street.
(Councilor Daniels)
 - 10. (2024-A206) ORDER Authorize payment to Eastwood Contractors, Inc. for completion of emergency water main and road repairs.
(Councilor O’Halloran)

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- 11. (2024-A207) ORDER Authorize reallocation of American Rescue Plan Act funding to ensure use before deadline. (Councilor Kimball)
- 12. (2024-B049) RESOLVE Adopt policy regarding City Council Member communications with City employees. (Mayor Morin)
- 13. (2024-A208) ORDER Authorize Fire Department Engine Control Unit repairs for Ladder 305. (Councilor O'Halloran)

D. Monthly Reports (Councilor O'Halloran)

E. Nominations, Appointments, Elections

- 1. (2022-B050) RESOLVE Declare the results of November 5, 2024 City of Brewer Municipal Election, United Technologies Center Referendum Election, and State of Maine Referendum Election and General Election. (Councilor Kimball)

F. Unfinished 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)

G. New Business

1. Consent Calendar

- 1. (2024-C016) ORDER Amend Chapter 36 of the Charter, Codes and Ordinances of the City of Brewer, entitled "Purchasing Ordinance", Article 3, entitled "Functions and Policies", to strengthen controls. (Councilor Daniels)
 - 2. (2024-C017) ORDER Amend Chapter 24 of the Charter, Codes and Ordinances of the City of Brewer, entitled "Land Use Code", Article 3, "Zoning Districts", Sections 306 and 307, and Article 4, "Performance Standards", Section 413. (Councilor O'Halloran)
 - 3. (2024-C018) ORDER Create Chapter 53 of the Charter, Codes and Ordinances of the City of Brewer, entitled "City of Brewer Code of Ethics Ordinance. (Councilor Kimball)
- 2. (2024-A209) ORDER Appoint City of Brewer City Manager. (Councilor Kimball)

H. New Items with Leave of Council

I. ADJOURN

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VI. Call to Order 2024 Annual Meeting. (city clerk)

VII. Roll Call. (city clerk)

A. Swearing in of Elected Officials (city clerk)

1. City Council Members
2. Superintending School Committee Members
3. Student Representative Member of the School Committee
4. Trustee of the High School District Trustees

B. Election of Mayor (city clerk)

C. Election of Deputy Mayor (Mayor)

D. Mayor's Remarks (Mayor)

1. Outgoing Mayor's Remarks
2. Incoming Mayor's Remarks

E. Establishment of Committees (Mayor)

1. Committee on Finance
2. Sub-committee for Standing Boards & Committees
3. Council's Liaison for the City Budget
4. Council's Liaison to the School Committee
5. Council's Liaison to the High School District Trustees
6. Council's Liaison to the Brewer Planning Board
7. Council's Liaison to the Penobscot County Budget Committee
8. Council's Liaison to the Parks & Recreation Advisory Commission
9. Council's Liaison and Representative to the Bangor Area Recovery Network
10. Council's Liaison to the Housing Authority
11. Council's Liaison to the Brewer Culture and Arts Committee
12. Council's Liaison to the Board of Appeals and the Board of Assessment Review

F. Discussion of Councilor Goals for the upcoming term (Mayor)

G. Establishment of Chair and Vice-Chair of the Brewer School Committee (Mayor)

H. New Business

1. (2023-B051) RESOLVE Establish Location for Regular Meetings.
2. (2023-B052) RESOLVE Establish Time and Dates of Regular Meetings and Special Meetings.
3. (2023-B053) RESOLVE Adopt Ethical Principles for Excellence in Government.
4. (2023-B054) RESOLVE Adopt 10 Habits of Highly Effective City Councils.

VIII. Adjourn 2024 Annual Meeting

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A. Minutes of the October 8, 2024 Regular Meeting, Minutes of the October 23, 2024 Special Meeting, and Minutes of the October 30, 2024 Special Meeting

ACTION: Councilor Kimball moved that the minutes to the October 8, 2024 Regular Meeting, the October 23, 2024 Special Meeting, and the October 30, 2024 Special Meeting be accepted and placed on file. Councilor Daniels seconded the motion. The motion passed with a vote of 4 to 0.

B. Awards, Petitions and Public Comments

2024-B046

November 19, 2024

TITLE: RESOLVE, RESOLUTION OF RESPECT FOR GEORGE N. BISHOP.

Filed March 7, 2024

By Michele Daniels

WHEREAS, on the third day of March 2024, death brought to a close the full and active life of George N. Bishop; and

WHEREAS, George was born in Rhode Island in 1958 and moved with his family to Maine in 1977; and

WHEREAS, George married the love of his life Linda in 1989, and they shared thirty-five years of marriage and raised a family together; and

WHEREAS, George and Linda bought Penobscot Cleaning Services in 1990 which they owned and operated until early 2024; and

WHEREAS, in 2013 George and Linda purchased Penobscot Ice Arena and made major renovations to the facility; and

WHEREAS, Penobscot Ice Area provided precious ice time to youth hockey throughout the area; and

WHEREAS, the Brewer Witches and the Hampden Broncos Ice Hockey Teams flourished with Penobscot Ice Arena serving as home ice for both teams; and

WHEREAS, creation of the Penobscot Pioneers Girls' Ice Hockey Team was possible because Penobscot Ice Arena provided a place to play; and

WHEREAS, operating Penobscot Ice Arena was a labor of love for George, and he enjoyed every aspect, from facility maintenance, to helping kids learn to skate and play, coaching various hockey teams, taking part in fundraisers, and playing in the adult hockey leagues; and

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WHEREAS, George especially loved coaching his daughter and having a hockey team for the girls; and

WHEREAS, George also enjoyed restoring antique dirt bikes, landscaping at home, and spending time at camp with family and friends; and

WHEREAS, George was a beloved pillar of the hockey community.

NOW, THEREFORE BE IT RESOLVED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive influence of George N. Bishop to the well-being and development of his community and he earned the respect of all who knew him; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the permanent records of the City of Brewer and that copies thereof be distributed to members of his family in testimony to the high esteem held for George N. Bishop by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Daniels moved that the resolve be adopted. Councilor Kimball seconded the motion. Councilor Daniels presented challenge coins to George’s family. Mayor Morin praised George’s contribution to youth hockey, and offered condolences to George’s family. The motion passed with a vote of 4 to 0.

2. Acting City Manager’s Report

Acting City Manager Eric Glidden gave a report on the ongoing operations of the City Manager’s Office. The Acting City Manager noted it had been a year since his hiring, and he thanked the Council and City Staff for their support, particularly in the previous few months where he had been serving as Acting City Manager. The Acting City Manager praised the Water Department for their efforts to repair water main breaks that had occurred several weeks previous at the corner of North Main Street and State Street. The Acting City Manager praised the city clerk’s office, including Deputy City Clerk Katherine Waite and City Manager Administrative Assistant Autumn Treadwell for their efforts in conducting a smooth election. The City Manager invited folks to attend the Wreaths Across America event scheduled for December 14, at 12:15 p.m. at the Joseph L. Ferris Community Center at the Veterans’ Memorial. The Acting City Manager noted that the City’s trash collection contract with Casella would be expiring in June, and said that he would be working with the Council to explore best and most cost-effective options for the residents of Brewer. The Acting City Manager said that he had been working with Brewer Internal Technology Director Greg Gagne to look at updating the City’s website to make it more user-friendly for residents.

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Public Comments

Councilor Daniels recognized and welcomed Bangor City Manager Debbie Laurie and Bangor City Councilor and Penobscot County Commissioner-Elect Dan Tremble. Brewer resident Stephen Carle said that he had attempted three times to get five people errantly registered at his address off the voter rolls, and that the City had not done it. Mr. Carle also said that his girlfriend had two people registered at her address including the prior owner who had not lived there for six years. Mr. Carle said that the National Voter Registration Act of 1993 required an active attempt by states to purge their voter rolls. Mr. Carle said that Maine currently had 101% eligible voters registered to vote. Mr. Carle said that Maine had contracted with the ERIC system. Mr. Carle said that ERIC system prevents the purging of voter rolls, and that nine states that had the ERIC system had gotten rid of it due to conflicts with the National Voter Registration Act. Mr. Carle said he wished that the state of Maine, or the City of Brewer would purge its voter rolls, and said that it is required that an active attempt to purge voter rolls be made every year. The city clerk noted that he and Mr. Carle had spoken in advance of the election, and that he too was concerned with maintaining accurate voter rolls, and he thanked Mr. Carle for bringing his concerns to the Council.

IV. Recess for Public Hearing

Mayor Morin said the City Council would recess for a public hearing and after the public hearing the Council would return to the regular meeting and take up the rest of the items on the agenda.

The public hearing 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-absent

Mayor Morin declared that a quorum was present. Acting City Manager Eric Glidden and City Solicitor Johnathan Pottle were also present.

1. To consider changes to the Brewer City Council Remote Participation Policy.

Mayor Morin read the public notice for the hearing:

**CITY OF BREWER
PUBLIC NOTICE**

Notice is hereby given that the Brewer City Council will hold a public hearing on **Tuesday, November 19, 2024 at 6:00 p.m. in the Council Chambers at Brewer City Hall located at 80 North Main Street, Brewer, Maine** to consider changes to the Brewer City Council Remote Participation Policy. Any person may present written or oral comments at this public hearing. Written comments must be received by 4:00 p.m. on the date of the hearing.

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Vincent P. Migliore
City Clerk

Acting City Manager Eric Glidden said that the current remote participation policy was in need of update, and that the proposed revisions would add flexibility and better provide for a hybrid model of remote and in-person participation. Mayor Morin asked if there had been any written comments received from the public: there were none. Mayor Morin invited members of the public to speak on the matter, there were no comments.

V. Adjourn Public Hearing

Mayor Morin adjourned the public hearing.

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-present
Councilor Phanthay-absent

Mayor Morin declared that a quorum was present. Acting City Manager Eric Glidden and City Solicitor Johnathan Pottle were also present.

C. Consent Calendar

2024-A199

November 19, 2024

TITLE: ORDER, ACCEPT EASEMENT CONSENT FROM VERSANT POWER FOR
PROPERTY LOCATED AT 290 ELM STREET.

Filed October 31, 2024
By Dani O'Halloran

WHEREAS, a water easement, held by the Brewer Water Department, from Elm Street to Rotherdale Road, runs parallel to an easement held by Versant Power; and

WHEREAS, a new home constructed at 290 Elm Street encroaches upon Versant Power's easement; and

WHEREAS, Versant Power has secured an easement for anchor placements on the opposite side of the City's water line; and

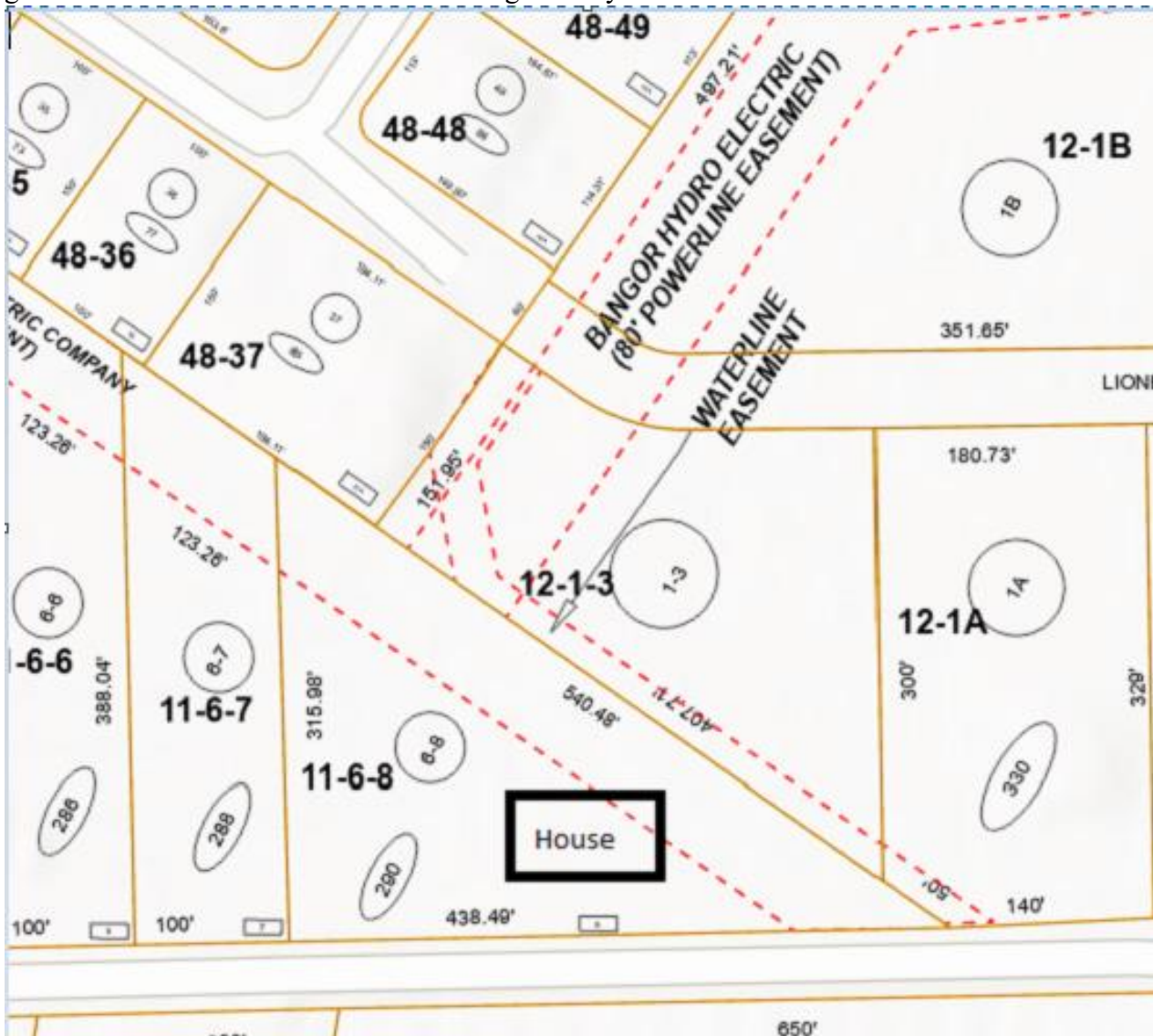
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WHEREAS, the proposed easement alleviates the financial burden on the homeowner as the new home would need to be relocated without this easement.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby accepts the permanent easement allowing Versant Power's guide wires to cross aerially over the City's water line; and

BE IT FURTHER ORDERED, that the City Council ratifies all actions taken concerning the permanent easement and the acceptance of the main line located in Brewer, Maine.

Statement of Fact: To assist the homeowner and the contractor at 290 Elm Street, the Water Department has reviewed the proposed aerial easement from Versant Power. Versant's lines do not occupy this easement currently, but if required in the future, an offset with guide wires will be necessary to adequately support the poles. The Brewer Water Department does not find the installation of aerial guide wires to be detrimental when crossing the City's easement.



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Easement Consent

CITY OF BREWER, a body politic in Brewer having a mailing address of 80 North Nain Street, Brewer, Maine 04412, (“City”) is the holder of the following easement located in Brewer, Penobscot County, Maine (“the City Easement”):

Easement from Richard M. Coffin to the City of Brewer dated January 18, 2012 and recorded in the Penobscot County Registry of Deeds in Book 12708, Page 93; and

VERSANT POWER, a Maine corporation having a place of business at 970 Illinois Avenue, Bangor, Maine (“the Versant Power Easement”) has acquired the following easement for the installation of anchors and guy wires, and vegetation clearing to support an electrical transmission line:

Easement from Merle M. Bickford to Versant Power of substantially even date and to be recorded in the Penobscot County Registry of Deeds.

The Versant Power Easement is located, in part, on the City Easement. Versant Power is requesting consent from the City for the co-location of the Versant Power Easement within the City Easement and the City hereby consents to the co-location of the Versant Power Easement within the City Easement subject to the following terms and conditions:

1. Versant Power shall not install any appurtenances into the ground within the City Easement.
2. All supports and guy wires extending over the City Easement are allowable, however they shall be temporarily removed, at the expense of Versant Power, as requested by the City, during any necessary repairs and upgrades.
3. To the fullest extent permitted by law, Versant Power shall indemnify and hold harmless the City of Brewer and all of its agents and employees from and against all claims, damages, losses and expenses including, but limited to, attorney’ fees arising out of or resulting from Versant Power’s activities on or within the bounds of the City Easement.
4. Versant Power, by acceptance of this consent, hereby agrees to be bound by the terms and conditions herein.
5. This Agreement, and the rights and obligations described hereunder, shall be binding on the parties successors and assigns.

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IN WITNESS WHEREOF, The City of Brewer and Versant Power have caused this instrument to be executed by its duly authorized representatives under seal this ____ day of _____, 2024.

VERSANT POWER

By: _____

Print Name:

Title:

STATE OF MAINE

County of Penobscot, ss: _____, 20__

Then personally appeared the above-named _____,
_____ of said Versant Power and acknowledged the above instrument to be his/her free act and deed, in his/her said capacity and the free act and deed of said Versant Power.

Before me,

Notary Public

Print Name of Notary: _____

CITY OF BREWER

By: _____

Print Name:

Title:

STATE OF MAINE

County of Penobscot, ss: _____, 20__

Then personally appeared the above-named _____,
_____ of said City of Brewer Power and acknowledged the above instrument to be his/her free act and deed, in his/her said capacity and the free act and deed of said City of Brewer.

Before me,

Notary Public

Print Name of Notary: _____

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2024-A200

November 19, 2024

TITLE: ORDER, ACCEPT DONATION FROM ELAINE ALBRIGHT TO BREWER
PUBLIC LIBRARY.

Filed November 1, 2024

By William Kimball

WHEREAS, the Brewer Public Library received a generous donation of \$1,000 from Elaine Albright; and

WHEREAS, Elaine Albright specified that the donation be used for purposes determined by the Library Director; and

WHEREAS, it is the recommendation and request of the Library Director that the donation be used toward library programming and in support of Hoopla, an online streaming library resource.

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts this \$1,000 donation from Elaine Albright to the City of Brewer Public Library, authorizes its deposit into account 0600072-360000-72034, and further authorizes its appropriation and expenditure from 0600072-560000-72034.

Statement of Fact: This order accepts a \$1,000 donation from Elaine Albright to support programming and Hoopla purchases at the City of Brewer Public Library.

NOTE: The Brewer Public Library sends a letter of acknowledgement and appreciation on behalf of the City Council and the Library to all who contribute to the library.

2024-A201

November 19, 2024

TITLE: ORDER, DECLARE ITEMS SURPLUS AND AUTHORIZE DISPOSITION.

Filed November 7, 2024

By Michele Daniels

WHEREAS, from time to time, the City of Brewer has furniture, fixture, and equipment items that have reached the end of their useful lives, are no longer needed, and would otherwise be sent to the landfill for disposal; and

WHEREAS, to reduce the volume of material the City sends to landfill, the City would like to offer these items to City employees on a first come, first served and/or auction-type basis.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith declares items scheduled to be thrown away as surplus and authorizes the City Manager, or his designee, to the extent practical, to sell or secure alternate disposition of such items as would be in the best interest of the citizens of Brewer.

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Statement of Fact: This order declares items slated to be thrown away as surplus and authorizes their sale and/or disposition to City employees or others.

2024-A202

November 19, 2024

TITLE: ORDER, ACCEPT FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT PROGRAM FUNDS.

Filed November 7, 2024
By Dani O'Halloran

WHEREAS, the Brewer Police Department has received a grant for \$2,580 through the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) program that requires no local matching funds; and

WHEREAS, this grant is designated to support Police Department training costs related to hosting the National Tactical Officers Association Basic Special Weapons and Tactics (SWAT) 40-hour school; and

WHEREAS, the grant funds will be used to make the class more accessible to law enforcement agencies across our region by eliminating travel and meal costs for attendees as well as to enhance ear protection at Brewer's firing range by purchasing electronic ear protection.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith accept these grant funds and authorizes their deposit into account #0600058-360000-58069 (2022 Byrne JAG 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 #0600058-560000-58069 (2022 Byrne JAG Grant Expense).

Statement of Fact: This order accepts a \$2,580 grant from the U.S. Department of Justice for training costs and authorizes their expenditure.

2024-A203

November 19, 2024

TITLE: ORDER, AUTHORIZE USE OF WATER STANDPIPE RESERVE FUNDS FOR
INSPECTION AND CLEANING OF WATER TANKS.

Filed November 8, 2024
By William Kimball

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WHEREAS, the Brewer Water Department’s water tanks at Whiting Hill and Hatcase Pond are in need of inspection and cleaning; and

WHEREAS the Water Department maintains a reserve account that is dedicated to supporting costs associated with maintenance and upkeep of its water tanks; and

WHEREAS, the cost to inspect and clean the two tanks is expected to be \$9,912 (\$7,998 for the contractor and \$1,914 for lift rental).

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith authorizes the transfer of \$9,912 from the Water Department’s Standpipe Reserve account (0700000-110802) to the Water Department’s Transmission Line Maintenance expense account (0718502-504550); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of these funds from Water’s Transmission Line Maintenance expense account (0718502-504550) to pay for the inspection and cleaning of the Whiting Hill and Hatcase Pond water tanks.

Statement of Fact: This order authorizes the use of \$9,912 from the Brewer Water Department’s Standpipe Reserve account to pay for the inspection and cleaning of the water tanks at Whiting Hill and Hatcase Pond. The internal inspection is required every 5 years.

2024-B047

November 19, 2024

TITLE: RESOLVE, ADOPT CITY OF BREWER CITY COUNCILOR HANDBOOK.

Filed November 8, 2024

By Michele Daniels

WHEREAS, the City of Brewer is committed to providing its City Council members with tools, resources, and information needed to fulfill their roles and responsibilities effectively; and

WHEREAS, a City Councilor Handbook has been created to outline the duties, responsibilities, and expectations of City Council members, providing a comprehensive reference guide for Councilors in the performance of their official duties; and

WHEREAS, the City Councilor Handbook will serve as a valuable resource for both new and existing Councilors, fostering consistency, transparency, and a shared understanding of the governance processes in the City of Brewer; and

WHEREAS, it is in the best interest of the City of Brewer to formally adopt this Handbook as an official resource for Council members.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Brewer hereby adopts the City of Brewer City Councilor Handbook as the official guide for City Council members; and

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BE IT FURTHER RESOLVED, that copies, paper or electronic, of the City of Brewer City Councilor Handbook shall be provided to each current member of the Brewer City Councilor, and shall be issued to newly elected Brewer City Councilors as part of their orientation process; and

BE IT FURTHER RESOLVED, that the City of Brewer City Councilor Handbook may be updated periodically to reflect changes in laws, policies, or best practices, with any amendments requiring approval by the Brewer City Council.

Statement of Fact: The City of Brewer City Councilor Handbook was developed to provide a comprehensive overview of the roles, duties, and responsibilities of City Council members. This Handbook serves as a practical reference tool designed to assist both new and existing Councilors in understanding and fulfilling their obligations effectively. By adopting the Handbook, the City Council of Brewer establishes a unified guide for governance, supports a consistent approach to Councilor responsibilities, and promotes informed decision-making. The adoption of this Handbook will ensure that all Council members have access to up-to-date information, fostering transparency and continuity within the City Council.

The City of
BREWER

City Council Handbook

City of Brewer
207-989-7500 | WWW.BREWERMAINE.GOV | 80 NORTH MAIN
STREET, BREWER, MAINE 04412

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Dear Newly Elected Council Member,

On behalf of the City of Brewer, I extend a warm welcome to you as a newly elected member of the Brewer City Council. Congratulations on your successful campaign and your commitment to serving our community.

As City Manager, it is my pleasure to provide you with this Council member packet, which contains essential information to help you navigate your role effectively. Inside, you will find detailed guides, resources, and contacts that will assist you in fulfilling your duties and responsibilities as a Council member.

Your election signifies the trust and confidence that the residents of Brewer have placed in you to represent their interests and work towards the betterment of our City. Your perspective, ideas, and dedication are invaluable assets as we strive to address the needs and aspirations of our community.

As you embark on this journey, please know that the City of Brewer staff is here to support you every step of the way. Whether you have questions, require assistance, or seek guidance, please do not hesitate to reach out to me or any member of our team.

I encourage you to approach your new role with enthusiasm, an open mind, and a commitment to collaboration. By working together with your fellow Council members, City staff, and residents, I am confident that we can continue to make Brewer a vibrant, inclusive, and prosperous place to live, work, and thrive.

Once again, welcome to the Brewer City Council. I look forward to working with you and witnessing the positive impact we can achieve together for our community.

Warm regards,

A handwritten signature in cursive script, appearing to read "Eric".

Eric Glidden
Acting City Manager
City of Brewer

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CITY OF BREWER DEPARTMENT HEAD AND CITY COUNCILOR CONTACT LIST

EMPLOYEE	Department	Email Address	Direct #
Autumn Treadwell	City Manager's Office	atreadwell@brewermaine.gov	989-0724
Christopher Martin	Deputy Police Chief	cmartin@brewermaine.gov	989-8750
D'arcy Main-Boyington	Dir. Economic Development	dmain-boyington@BrewerMaine.gov	989-1326
Dave Cote	Public Works	dcote@brewermaine.gov	989-8589
David Leonard	Environmental Services	dleonard@brewermaine.gov	989-8270
Darren French	Library	dfrench@brewermaine.gov	989-0845
Eric Glidden	City Manager's Office	Eglidden@brewermaine.gov	989-0782
Erik Tourtillotte	Deputy Fire Chief	etourtillotte@brewermaine.gov	989-3000
Greg Gagne	Technology Director	ggagne@brewermaine.gov	989-8428
Jason Moffitt	Director Public Safety	jmoffitt@brewermaine.gov	989-8749
Jeremy Caron	Engineering	jcaron@brewermaine.gov	989-8596
Karen Fussell	Finance Director	kfussell@brewermaine.gov	989-2234
Kristie Rines	Code Enforcement Officer	krines@brewermaine.gov	989-7735
Linda Johns	Planning	ljohns@brewermaine.gov	989-8598
Michael Martin	Director of Parks & Recreation	mmartin@brewermaine.gov	989-8602
Rodney Butler	Water Department	rbutler@brewermaine.gov	989-7673
Valerie Moon	Assessor	vmoon@brewermaine.gov	989-5773
Vincent Migliore	City Clerk	vmigliore@brewermaine.gov	989-1349

CITY COUNCILORS

COUNCILOR		Cell
Jenn Morin	jmorin@brewermaine.gov	949-4688
Soubanh Phanthay	sphanthay@brewermaine.gov	990-8939
Michele Daniels	mdaniels@brewermaine.gov	974-8865
Dani O'Halloran	dohalloran@brewermaine.gov	745-4499
Bill Kimball	wkimball@brewermaine.gov	991-0914

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INTRODUCTION

The City Council Member Handbook has been prepared to provide important information to elected officials in Brewer and establish policies, practices, and procedures for communications, meetings, and decision making. The handbook includes a description of the Town organization within the laws and practices of local government in Maine. The handbook explains the role of a council member, establishes a code of conduct, and outlines best practices for governance.

The City Council Handbook may be amended by resolution adopted by a majority vote of the Councilmembers and should be reviewed regularly to ensure that the document remains helpful to the Council by providing a framework for effective governance.

The City Manager, with consent of the Council, may update this City Council Handbook from time to time as the law and/or adopted policies of the Town Council change.

For purposes of this handbook, procedures, policies, and practices will focus on conduct and procedures for public meetings, which should apply to City Boards, Commissions, & Committees when appropriate. They will make distinctions between meeting types and will provide suggestions for best practices related to formal communications and record keeping.

The procedures, policies, and practices set forth herein are not intended to limit the inherent power and general legal authority of the City Council. Any of the procedures, policies, and practices herein may be waived by a majority vote of the Councilmembers when it is deemed that there is good cause to do so based upon the particular facts and circumstances. Any action of a majority of Councilmembers in contravention of these procedures, policies, and practices shall be deemed a waiver of such protocol(s) for purposes of the action taken.

CITY COUNCIL AUTHORITY

The City Council is established by [Article II of the City Charter](#) as the legislative body for the City of Brewer and is responsible for enacting ordinances, reviewing and deciding upon a variety of actions and transactions, conducting public hearings, and establishing policies for the City. The purpose for establishing a City Council Handbook with procedures, policies, and practices is to provide an effective environment for the City Council to provide leadership, practice good governance, and effectively represent the residents of Brewer. City Council meetings are run based upon Modern Rules of Procedure. The Mayor serves as the chair of the Council, or presiding officer, of public meetings.

The handbook will be updated after each election cycle and the procedures, policies, and practices may be amended by the Town Council as needed. The City of Brewer depends on good governance and best practices in local government to meet the needs of the local community. This handbook should serve as an initial guide and a common reference to meet that purpose.

**CHAPTER I: LOCAL GOVERNMENT OVERVIEW AND CITY OF
BREWER ORGANIZATION**

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SECTION 1.1 HISTORICAL OVERVIEW

The history of the City of Brewer begins in the late 1700s when settlers, led by Colonel John Brewer, first arrived in what was then part of Condukeag Plantation. With determination and vision, these early pioneers laid the groundwork for what would become a thriving community.

In 1812, Brewer officially separated from Orrington and was incorporated as its own town, proudly bearing the name of its founding settler. The city's prime location along the Penobscot River quickly established it as a hub for shipbuilding, driving economic growth and attracting new residents. Throughout the 19th century, Brewer flourished, with its shipyards contributing significantly to the regional economy. Brewer is perhaps best known as the birthplace of Civil War hero and Maine Governor, Joshua Chamberlain.

Today, Brewer is a dynamic city that honors its historical roots while embracing modern advancements. From its early days of shipbuilding to its current role within the Greater Bangor metropolitan area, Brewer's legacy is a testament to the resilience and spirit of its community. As we look to the future, we celebrate the rich tapestry of our past and the promise of continued growth and prosperity.

SECTION 1.2 CITY DEPARTMENTS AND SERVICES

- Assessing/GIS
- City Clerk
- City Manager
- Code Enforcement
- Economic Development
- Engineering
- Environmental Services (wastewater)
- Finance
- Fire Department
- Library
- Parks & Recreation
- Land Use Planning
- Police Department
- Public Works
- Information Technology
- Water Department

SECTION 1.3 COUNCIL-MANAGER FORM OF GOVERNMENT

The City of Brewer is governed by a five-member City Council and works under the Council/Manager form of government, which combines the locally elected Council's policy setting with an appointed professional City Manager who supervises the organization's daily operations. The City Council is the policy-making body, with final responsibility for the delivery of all capital projects and City services to the residents of Brewer.

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The City Council is composed of five members elected from the Town on a nonpartisan basis to serve staggered three-year terms. The Mayor is chosen at the first meeting annually at the annual meeting in November by majority vote of the City Council. The Mayor serves as the presiding officer at City Council meetings and as the official head of the City for legislative and ceremonial purposes.

All ordinances, resolutions, and significant contracts must be approved by the Council, which also approves the budget and hires the City Manager and City Attorney. The City Manager is responsible for the overall administration of the City, including the implementation of the general policies set by the City Council and the day-to-day operation of all City functions. The City Manager, with the help of the staff, provides the City Council with the information needed to fulfill its policy-making role.

The council-manager form of government separates legislative and executive responsibilities in a manner similar to state and federal governments. This system provides "checks and balances" of both policy and administrative branches of government by limiting the power of each. The specific authority and duties of the City Council and City Manager are established in the [City of Brewer Municipal Code of Ordinances](#).

For more information on Council-Manager form of government see [ICMA Council-Manager Form of Government. What it is, how it works, and the benefits to your community](#).

SECTION 1.4: CITY COUNCIL ELECTIONS

In the City of Brewer, City Councilors are elected by the public during the annual municipal election, which takes place the first Tuesday in November. Brewer operates under a five-member city council, and councilors serve staggered terms, meaning not all council seats are up for election at the same time. This ensures continuity in city governance.

Councilors are elected for three-year terms, with one or two seats becoming available each year, depending on the election cycle. The council itself then selects a Mayor from among its members annually. The elected councilors represent the interests of Brewer residents by establishing policies, approving budgets, and overseeing the general direction of city government.

SECTION 1.5: CITY OF BREWER ORGANIZATIONAL STRUCTURE CHART

1. City Manager:

- 1.1. Assistant City Manager
 - 1.1.1. Executive Administrative Assistant
 - 1.1.2. General Assistance Administrator

1.2. City Clerk

- 1.2.1 Animal Control Officer

1.3. City Assessor

- 1.3.1. Property Appraiser
- 1.3.2. Appraiser/Clerical Assistant

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1.4. Finance Director:

1.4.1. Tax Collector, Accounting Manager, Payroll and Benefits Technician, Deputy Tax Collector, Accounting Clerk, Tax Office Clerk

1.5. Director of Public Safety:

1.5.1 Deputy Police Chief, Deputy Fire Chief

1.5.2. Police Captain, Police Lieutenant, Police Sergeant, Detectives, Corporal, Patrol Officer, Administrative Secretary, Clerk/Receptionist

1.5.3. Assistant Fire Chief, Captain Fire Training Coordinator, Fire Captain, Lieutenant Fire Inspector, Fire Lieutenant, Firefighter, Clerical Assistant

1.6. Public Works Director:

1.6.1. Purchasing Agent, Shop Foreman, Area Foreman, Office Manager, Heavy Equipment Operator, Mechanic, Light Equipment Operator.

1.7. Water Superintendent:

1.7.1. Office Manager, Distribution, Foreman, Lead Treatment Operator, Plant Distribution Team Leader, Distribution Utility Worker, Treatment Plant Operator

1.8. Director of Environmental Services:

1.8.1. Chief Operator, Process Control Manager, Day Operators, Night Operators, Collection Systems Supervisor, Environmental Techs

1.9. Parks and Recreation Director:

1.9.1. Deputy Parks and Recreation Director, Park and Cemetery Supervisor, After School Program Coordinator, Recreation Programmer, Parks and Cemetery Foreman, Secretary/Office Manager, Building Custodian

1.10. Library Director:

1.10.1. Children's and Programming Librarian, Cataloging & Special Collections Librarian, Inter-Library Loan Assistant, Circulation Aids, Volunteers

1.11. Economic Development Director:

1.11.1. Deputy Director of Economic Development

1.12. Code Enforcement Officer:

1.12.1. Assistant Code Enforcement Officer/Building Inspector, Electrical Inspector, Office Manager

1.13. City Engineer:

1.13.1. Assistant City Engineer

1.14. City Planner

1.14.1. Planner I

1.15. Technology Director

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SECTION 1.6: DEPARTMENT DESCRIPTIONS AND RESPONSIBILITIES

City Manager's Office

The City Manager provides overall administration, leadership, and direction for the Town organization, functioning in a role like that of a Chief Executive Officer (CEO) in a private company. The City Manager is appointed by the City Council. The City Manager's Office is also directly responsible for oversight of the City's budgeting, purchasing, labor relations, public information, risk management and technology services operations. The City Manager's Office:

- Oversees the City's organizational and fiscal management efforts, program development and evaluation processes, service delivery mechanisms, and organizational structure.
- Coordinates the preparation of the annual Operating and Capital Budget.
- Oversees the City Council agenda process.
- Administers various service contracts for the City
- Administers the City's personnel functions.
- Builds relationships with the community, including the business community. Addresses citizen complaints, inquiries, and requests.
- Works with key organizations to monitor and respond to proposed State and federal legislation.
- Works cooperatively within the region and State on issues affecting Brewer.
- Public Records Requests – The City Manager's office receives and responds to all Freedom of Access Act (FOAA) requests to the City.

City Attorney

The City Attorney serves as the primary legal adviser to the City Council and provides legal guidance and support to City staff, as needed. The City contracts with the law firm of Eaton Peabody of Bangor for legal services. The City Attorney's core services include:

- Serves as the legal advisor for the City Council and attends all City Council meetings and other key Town-related meetings as required.
- Provides legal advice and direction to City staff related to town projects and operations.
- Represents the City in certain litigation matters and enforcement of the municipal code.
- Reviews and proposes updates to the Municipal Code to respond to changes in the law or to reflect City needs.
- Drafts or reviews proposed orders, ordinances, resolutions, and contracts, as needed.
- The City attorney researches and responds to legal issues relating to City affairs when requested to do so by the Mayor, Deputy Mayor, any City Councilor, City Manager, City Clerk, Assessor, any Department Head with the permission of the City Manager, and any board or agency of the City with the permission of the Mayor or Deputy Mayor of the City Council.

The City Attorney represents the City as a whole and does not provide legal advice to individuals or citizens. The City Attorney's office is an independent contractor, and all billed amounts include all administrative and legal support services and are therefore not directly comparable to salaries paid to individuals performing similar work.

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City Clerk

The City Clerk provides oversight for legislative proceedings and professional support to the City Council, City Manager, and City Staff. The City Clerk administers municipal, State and Federal elections. This office performs all the mandated functions under the United States Constitution, the Constitution of the State of Maine, State Codes, and the City of Brewer Municipal Code. Major functions include:

- City Council and Boards, Committees, and Commissions Support - The City Clerk prepares the Council agendas and agenda packets for the City Council;
- Legislative History – The City Clerk attends meetings of the City Council and maintains the legislative history of the City.
- Communications – The City Clerk’s Office facilitates information sharing with residents through a variety of different platforms including social media, press releases, and website content.
- City-wide Records Management – The City Clerk department is responsible for maintaining the City’s Records Retention Schedule and providing departments with guidance on policies and best practices of records management.
- Elections – The City Clerk administers the City’s elections including the nomination process for candidates, processing of initiative petitions and Council-sponsored ballot measures.

Assessing Department

The Assessing Department in a municipality is responsible for determining the value of all real and personal property within the city for tax purposes. This process, known as property assessment, ensures that property taxes are distributed fairly and equitably among property owners based on the market value of their property.

Key responsibilities of the Assessing Department include:

- Conducting property appraisals and assessments for residential, commercial, and industrial properties.
- Maintaining and updating property records, including ownership, legal descriptions, and exemptions.
- Managing tax exemptions and abatements for eligible residents, such as veterans, seniors, and those with disabilities.
- Assisting property owners with questions about their assessments and tax bills.
- Ensuring compliance with state laws and local regulations related to property tax assessments.

Code Enforcement

The Code Enforcement Department is responsible for ensuring that all construction, land use, and building activities within the municipality comply with local ordinances, state regulations, and national building codes. The department plays a key role in maintaining public safety, health, and quality of life in the community. The department also plays a role in generating revenue for the municipality, which funds essential services such as schools, public safety, and infrastructure.

Key responsibilities of the Code Enforcement Department include:

- Reviewing and issuing building, plumbing, and electrical permits.

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- Conducting inspections of construction projects to ensure compliance with safety and zoning regulations.
- Enforcing local ordinances related to property maintenance, zoning, and land use.
- Investigating complaints about potential code violations, such as unsafe buildings, illegal construction, or unpermitted land use.

Finance Department

The Finance Department is responsible for managing the financial operations of the municipality, ensuring fiscal responsibility, transparency, and accountability in handling public funds. This department plays a critical role in maintaining the City's financial health and supporting the delivery of essential services to residents.

Key responsibilities of the Finance Department include:

- Preparing and managing the municipal budget, including tracking revenues and expenditures.
- Overseeing accounts payable, accounts receivable, and payroll functions.
- Managing municipal investments and cash flow to ensure liquidity and stability.
- Preparing financial reports, including annual audits, to provide transparency on the city's financial condition.

Library Director

The Library Director is responsible for managing the operations, programs, and services of the municipal library, ensuring that it meets the informational, educational, and recreational needs of the community. The director oversees library staff, resources, and facilities to ensure the library operates efficiently and provides a welcoming environment for all patrons.

Key responsibilities of the Library Director include:

- Developing and implementing library programs, services, and collections that reflect the needs and interests of the community.
- Managing the library's budget, including purchasing materials and equipment, and overseeing financial operations.
- Hiring, training, and supervising library staff to ensure excellent customer service.
- Maintaining the library building and facilities, ensuring they are safe, clean, and accessible.

Information Technology (IT) Director

The IT Director is responsible for overseeing the municipality's information technology infrastructure and ensuring that all technology systems and services operate effectively and securely. The director plays a key role in managing the technology resources that support city operations and services, from communication systems to data management and cybersecurity.

Key responsibilities of the IT Director include:

- Managing and maintaining the municipality's hardware, software, networks, and communication systems.
- Ensuring data security and protecting municipal systems from cyber threats.

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- Providing technical support to all City departments, troubleshooting issues, and ensuring efficient use of technology.

Public Safety

The Public Safety Director oversees and coordinates the operations of the municipality's public safety departments, which typically include police, fire, emergency medical services, and emergency management. The director ensures that these services work effectively together to protect the safety and well-being of the community.

Key responsibilities of the Public Safety Director include:

- Managing and coordinating the activities of public safety departments to ensure efficient response to emergencies and public safety incidents.
- Developing and implementing policies, procedures, and protocols for public safety operations.
- Overseeing budget and resource allocation for public safety services, including staffing, equipment, and training.

Planning Department

The Planning Department is responsible for overseeing the planning, development, and management of land within the municipality. The department ensures that land use aligns with local zoning regulations, comprehensive plans, and community goals, balancing growth with environmental preservation and sustainable development.

Key responsibilities of the Planning Department include:

- Administering and enforcing zoning ordinances, subdivision regulations, and land development codes.
- Reviewing development proposals and building plans to ensure compliance with local land use policies.
- Assisting residents, businesses, and developers with zoning and land use inquiries, including permit applications and land use approvals.

Engineering Department

The City Engineering Department is responsible for planning, designing, and overseeing the construction and maintenance of the municipality's infrastructure. This includes roads, bridges, drainage systems, water and sewer lines, and public buildings. The department ensures that all public works projects meet safety standards, environmental regulations, and long-term community needs.

Key responsibilities of the City Engineering Department include:

- Designing and managing the construction of municipal infrastructure projects, including streets, sidewalks, water systems, and stormwater drainage.
- Overseeing the maintenance and repair of existing public infrastructure to ensure safety and functionality.
- Reviewing development plans to ensure that new projects comply with engineering standards and municipal regulations.

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- Collaborating with other departments, contractors, and agencies to plan and execute public works projects efficiently.
- Providing technical expertise and guidance on infrastructure-related issues to the city council and other departments.
- Ensuring that all projects adhere to environmental regulations and are sustainable for long-term use.

The City Engineering Department plays a crucial role in building and maintaining the infrastructure that supports the city's daily operations and future growth.

Water Department

The Water Department is responsible for managing the municipal water supply, ensuring the delivery of safe and clean drinking water to residents, businesses, and public facilities. The department oversees the treatment, distribution, and maintenance of the city's water system infrastructure.

Key responsibilities of the Water Department include:

- Treating and purifying water to meet or exceed state and federal water quality standards.
- Managing the city's water distribution system, including pipes, pumps, and storage facilities, to ensure reliable service.
- Monitoring water quality through regular testing and inspections to ensure public health and safety.
- Maintaining and repairing water mains, hydrants, and service lines to prevent leaks and ensure efficient operation.
- Overseeing water conservation efforts and educating the public on responsible water use.
- Coordinating with emergency services to address water-related emergencies, such as main breaks or contamination issues.

The Water Department plays a vital role in safeguarding public health by ensuring a consistent supply of high-quality drinking water and maintaining the city's water infrastructure.

Environmental Services

The Sewer Department is responsible for managing and maintaining the city's wastewater collection and treatment systems. The department ensures that wastewater from homes, businesses, and public facilities is safely transported, treated, and discharged in compliance with environmental regulations.

Key responsibilities of the Sewer Department include:

- Operating and maintaining the city's sewer infrastructure, including pipelines, pumping stations, and treatment plants.
- Collecting and treating wastewater to meet state and federal environmental standards before discharging it into local waterways.
- Inspecting, repairing, and upgrading the sewer system to prevent blockages, overflows, and system failures.
- Managing stormwater systems to reduce the risk of flooding and protect water quality.
- Responding to sewer-related emergencies, such as backups, leaks, or system malfunctions.

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- Educating the public on proper sewer use and practices to prevent damage or contamination of the system.

The Sewer Department ensures the efficient and safe management of wastewater, protecting public health and the environment while supporting the city's infrastructure.

Economic Development Department

The Economic Development Department is responsible for promoting and fostering the city's economic growth and vitality. The department works to attract new businesses, support the expansion of existing businesses, and create job opportunities, all while enhancing the overall quality of life for residents.

Key responsibilities of the Economic Development Department include:

- Attracting new businesses and industries to the city through marketing, incentives, and outreach efforts.
- Supporting local businesses by providing resources, guidance, and assistance with permitting and development processes.
- Collaborating with developers, investors, and stakeholders to facilitate commercial and industrial development projects.
- Developing and implementing long-term economic strategies to diversify the city's economy and sustain growth.
- Working with other city departments, chambers of commerce, and regional partners to strengthen the city's economic infrastructure.
- Pursuing grants and funding opportunities to support economic development initiatives, infrastructure improvements, and community revitalization efforts.

The Economic Development Department plays a vital role in driving the city's economic success, improving the business climate, and ensuring a strong, resilient economy for future generations. Due to the sensitivity, and at times, confidentiality of the Economic Development Department's work, staff do not prepare a Weekly Report. However, Councilors are encouraged to make an appointment with the Economic Development director to receive updates.

Parks and Recreation Department

The Parks and Recreation Department is responsible for managing and maintaining the city's parks, recreational facilities, and open spaces, while providing a wide range of recreational programs and activities for residents of all ages. The department promotes community health, wellness, and quality of life by offering opportunities for outdoor recreation, sports, and community engagement.

Key responsibilities of the Parks and Recreation Department include:

- Managing the City's parks, playgrounds, sports fields, trails, and recreational facilities to ensure they are safe, clean, and accessible.
- Developing and organizing recreational programs, sports leagues, fitness classes, and community events for residents.
- Overseeing maintenance and improvement projects for parks and green spaces, including landscaping, repairs, and facility upgrades.

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- Collaborating with local schools, organizations, and volunteers to enhance recreational opportunities and community involvement.
- Promoting environmental stewardship through the preservation of natural resources and offering educational programs related to conservation and outdoor activities.
- Ensuring compliance with safety regulations and accessibility standards for all parks and recreational facilities.

The Parks and Recreation Department plays a crucial role in enhancing the city's quality of life by providing safe, enjoyable outdoor spaces and activities that promote community well-being and social interaction.

SECTION 1.7: MUNICIPAL CODE

The City of Brewer's Municipal Code is divided into two sections: The City Charter and City Ordinances.

A **City Charter** is a legal document that outlines the foundational framework for a city's government. It serves as the city's "constitution," defining the structure, powers, duties, and organization of the local government. The charter typically specifies the roles and responsibilities of elected officials, the functions of various city departments, procedures for enacting laws, and the rights of citizens. It is the guiding document that ensures the city operates according to legal standards and provides a clear set of rules for how the city council and other entities govern. [The City of Brewer's Charter](#) is divided into the following sections:

Article I: Grant of Powers to the City
Article II: City Council
Article III: Superintending School Committee
Article IV: Nominations and Elections
Article V: Administrative Officers
Article VI: Business and Financial Provisions
Article VII: Miscellaneous Provisions
Article VIII: Initiative and Referendum
Article IX: Recall

A **City Ordinance** is a local law enacted by the city council that governs various aspects of life within the city. Ordinances are legally binding and address a wide range of issues, such as zoning, public safety, noise control, parking regulations, and building codes. Once passed, these ordinances have the force of law within the city limits and are enforced by local authorities. Ordinances help maintain order, promote the well-being of residents, and ensure that city policies and standards are upheld. The City of Brewer Code of Ordinances are as follows:

[Chapter 1 – City Council](#)
[Chapter 2 – The City Manager](#)
[Chapter 3 – The City Clerk](#)
[Chapter 4 – Finance](#)
[Chapter 5 – Assessor](#)

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[Chapter 6 – Cable Television](#)
[Chapter 7 – City Solicitor](#)
[Chapter 8 – Elections](#)
[Chapter 9 – Fire Department](#)
[Chapter 10 – Police Department](#)
[Chapter 11 – Health Officer](#)
[Chapter 11GA – Health & General Assistance](#)
[Chapter 12 – Personnel](#)
[Chapter 13 – Planning Board](#)
[Chapter 14 – City Cemeteries](#)
[Chapter 15 – Parks, Conservation & Recreation](#)
[Chapter 16 – Building Code](#)
[Chapter 17 – Electrical Code](#)
[Chapter 18 – Plumbing Code](#)
[Chapter 19 – Traffic Code](#)
[Chapter 20 – Licenses & Permits](#)
[Chapter 21 – Street Use](#)
[Chapter 22 – Solid Waste Ordinance](#)
[Chapter 23 – Public Works](#)
[Chapter 24 – Land Use Code](#)
[Chapter 25 – Mobile Home Park and Camping Park](#)
[Chapter 26 – Animal Control](#)
[Chapter 27 – Municipal Records](#)
[Chapter 28 – Signs](#)
[Chapter 29 – Code Enforcement](#)
[Chapter 30 – Housing Code](#)
[Chapter 31 – Environmental Ordinance](#)
[Chapter 32 – Penobscot River](#)
[Chapter 33 – Library Department](#)
[Chapter 34 – Board of Appeals](#)
[Chapter 35 – Discharge of Firearms](#)
[Firearms Discharge Map](#)
[Chapter 36 – Purchasing](#)
[Chapter 37 – Technology Department](#)
[Chapter 38 – Development](#)
[Chapter 39 – Director of Environmental Services](#)
[Chapter 40 – Water Department](#)
[Chapter 41 – Engineering Department](#)
[Chapter 42 – Emergency Management Ordinance](#)
[Chapter 43 – Conservation Commission Ordinance](#)
[Chapter 44 – Repealed](#)
[Chapter 45 – Moratorium on Marijuana Dispensaries](#)
[Chapter 46 – Property Assessed Clean Energy \(PACE\) Ordinance](#)
[Chapter 47 – Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs](#)
[Chapter 48 – Moratorium Ordinance on Certain Medical Marijuana Activities](#)
[Chapter 49 – Vacant Property Registration Ordinance](#)
[Chapter 50 – E-911, Road Names, and Location Identification Signage](#)

[Chapter 52 – City of Brewer Moratorium Ordinance on Large-Scale Solar Energy Systems](#)

SECTION 1.8: ORDERS, PROCLAMATIONS, RESOLVES (RESPECT AND RECOGNITION)

A **City Council Order** is a formal directive or decision issued by the city council that authorizes or requires specific actions to be taken by the city government or its officials. Unlike ordinances, which create permanent laws, an order typically addresses administrative matters or short-term actions, such as approving budgets, contracts, or specific projects. City council orders provide the legal authority for the execution of city business, helping to ensure the smooth operation of municipal functions and services.

A **Council Proclamation** is a formal public statement issued by the city council to recognize and honor specific events, individuals, organizations, or causes. Proclamations are typically ceremonial in nature and do not carry the force of law or mandate any action. They are often used to acknowledge significant achievements, community milestones, special days, or public awareness campaigns. Proclamations help foster civic pride and highlight the city's values by publicly celebrating contributions and important occasions within the community.

A **Resolve of Respect** is a formal expression of admiration and recognition issued by the city council to honor the memory of a deceased individual who made significant contributions to the community. This resolution typically acknowledges the person's service, achievements, or impact on the city and conveys the council's condolences to the family or loved ones. While ceremonial in nature, a resolve of respect serves as a meaningful tribute, reflecting the city's appreciation for the individual's legacy and lasting influence on the community.

A **Resolve of Recognition** is a formal statement passed by the city council to acknowledge and commend the achievements, contributions, or milestones of an individual, group, organization, or event within the community. This type of resolution is typically ceremonial and does not create any legal obligation but serves to publicly honor and celebrate significant accomplishments or positive impacts. A resolve of recognition helps foster community spirit and highlights the city's appreciation for outstanding efforts or noteworthy occasions.

SECTION 1.9: HOW AN ORDER, PROCLAMATION OR RESOLVE ARE PLACED ON AN AGENDA

To have an **Order, Proclamation, or Resolve** on the City Council agenda, a councilor must follow a formal process. The councilor must work with the City Manager's office by first clearly outlining its purpose and intent. Once finalized, the item is sent to the city clerk or the city manager's office by a specified deadline before the council meeting. The submission is reviewed by the City Manager, City Clerk, Department Head and sometimes the City Solicitor for completeness and compliance with city procedures. Once reviewed, the item is placed on the agenda for discussion and/or action at an upcoming council meeting. The item must be submitted to the City Clerk no later than 10am on the Wednesday preceding a regularly scheduled meeting or special meeting to be held in the following week.

CHAPTER II: YOUR ROLE AS A CITY COUNCILOR

SECTION 2.1: NEW COUNCILOR ORIENTATION

When a new City Councilor is elected, the City Manager's office arranges introductory meetings with the heads of each municipal department. These meetings provide an overview of the duties and responsibilities of each department, as well as insight into how the departments contribute to city operations. In addition to the discussions, the new councilor will be given a tour of key facilities, allowing for a better understanding of the infrastructure and day-to-day operations.

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The City Manager’s office will coordinate these meetings and tours, which will take place within the first month of the councilor’s election. This process is designed to ensure that new councilors are well-informed and prepared to engage with the various aspects of city governance.

SECTION 2.2: COUNCILOR TRAININGS AND EVENTS

Maine Municipal Association (MMA)

MMA provides a variety of courses specifically designed to support newly elected city officials as they transition into their roles. These courses offer essential training on topics such as municipal governance, budgeting, legal responsibilities, and public policy, ensuring that new officials have the knowledge and tools needed to serve their communities effectively.

Course offerings include:

- **Newly Elected Officials Workshop:** An introductory course covering the basics of municipal governance, public meeting procedures, and the role of city officials.
- **Budgeting and Financial Management:** Training on municipal budgeting processes, financial oversight, and fiscal responsibility.
- **Legal and Ethical Responsibilities:** A course focused on Maine laws governing municipal operations, ethics, and compliance with state regulations.
- **Public Policy and Planning:** Guidance on developing and implementing policies that align with community needs and long-term planning goals.

These MMA courses are an excellent resource for newly elected officials to quickly become familiar with the responsibilities and expectations of their positions. They also provide opportunities for networking with other officials across the state, fostering collaboration and shared learning.

For more information on available courses and registration, visit the [Maine Municipal Association’s Trainings and Workshops page](#). Councilors may request to be registered for a course through the City Manager’s office.

National League of Cities (NLC) Annual Conference

The **National League of Cities (NLC) Annual Conference** is a major event held every March that brings together local government leaders from across the country. The conference offers a valuable opportunity for City Councilors to engage in workshops, panel discussions, and networking sessions focused on key issues affecting municipalities. Attendees gain insights on best practices, policy trends, and innovative solutions to improve their communities.

Councilors from Brewer who wish to attend this conference should sign up through the City Manager’s Office, which coordinates the registration and travel arrangements. This ensures proper planning and representation at the event.

The Bangor Region Chamber of Commerce

The Bangor Region Chamber of Commerce hosts a variety of events throughout the year aimed at supporting local businesses, fostering networking, and promoting economic development in the region. Key types of events include:

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- **Business After Hours:** Informal networking events where local professionals can connect, share ideas, and build relationships in a relaxed setting.
- **Annual Awards Dinner:** A signature event recognizing individuals, businesses, and organizations for their contributions to the region's economic and community development.
- **Workshops and Seminars:** Educational sessions offering insights on business trends, leadership, marketing, and other professional development topics.
- **Legislative Forums:** These events bring local and state lawmakers together with business leaders to discuss policies and issues impacting the region's business climate.
- **Community and Economic Development Events:** These include panel discussions and meetings focused on strategies for growing the local economy, improving infrastructure, and addressing community challenges.

These events help strengthen the local business community and provide valuable opportunities for professional growth and collaboration. Councilors who wish to sign up and attend events at the Bangor Region Chamber of Commerce should contact the City Manager's Office to coordinate registration.

SECTION 2.3: FREEDOM OF INFORMATION ACT (FOAA) TRAINING

According to the State of Maine, "The Freedom of Access Act (FOAA) is a state statute that is intended to open the government of Maine by guaranteeing access to the "public records" and "public proceedings" of state and local government bodies and agencies." The act defines public records as, "any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association, the membership of which is composed exclusively of one or more of any of these entities, and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business. The Maine Open Meeting law, included in the Maine Freedom of Access Act, establishes the methods by which public meetings are conducted. The act applies to all meetings where transactions that affect the citizens of the State have occurred.

Maine State Law requires all elected officials to be trained in FOAA law within the first six (6) months of election to office. This training can be completed in one of two ways:

1. By signing up for a FOAA training through the Maine Municipal Association.
2. By reviewing the FAQ section of the State of Maine Freedom of Access Act website. Once these FAQ's have been reviewed, Councilors may self-certify that they have completed a thorough review. The certification form is [available here](#) and must be kept on file with City Hall.

SECTION 2.4: CITY CHALLENGE COINS

A Challenge Coin is a specially designed coin or medallion that represents an organization, unit, or specific achievement. Traditionally used in the military, challenge coins have become popular in other sectors, including government and civic organizations, as a way to honor individuals for their service, achievements, or contributions to the community.

A City Councilor can use a challenge coin to recognize and reward exceptional acts of service or accomplishments by residents, city employees, or community leaders. Presenting a challenge coin can

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be a personal and meaningful way to acknowledge someone's dedication or special achievement, serving as a symbol of appreciation from the city council and reinforcing a sense of pride and civic duty.

City of Brewer Challenge Coins are available by request to the City Manager's office. In the event that a function requires over twenty (20) coins, please let the City Manager know at least three weeks in advance of the event so that coins may be ordered. Councilors should be aware that challenge coins are only for municipal officials to distribute and are not intended to be distributed by any other resident or business owner.

SECTION 2.5: PRESS INQUIRIES AND INTERVIEWS

When a City Councilor is asked to participate in a press interview, they work closely with the City Manager's Office to develop clear and accurate talking points. Since interviews are first offered to the mayor, councilors may step in if the mayor is unavailable. The City Manager's Office provides essential background information, data, and context on the topic, ensuring that the councilor is well-informed and aligned with the city's official stance. The City Manager is a Councilor's point of contact to schedule an interview with the media/press.

During this process, the councilor and the City Manager's Office collaborate to craft key messages that reflect city policies, current issues, or recent decisions. These talking points help the councilor communicate effectively, stay on message, and present a unified position on behalf of the City. Depending on the nature of the inquiry, at times it may be more appropriate for the City Manager or another Department Head to respond to the press.

SECTION 2.6: ROLE OF THE MAYOR

In a **Council-Manager** form of government, the **Mayor** typically serves as the ceremonial head of the city and acts as the public face of the municipal government. The role is primarily focused on leadership and representation, rather than direct administration of city operations. Key responsibilities of the mayor in this system include:

- **Presiding over City Council Meetings:** The Mayor chairs City Council meetings, helping to guide discussions, maintain order, and ensure that council procedures are followed.
- **Ceremonial and Public Representation:** The Mayor represents the City at official events, functions, and public appearances, often delivering speeches, proclamations, and promoting city initiatives.
- **Agenda Setting and Policy Leadership:** While the City Council collectively sets policy, the Mayor may play a key role in shaping the council's agenda, offering guidance, and focusing on particular issues important to the community.
- **Liaison between Council and City Manager:** The Mayor acts as the primary bridge between the city council and the City Manager, helping to ensure effective communication and alignment on priorities and City administration.

In this form of government, the City Manager is the chief executive, while the Mayor serves more as a leader in a legislative and representational capacity.

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SECTION 2.7: ROLE OF THE DEPUTY MAYOR

The Deputy Mayor serves as the second-in-command to the Mayor and assumes the Mayor’s responsibilities when the Mayor is unavailable. The Deputy mayor is selected by vote of the City Council at the Annual City Meeting in November. The Deputy Mayor’s primary duties include:

- Presiding over City Council meetings in the absence of the Mayor.
- Representing the city at official functions, meetings, or events when the Mayor is unable to attend.
- Collaborating with the Mayor and City Manager to support the execution of City Council decisions and initiatives.
- Serving as an advisor to the Mayor, providing insight and support on municipal policies and actions.
- Fulfilling any additional roles assigned by the City Council or Mayor, depending on local charter or ordinance provisions.

The Deputy Mayor is selected from the elected City Council members and serves in this role while continuing their responsibilities as a Councilor.

SECTION 2.8: HOW THE MAYOR AND DEPUTY MAYOR ARE SELECTED

In accordance with the Brewer City Charter, the role of Mayor and Deputy Mayor are distinguished positions that are elected yearly by the other members of the City Council at the Annual Meeting. It is important to recognize that this selection is not a mere formality or procedural assumption. Rather, the intent is for the City Council to select a Councilors who have demonstrated outstanding commitment, leadership, and a deep understanding of the City’s goals and values. These positions are meant to be held by individuals who embody the principles and aspirations of Brewer, guiding the Council and representing the City with integrity and dedication.

The following criteria guide the Council’s selection:

- **Attendance and Engagement:** Consistent attendance at Council meetings and diligent participation in assigned liaison roles are critical factors that Councilors should consider when selecting Mayor and Deputy Mayor.
- **Demonstrated Leadership:** Candidates for Mayor and Deputy Mayor should exhibit a history of strong leadership within the Council, effectively guiding discussions, fostering collaboration, and maintaining the integrity of the Council’s mission.
- **Character and Integrity:** The Council should prioritize candidates who display a commitment to ethical conduct, reliability, and fairness in their interactions with both Council members and the public.

The selection of the Mayor and Deputy Mayor reflects a commitment to ensuring that the highest standards of public service are upheld. Each councilor should understand that these roles are an opportunity to serve as a model for others, fostering a collaborative environment within the Council and strengthening the bond between the City government and the Brewer community.

SECTION 2.9: RESPONDING TO RESIDENT COMPLAINTS OR INQUIRIES

When a City Councilor receives a constituent issue or concern, they report it to City Staff through the City Manager’s Office for proper handling. The Councilor typically communicates the issue in writing

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or during a meeting with the city manager or their staff, providing details such as the nature of the concern, the location, and any relevant background information. The City Manager's Office then assigns the issue to the appropriate department for investigation and resolution.

This process ensures that constituent concerns are addressed in an organized, efficient manner while maintaining the council-manager form of government, where the city manager oversees the implementation of city policies and day-to-day operations. The Councilor may follow up with the city manager's office to ensure the issue is being resolved and update the constituent accordingly.

If a Councilor would like an update on the resolution of the complaint or inquiry, it should be directed to the City Manager who will provide a timely response.

SECTION 2.10: CITY COUNCILOR EMAIL ADDRESSES

Upon becoming a City Councilor, the City's IT department provides the councilor with an official email address to conduct all city-related business. It is important that all communications related to city matters flow through this official email account, as using private email addresses for city business is discouraged. This ensures transparency, professionalism, and proper record-keeping. Councilor emails are publicly posted on the [City Council page](#) on the City of Brewer website.

Additionally, councilors should be aware that most emails sent or received through this official account are considered public records and are subject to the Maine Freedom of Access Act (FOAA). This means that city emails can be requested and reviewed by the public, further emphasizing the importance of using the official email address for all city matters and maintaining a high level of professionalism in communications.

SECTION 2.11: COUNCILOR BUSINESS CARDS

Upon election, City Councilors in Brewer will receive official business cards to use for city-related matters. The City Manager's Office will contact newly elected councilors to verify all necessary information, such as name, title, and contact details, before the cards are printed. These business cards serve as a professional tool for councilors to share their official contact information when interacting with constituents, businesses, and other government officials. The cards help councilors maintain a professional image and ensure that communication related to city business is streamlined and accessible.

SECTION 2.12: COUNCILOR COMMUNICATIONS

The City of Brewer's communication policy establishes clear guidelines for communication between city staff and the City Council to ensure efficient and effective governance. This policy outlines the following key parameters:

- **Chain of Command:** Communication between City Council members and staff is typically routed through the City Manager, ensuring that information flows through appropriate channels and maintains the integrity of the Council-Manager form of government.
- **Professionalism and Respect:** All communications should be conducted in a professional and respectful manner, with mutual recognition of roles and responsibilities.
- **Timely and Accurate Information:** Staff is responsible for providing the City Council with accurate and timely information relevant to decision-making, while Councilors are encouraged to direct inquiries to the appropriate channels to avoid disruptions to staff workflow.

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This policy ensures clear, respectful, and productive interactions between city staff and the City Council, supporting effective collaboration and city governance.

SECTION 2.13: ADHERENCE TO THE CITY’S ETHICS ORDINANCE

The City of Brewer’s Ethics Ordinance is designed to ensure that all city officials, employees, and representatives conduct themselves with integrity, transparency, and accountability in all official matters. The policy outlines the following key principles:

- **Conflict of Interest:** City officials and employees must avoid any conflicts of interest or appearances of impropriety, ensuring that personal interests do not influence their decisions or actions.
- **Fairness and Impartiality:** All decisions made by city representatives should be based on merit and in the best interest of the public, without favoritism or bias.
- **Confidentiality:** Sensitive and confidential information obtained in the course of city business must be protected and not used for personal gain or unauthorized disclosure.
- **Transparency and Accountability:** City representatives are expected to operate transparently, providing clear and honest communication with the public and being accountable for their actions.
- **Adherence to the Law:** The ordinance requires full compliance with local, state, and federal laws, as well as adherence to the city’s own regulations and procedures.

By adhering to Ethics Ordinance, the City of Brewer ensures that public trust is maintained, and city business is conducted in an ethical and responsible manner.

SECTION 2.14: COUNCILOR PARTICIPATION AT GRAND OPENINGS OR RIBBON CUTTINGS

A **City Councilor** can participate in a **ribbon cutting** or **grand opening event** by representing the city and showing support for local businesses or organizations. These events celebrate the opening of a new business, expansion, or significant milestone, and a councilor’s presence helps highlight the importance of the event to the community.

To participate, City Officials are typically invited by the business owner or the Bangor Region Chamber of Commerce through the Economic Development or City Manager’s Office. At the event, the councilor may be asked to give a brief speech congratulating the business, help cut the ribbon, and interact with business leaders and community members. Participation in these events helps councilors build relationships with local businesses and demonstrate the city’s commitment to economic development and community growth.

The Brewer Economic Development Department practices the tradition of presenting a Key to the City to new businesses as a symbolic gesture of welcome and appreciation. This honorary key represents the city’s commitment to fostering a supportive and collaborative business environment. By giving a key to the city, Brewer acknowledges the business’s contribution to the local economy and community.

The key is typically presented during a grand opening or ribbon-cutting ceremony, often with city councilors or other local officials in attendance. This gesture helps establish a positive relationship between the city government and the business, reinforcing Brewer’s dedication to economic growth and partnership with local entrepreneurs.

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SECTION 2.15: CITY COUNCIL LIAISONS

City Council liaisons to boards and committees serve as a vital link between the City Council and the various advisory bodies, ensuring open communication and coordination. Councilors are assigned to boards and committees by the Mayor at the Annual City Meeting in November. Councilors are expected to attend the meetings of the governing body they are assigned to. The Council liaison role includes:

- **Facilitating Communication:** Liaisons act as the City Council’s representative, relaying information, priorities, and concerns between the Council and the board or committee. They ensure the Council stays informed of the board’s activities and decisions.
- **Providing Guidance:** While liaisons do not vote or direct the board’s actions, they offer insight into the City Council’s vision, policies, and goals, helping boards and committees align their work with the city’s broader objectives.
- **Reporting Back:** Liaisons regularly update the City Council on the work, discussions, and recommendations of the boards or committees they are assigned to, ensuring Councilors are aware of key issues and developments.
- **Encouraging Collaboration:** Liaisons help foster collaboration between boards and committees, encouraging them to work in concert with each other and the City Council to address community needs.
- **Maintaining Objectivity:** While liaisons provide input and answer questions, they refrain from influencing board decisions, ensuring the autonomy of the advisory bodies to fulfill their purpose.

Liaisons serve as a valuable resource, ensuring that the City’s boards and committees function effectively and maintain strong ties with the City Council. Current Council liaison assignments include:

- Committee on Finance
- City Budget
- Sub-Committee for Standing Boards and Committees
- School Committee
- School Board of Trustees
- Planning Board
- Penobscot County Budget Committee
- Parks & Recreation Committee
- Bangor Area Recovery Network (BARN)
- Housing Authority
- Arts & Culture Committee

CHAPTER III: CITY COUNCIL MEETINGS

SECTION 3.1: TYPES OF CITY COUNCIL MEETINGS

Regular City Council Meetings: Per the City of Brewer Charter, Regular City Council meetings are held regularly on the *second Tuesday of every month*, unless otherwise indicated on the [City Council Meeting Schedule](#), which is adopted each year. City Council meetings begin at 6pm in the Council Chambers located at 80 North Main Street. These meetings provide a forum for councilors to discuss and make decisions on important city matters, hear from residents, and oversee the implementation of

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city policies. Regular meetings ensure transparency, allow for public participation, and help maintain the efficient operation of the city government.

Special City Council Meetings: A Special City Council Meeting is a meeting that is called outside of the regularly scheduled council meetings to address specific issues or urgent matters that require attention before the next regular meeting. These meetings can be convened for various reasons, such as dealing with time-sensitive matters issues that demand focused discussion. Special meetings follow the same procedural rules as regular meetings but are usually limited to a set agenda of specific topics. Notice must be given in advance, and the public is invited to attend, just like regular meetings.

Emergency Special Meetings: An Emergency Special Meeting is a type of City Council meeting convened in response to an urgent or unforeseen situation that requires an immediate meeting by the Council. These meetings are called when circumstances, such as natural disasters, public safety threats, or critical issues impacting city operations, cannot wait until a regularly scheduled or special meeting. Emergency special meetings often have shorter notice requirements than regular or special meetings, but efforts are still made to notify the public as promptly as possible. The agenda for these meetings is typically limited to addressing the specific emergency, ensuring a swift response to protect the public and city interests.

Annual City Meeting: The City of Brewer Annual Meeting is a yearly gathering held in November, typically two weeks following the municipal election. During this meeting, the City Council conducts important organizational tasks, including the selection of the Mayor and Vice-Mayor from among the council members and the appointment of other key positions. Additionally, Elected Officials are sworn in and Council Liaisons to are appointed to City Boards and Committees for the upcoming year. The Annual Meeting also serves as a time to establish leadership roles and discuss priorities for the upcoming year. It marks the official start of the new council term, ensuring the city is well-prepared for governance and public service in the coming year.

SECTION 3.2: EXECUTIVE SESSIONS

An executive session is a confidential portion of a meeting, typically held by government bodies or corporate boards, where only members and selected invitees are present. These sessions are used to discuss sensitive or confidential matters that are not appropriate for public disclosure. Common topics for executive sessions include personnel issues, legal matters, negotiations, or discussions involving privacy concerns. Decisions or votes may not occur in these sessions, depending on legal requirements; instead, the main goal is to facilitate frank discussions while maintaining confidentiality.

Maine's Freedom of Access Act requires that motions to enter executive session: (1) indicate the precise nature of the executive session business and (2) include a citation to one or more sources of statutory or other authority permitting an executive session for that business. 1 M.R.S. § 405(4).

A motion to enter executive session must be specific enough to enable the public (and the Council) to determine that the executive session is lawful, without revealing so much information that the purpose of the executive session is compromised. The Council should try to cite all relevant authorities authorizing an executive session; providing multiple citations will be helpful if one citation inadvertently proves to be inaccurate.

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Sample motion to enter executive session to discuss a personnel matter: **“I move that the board enter executive session pursuant to 1 M.R.S. § 405(6)(A) to discuss the appointment of a new City manager.”**

Sample motion to enter executive session to review a poverty abatement application: **"I move that the board enter executive session to review a request for a property tax abatement in case # _____ pursuant to 36 M.R.S. § 841(2) and 1 M.R.S. § 405(6)(F)."** *(To further protect an applicant's identity, it is recommended to assign a case number to each application and referring to that case number in poverty abatement motions.)*

Below is a basic list of statutory citations. This is not a comprehensive list of legal authorities justifying an executive session. Each topic below is a narrow exception to public meeting requirements and includes specific criteria that must be met; check the statute or seek legal advice before the meeting.

Reason for Executive Session	Statutory Citation
• Personnel Matters	1 M.R.S. § 405(6)(A)
• Suspension or expulsion of a public-school student	1 M.R.S. § 405(6)(B)
• Acquisition of real property or economic development	1 M.R.S. § 405(6)(C)
• Labor negotiations	1 M.R.S. § 405(6)(D)
• Consultations with legal counsel	1 M.R.S. § 405(6)(E)
• Discussion of confidential records	1 M.R.S. § 405(6)(F)
• Discussion of examination results	1 M.R.S. § 405(6)(G)
• Consultation w/CEO on pending enforcement matter in District Court	1 M.R.S. § 405(6)(H)

SECTION 3.3 COUNCIL PACKETS

On the Thursday before the regularly scheduled City Council Meeting, Councilors will receive a digital Council Packet, which will be sent by the City Manager to all City Councilor emails. A **Council Packet** is a collection of documents and materials provided to City Council members before a council meeting. It contains all the relevant information they need to review in preparation for the meeting, including the meeting agenda, reports from city departments, proposed ordinances or resolutions, financial data, and supporting documentation for agenda items. The council packet helps councilors make informed decisions by giving them time to study issues and proposals before they are discussed during the meeting.

It is important to note that the digital packet received by Councilors is not intended for public distribution as it may contain sensitive or confidential information. The City Clerk ensures that the public agenda and supporting documentation are posted to the City Website and at City Hall to comply with Maine FOAA law.

SECTION 3.4: DRESS CODE FOR CITY COUNCIL MEETINGS

City Council meetings are formal public events, and appropriate attire is expected to maintain a professional atmosphere. Council members, staff, and participants should dress in business or business casual attire to reflect the importance of the proceedings and to convey respect for the office and the public.

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Key guidelines include:

- **Business or business casual attire:** This includes dress slacks, blouses, collared shirts, blazers, dresses, skirts, and professional footwear.
- **Avoid casual clothing:** Items such as jeans, t-shirts, flip-flops, and overly casual or distracting attire are discouraged.
- **Neat and presentable appearance:** Clothing should be clean, well-fitted, and free of logos or messaging that may be deemed inappropriate for a formal setting.

SECTION 3.5: COUNCILOR ATTENDANCE AT CITY COUNCIL MEETINGS

It is important for City Councilors to be on time and attend City Council meetings regularly to ensure the smooth and efficient operation of city government. Punctuality and regular attendance allow councilors to fully participate in discussions, make informed decisions, and represent the interests of their constituents. Being present also ensures that quorum requirements are met, which is necessary for official actions and votes to take place. Consistent attendance fosters collaboration among council members and demonstrates a commitment to public service, accountability, and the well-being of the community.

SECTION 3.6 THE CITY COUNCIL MEETING AGENDA

Per the City Council Ordinance, Section 330.8, the Council must consider items on a meeting agenda in the following sequence:

- A. Minutes (of the last Regular Meeting, Special Meetings and/or Public Hearing since the last Regular Meeting related only to Regularly Scheduled Council Meetings).
- B. Awards, Petitions and Public Comments.
- C. Consent Calendar
- D. Monthly Reports.
- E. Nominations, Appointments, Elections.
 - 1. Consent Calendar
 - 2. Other nominations, appointments, and elections.
- F. Unfinished Business.
 - 1. Consent Calendar. (#11)
- G. New Business.
 - 1. Consent Calendar. (#11)
- H. New Items with Leave of Council.
- I. ADJOURN.

City Council minutes are the official written record of what occurs during a City Council meeting. These minutes capture important details such as the date and time of the meeting, the councilors in attendance, the agenda items discussed, motions made, votes taken, and any decisions or actions approved by the council. City Council minutes are essential for maintaining transparency and accountability, providing the public with an accurate account of the proceedings. Once approved by the council, these minutes become part of the public record and are often made available to the public for review.

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The “**Awards, Petitions, and Public Comments**” section of a City Council agenda is a designated time during the meeting for recognizing achievements, receiving formal petitions from the public, and allowing residents to address the council.

- **Awards:** The council may present awards or recognitions to individuals, organizations, or groups for outstanding contributions or achievements within the community.
- **Petitions:** Citizens may submit formal requests or petitions to the council, typically seeking action or consideration on specific community issues.
- **Public Comments:** This is an opportunity for residents to speak directly to the council, express concerns, share opinions, or provide feedback on city matters.

This section encourages public participation and allows the council to hear from and engage with the community.

The **Consent Calendar** on a City Council meeting agenda is a group of routine, non-controversial items that are bundled together and approved with a single vote, without separate discussion. These items typically include actions like approving meeting minutes, routine contracts, or minor budget adjustments. The consent calendar is used to streamline meetings by handling straightforward matters efficiently.

If a councilor or member of the public wishes to discuss or question an item on the consent calendar, they can request to have it removed for separate consideration. Otherwise, all items are passed together in one motion.

Monthly reports are regular updates submitted to the City Council by various city departments, committees, or boards to keep councilors informed about ongoing activities, projects, and developments within the city. These reports provide a summary of key performance indicators, accomplishments, challenges, and any significant issues that require attention or future action. By reviewing these reports, councilors gain insight into the operations and progress of different departments, helping them make informed decisions and stay connected with the City’s day-to-day functions. Monthly reports are a vital tool for transparency, accountability, and effective governance.

The “**Nominations, Appointments, and Elections**” section of a City Council meeting agenda is where the council handles the process of selecting individuals to serve on various city boards, committees, or commissions, as well as filling any vacant positions within the city government.

- **Nominations:** Councilors or the mayor may propose individuals for consideration to serve in these roles.
- **Appointments:** The council votes to appoint nominees to official positions after discussion and review.
- **Elections:** This pertains to any business which involves municipal, State or Federal elections. This can include, but is not limited to, appointment of ballot clerks, appointment of election wardens or issuing election results.

This section ensures that qualified individuals are chosen to guide city functions and contribute to effective governance.

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The **Unfinished Business** section on a City Council agenda includes items that were previously discussed at a past meeting but were not resolved or completed. These items require further deliberation, action, or a final vote by the council. Unfinished business may involve ongoing projects, ordinances awaiting approval, or issues that were postponed for additional information or discussion. This section ensures that important matters remain on the agenda until they are fully addressed and resolved by the Council.

The **New Business** section of a City Council agenda includes items that are being introduced for discussion or action for the first time. These may involve new proposals, ordinances, resolutions, or issues that have recently arisen and require the council's attention. During this part of the meeting, councilors and city staff present and discuss these new matters, and the council may take action, such as voting, referring the item to a committee, or scheduling it for further consideration at a future meeting. The "New Business" section allows for the introduction of fresh topics and decisions that impact the community.

The "**New Items with Leave of Council**" section of a City Council agenda allows for the introduction of new items that were not included in the official agenda, but that a councilor or city official wishes to bring up for discussion. To do so, the council must grant permission, or "leave," by unanimous vote, to address these new items. This section is used to address urgent matters or emerging issues that require immediate attention and weren't known in time to be included in the regular "New Business" section. It ensures flexibility in responding to time-sensitive matters while maintaining council approval.

The **Adjourn** section of a City Council agenda marks the official end of the council meeting. Once all business items have been addressed, a motion is made to adjourn the meeting, which requires a second and a formal vote by the council. This section signifies that the council has completed its work for the session and that the meeting is formally concluded. After adjournment, no further official business or decisions can be conducted until the next scheduled meeting.

SECTION 3.7: WHAT IS A MOTION AND A SECOND?

A **motion** is a formal proposal made by a member of a governing body, such as a City Council, during a meeting. It is a way for a councilor to suggest that the council take a specific action, such as passing an ordinance, approving a budget, or adopting a resolution. The motion outlines the action to be considered by the council.

After a motion is made, it requires a **second** to proceed. A second is when another councilor agrees that the motion is worth discussing and potentially voting on. The second does not necessarily mean that the councilor supports the motion, only that they believe it should be considered by the council. If no one seconds the motion, it fails to move forward, and no further discussion or vote takes place on that item. If seconded, the motion is opened for discussion and then voted on by the council.

SECTION 3.8: COUNCILOR CRIB SHEETS

The **Crib Sheet**, prepared by the Brewer City Clerk, is a customized script provided to each City Councilor for Council meetings. This script includes cues for when the councilor should speak, make a motion, second a motion, or vote on a particular matter. The crib sheet is unique to each councilor and helps guide them through the meeting's proceedings, ensuring smooth and organized interactions during discussions and decisions. It serves as a helpful tool to maintain order and clarity during the meeting.

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Councilors may request to receive their crib sheets in hard copy or digital format. These crib sheets are given to Councilors prior to the meeting to give each Councilor an opportunity to review.

SECTION IV: THE BUDGET FORMULATION AND ADOPTION PROCESS

Section 4.1 Role of a City Councilor in the Budget Formulation and Adoption Process

In the council-manager form of government, city councilors play a vital role in the formulation and adoption of the city's annual budget. The process typically unfolds in several stages, each requiring the involvement and oversight of the city council. Here's an overview of a councilor's responsibilities during each phase:

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1. Setting Budget Priorities

At the outset of the budget cycle, the City Manager works collaboratively with the City Council, Finance Director and Department Heads to establish budget priorities based on community needs and policy goals. This stage often includes one-on-one meetings between the City Manager, Councilors, and Department Heads about increased investment, cost-cutting measures, and funding for new initiatives. The council provides guidance to the city manager, who is responsible for preparing the proposed budget. The City Council may choose to hold a workshop to discuss goals for the upcoming fiscal year, which will help to establish budget priorities.

2. Reviewing the City Manager's Proposed Budget

Once the city manager has drafted the budget, it is presented to the council for review. During this stage, councilors scrutinize the budget in detail to ensure it aligns with established priorities. Councilors are expected to:

- **Ask questions** to gain a deeper understanding of proposed expenditures and revenue sources.
- **Analyze trade-offs** and the impact of spending on key services.
- **Engage with constituents** to gather input and feedback on budget priorities.

It is important to hold Council workshops at this stage so that Councilors can ask questions, provide input, and learn about the potential impacts of the proposed budget.

3. Deliberating and Changing the Budget

As part of the deliberation process, councilors may suggest changes to the proposed budget. These could include adjusting funding levels for specific departments, re-prioritizing projects, or reallocating resources based on new information. Councilors must balance fiscal responsibility with meeting the needs of the community. It is crucial that the City Council regularly discuss the potential impact of proposed changes with the City Manager. This can be accomplished through one-on-one meetings between the City Manager and a City Councilor, or in a public forum such as a Council workshop.

4. Public Informational Meeting

The public information meeting is the formal presentation by the city manager and school superintendent of the consolidated proposed City and School budgets to the City Council and the public. Although multiple public meetings/workshops on the budget have been held prior, the public information meeting provides a final opportunity for residents to learn about and provide feedback on the proposed municipal budget before it is adopted by the city council. During this meeting, city officials, including the city manager, finance staff, and the school department superintendent, present key aspects of the budget, such as proposed revenues, expenditures, and major projects or changes. The meeting provides an open forum for the public to ask questions, express concerns, and offer input. This meeting, along with the other public sessions during budget development, help ensure transparency, foster community engagement, and allow councilors to consider public opinion as they finalize the budget.

5. Adopting the Budget

Once the budget has been reviewed and amended as necessary, the council votes to adopt the final budget. This vote is one of the most critical decisions a city councilor makes, as it sets the financial course for the city for the upcoming fiscal year. Councilors must ensure that the adopted budget reflects sound financial management and supports the City's long-term goals.

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6. Ongoing Oversight

After the budget is adopted, councilors continue to oversee its implementation throughout the fiscal year. This involves monitoring financial reports, ensuring compliance with the adopted budget, and addressing any emerging financial challenges or opportunities. Councilors may be called upon to approve budget adjustments if necessary due to unforeseen circumstances.

Key Points to Remember:

- The **City Manager** is responsible for preparing the budget, while the **city council** is responsible for reviewing, amending, and approving it.
- Councilors must balance **community priorities, fiscal discipline, and long-term planning** throughout the process.
- Ongoing **oversight and accountability** are essential to ensure the budget is executed as intended.

By participating actively in the budget process, City Councilors ensure that the City’s financial resources are used effectively to meet the needs of residents and achieve the community’s strategic goals.

SECTION 4.2 CITY OF BREWER ANNUAL BUDGET DEVELOPMENT TIMELINE

Date	Milestone
December	City Council – workshop on budget process, schedule, goals
January	City and School initial budget meeting
February	City – budget requests due from depts
March	City Council – budget workshop (public welcome)

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April	School Committee – first reading of draft School budget
April	City Council – budget workshop (public welcome)
May	School Committee – second reading / vote to approve budget
May	Draft City-Sch-SW-WA budgets released to public
May/June	Joint City/School public information meeting on budget
June	City Council – vote to approve budget

**The City Council may call a workshop at any point in the budget process.
This schedule is subject to change.*

City of Brewer Budget Process

DECEMBER

- City Assessor provides first valuation estimate
- City Council holds workshop to establish goals and priorities for the upcoming Fiscal Year.

JANUARY

- Initial Budget meeting between the City and School.
- Budget instructions are sent to departments.

FEBRUARY

- School State education projects released.
- Department budgets are due.
- City Assessor provides the second valuation estimate.

MARCH

- State Revenue Sharing projections are available
- City Council holds a budget workshop

APRIL

- School Committee conducts first reading.
- City Assessor provides the third valuation estimate.
- City Council budget workshop
- Councilors meet with Manager

MAY

- School Committee conducts the second reading and votes to approve the school budget.
- Draft City, School, Sewer and Water budgets are released to the public.

JUNE

- Joint City/School public information meeting on the budget.
- City Assessor provides the final valuation estimate.

City Council votes to approve the budget

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2024-B048

November 19, 2024

TITLE: RESOLVE, ADOPT CITY OF BREWER CITY COUNCIL REMOTE PARTICIPATION POLICY BY COMPLETE SUBSTITUTION.

Filed November 12, 2024

By Dani O'Halloran

WHEREAS, the Brewer City Council recognizes the importance of clear guidelines for remote participation in its meetings; and

WHEREAS, the Brewer City Council wishes to adopt an updated Remote Participation Policy to enable flexibility for Council Members to participate remotely under certain conditions, including emergencies, illness, or other significant circumstances that make in-person attendance impracticable, as permitted under 1 M.R.S. § 403-B; and

WHEREAS, the City of Brewer has provided public notice and conducted a hearing on this matter, in compliance with Maine Freedom of Access Act requirements.

NOW, THEREFORE, BE IT ORDERED, by the City Council of Brewer, Maine, that the current Brewer City Council Remote Participation Policy is hereby amended by adopting, in full substitution, the new Remote Participation Policy as presented.

Statement of Fact: This policy provides for remote participation by City Council Members in situations where in-person attendance is not practicable and ensures the public will have a meaningful opportunity to attend via remote methods when such methods are in use. It also requires that notice and accommodations be provided to ensure accessibility and transparency in accordance with Maine's Freedom of Access Act.

BREWER CITY COUNCIL
REMOTE PARTICIPATION POLICY

Explanatory Note: This updated policy authorizes remote participation by the Brewer City Council under emergency or urgent conditions as well as by individual Council Members when in-person attendance is not practicable pursuant to 1 M.R.S. § 403-B.

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the Brewer City Council hereby amends by complete replacement the current Brewer City Council Remote Participation Policy by adopting the following new policy to govern remote participation for meetings that are public proceedings as defined in the Maine Freedom of Access Act.

Consistent with 1 M.R.S. § 403-B, Brewer City Council Members are expected to be physically present for meetings except when not practicable. Without limiting the generality of the foregoing, the following are situations when physical presence is not practicable:

1. **Emergency/Urgent Issue.** The existence of an emergency or urgent issue requires the Brewer City Council to meet by remote methods.
2. **Illness, Other Physical Condition, or Temporary Absence.** Illness, other physical condition, or physical location causes significant difficulty for a Council Member to travel to the meeting location. Examples include:
 - a. Medical illness or condition
 - b. Disability
 - c. Family or other emergency
 - d. Employment purposes
 - e. Military service
 - f. Travel outside the City of Brewer making it significantly difficult to attend in-person.

A Council Member may not participate by remote methods for mere convenience or ease.

A Council Member who is unable to attend a meeting in person will notify the City Manager as far in advance as possible. The City Manager, in consultation with City Staff and City Solicitor as may be necessary or appropriate, will make a determination that remote methods of participation are necessary in as timely manner as possible under the circumstances and take steps to properly notice and setup the meeting.

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

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The public will be provided a meaningful opportunity to attend via remote methods when the Brewer City Council or any Council Member thereof participates via remote methods in a meeting (i.e., for any all-remote meetings or any hybrid meetings). If public input is allowed or required at the meeting, an effective means of communication between the Brewer City Council and the public will also be provided.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable bylaw. When a meeting is held via remote methods (whether all remote or hybrid), notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. The Brewer City Council will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the Brewer City Council to meet using remote methods of attendance (i.e., the public must be allowed to attend in-person for any hybrid meetings, but may be restricted to remote methods if the entire City Council meets remotely).

The Brewer City Council will make all documents and materials to be considered available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the City.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the Brewer City Council. A Council Member(s) who participates remotely will be considered present for purposes of a quorum and voting for meetings.

This policy will remain in force unless amended or rescinded.

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2024-A204

November 19, 2024

TITLE: ORDER, ACCEPT IMPROVEMENTS TO BREWER COMMUNITY POOL AND BREWER PUBLIC LIBRARY FROM LOWE'S HOME IMPROVEMENT.

Filed November 12, 2024
By William Kimball

WHEREAS, Lowe's Home Improvement, through the Lowe's Hero Program, has shown exemplary community service by refurbishing and repainting the Brewer Community Pool bathhouse, a valued community resource, and providing a new refrigerator for the staff break room at the Brewer Public Library; and

WHEREAS, Lowe's Hero Program volunteers dedicated over 130 hours of labor to this effort (an estimated value of over \$2,000), demonstrating their commitment and care for the people of Brewer; and

WHEREAS, Lowe's generously donated over \$9,000 in equipment and supplies, and its paint supplier, Sherwin-Williams, also contributed over \$10,000 in paint, which was used on the bathhouse renovation; and

WHEREAS, the bathhouse project has greatly improved the condition and appeal of the facility, providing a more enjoyable experience for all residents and visitors; and

WHEREAS, the refrigerator replacement at the Brewer Public Library is much appreciated by Library staff.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith recognizes and extends its gratitude to Lowe's Hero Program and Sherwin-Williams for their generous contribution to the beatification and improvement of the City of Brewer; and

BE IT FURTHER ORDERED, that the City Council gratefully accepts these improvements to the Brewer Community Pool bathhouse and the Brewer Public Library that have an estimated combined value of over \$21,000.

Statement of Fact: This order recognizes Lowe's Home Improvement for their recent donations, which include renovations to the Brewer Community Pool bathhouse and a new refrigerator for the Library's staff break room.

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2024-A205

November 19, 2024

TITLE: ORDER, AUTHORIZE PAYMENT TO HOPKINS LANDSCAPE AND PAVING FOR MILLING AND PAVING SERVICES ON NORTH MAIN STREET.

Filed November 12, 2024
By Michele Daniels

WHEREAS, the City of Brewer experienced two water main breaks near the intersection of North Main Street and State Street, which required immediate repairs to ensure the safety and functionality of the roadway; and

WHEREAS, these water main repairs necessitated milling and paving work on a portion of North Main Street to restore the road to a suitable condition; and

WHEREAS, Hopkins Landscape and Paving completed the necessary milling and paving work at a cost of \$28,250.

NOW, THEREFORE, BE IT ORDERED, that the City Council of the City of Brewer hereby authorizes payment in the amount of \$28,250 to Hopkins Landscape and Paving for the completion of milling and paving services on North Main Street resulting from emergency water main repairs; and

BE IT FURTHER ORDERED, this purchase is authorized under Chapter 36 of the City's Purchasing Ordinance, Section 302.2.1 "Emergencies," which allows the City Manager to authorize an immediate negotiated purchase of supplies or services necessary to protect the best interest of the City when the public exigency will not permit the delay incident to advertising; and

BE IT FURTHER ORDERED, that costs associated with this repair work be charged to 0718501 501065, WATER TRANS & DIST - CONT SVCS, OTHER SERVICES.

North Main Paving bids	
Contractor	Estimate
B&B Paving	\$55,700
Hopkins Paving	\$28,250
Eastwood Construction	no bid

Statement of Fact: In October, two major water main breaks occurred near the intersection of North Main Street and State Street, requiring immediate attention to maintain roadway safety and prevent further infrastructure damage. Hopkins Landscape and Paving completed necessary milling and paving work at a cost of \$28,250. This order authorizes payment to Hopkins Landscape and Paving for their services, ensuring that the City meets its obligations for emergency repairs and roadway restoration.

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2024-A206

November 19, 2024

TITLE: ORDER, AUTHORIZE PAYMENT TO EASTWOOD CONTRACTORS, INC.
FOR COMPLETION OF EMERGENCY WATER MAIN AND ROAD
REPAIRS.

Filed November 12, 2024
By Dani O'Halloran

WHEREAS, the City of Brewer experienced two water main breaks near the intersection of North Main Street and State Street, necessitating immediate repairs to the water main; and

WHEREAS, the extent of the damage required larger equipment, additional personnel, and comprehensive repairs to both the main water line and the roadway to restore water service to customers; and

WHEREAS, the second break necessitated the replacement of approximately 60 feet of the main water line.

NOW, THEREFORE, BE IT ORDERED, that the City Council of the City of Brewer hereby authorizes a payment in the amount of \$18,831 to Eastwood Contractors, Inc. for the completion of emergency water main and road repairs; and

BE IT FURTHER ORDERED, this purchase is authorized under Chapter 36 of the City's Purchasing Ordinance, Section 302.2.1 "Emergencies," which allows the City Manager to authorize an immediate negotiated purchase of supplies or services necessary to protect the best interest of the City when the public exigency will not permit the delay incident to advertising; and

BE IT FURTHER ORDERED, that costs associated with this repair work be charged to 0718501 501065, WATER TRANS & DIST - CONT SVCS, OTHER SERVICES.

Statement of Fact: In October, two significant water main breaks occurred near the intersection of North Main Street and State Street, necessitating immediate repairs to the main line to ensure roadway safety and prevent further infrastructure damage. Consequently, a section of North Main Street required the replacement of a portion of the main line and subsequent road rebuilding. Eastwood Contractors Inc. was engaged to assist in these critical repairs at a cost of \$18,831. This order authorizes payment to Eastwood Contractors Inc. for their services, ensuring that the City fulfills its obligations for emergency repairs and roadway restoration.

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2024-A207

November 19, 2024

TITLE: ORDER, AUTHORIZE REALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDING TO ENSURE USE BEFORE DEADLINE.

Filed November 12, 2024
By William Kimball

WHEREAS, as a result of the federal American Rescue Plan Act of 2021 (ARPA), the City of Brewer received a total of \$955,347.44 in Coronavirus State and Local Fiscal Relief Program (SLFRP) funds (\$954,238.78 in original allotment and \$1,108.66 in a supplemental allotment); and

WHEREAS, between June 2023 and June 2024, through approval of the City’s Capital Improvement Programs (CIPs), the Brewer City Council approved uses for all but the supplemental portion of the ARPA funds as shown in the table below, which also shows amounts expended to date:

ARPA Approved Uses	Approved Amount	Expended to Date	Project Status
Purchase of COVID tests	\$ 2,599.85	\$ 2,599.85	COMPLETE
Replace Street Sweeper	\$279,900.00	\$279,000.00	COMPLETE
Police Computer Replacement	\$ 20,100.00	\$ 20,100.00	COMPLETE
Doyle Field Light Replacement Project	\$298,000.00	\$ -	Contract awarded. Spring build.
Expanded Annual Paving Program	\$145,000.00	\$145,000.00	COMPLETE
Sewer - S Main Pump Station Imprvmnts	\$ 60,000.00	\$ 60,000.00	COMPLETE
Sewer - N Main Pump Station Generator	\$ 48,638.93	\$ 48,545.00	COMPLETE
Water - Hatcase Pond Fiber and Security	\$100,000.00	\$ -	RFP out now. Award contract in Dec.
	<u>\$954,238.78</u>	<u>\$555,244.85</u>	
Late allotment yet to be allocated	\$ 1,108.66	\$400,102.59	Remaining to spend
Total ARPA Allotment	<u><u>\$955,347.44</u></u>	<u><u>\$955,347.44</u></u>	Total APRA Allotment

; and

WHEREAS, federal rules require that ARPA funds be obligated to a project and under contract no later than December 31, 2024, and fully expended no later than December 31, 2026, otherwise the funds must be returned to Washington; and

WHEREAS, of the \$400,102.59 left to expend, we are confident of having \$314,009.50 of that under contract before the December 2024 deadline and expended by the end of 2025 (\$100,000 for Water’s Hatcase Pond project and \$214,009.50 for the Doyle Field project); and

WHEREAS, the other \$86,093.09 of the remaining \$400,102.59, most of which was originally approved for use on the Doyle Field project, needs to be expended or under contract before December 31, 2024 or those funds must be returned to the federal government; and

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WHEREAS, the City can meet this deadline by reallocating the \$86,093.09 to fund the City’s 2024 paving program, which is already complete, and moving a portion of the paving program’s bond funding to the Doyle Field project to replace the ARPA funds that can’t be obligated by the December 2024 deadline; and

WHEREAS, this exchange of funding sources is in accordance with both ARPA rules and regulations as well as the City’s bond authorization.

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the appropriation and expenditure of \$86,093.09 in ARPA Coronavirus SLFRP funds from 0200001-520000-20614 (ARPA Paving) to support Brewer’s annual paving program taking place in 2024 and that these funds come from the following reallocation sources:

ARPA Uses	Original Amount	Proposed Reallocation	Revised Amount
Purchase of COVID tests	\$ 2,599.85	\$ -	\$ 2,599.85
Replace Street Sweeper	\$279,900.00	\$ (900.00)	\$279,000.00
Police Computer Replacement	\$ 20,100.00	\$ -	\$ 20,100.00
Doyle Field Light Replacement Project	\$298,000.00	\$(83,990.50)	\$214,009.50
Expanded Annual Paving Program	\$145,000.00	\$ 86,093.09	\$231,093.09
Sewer - S Main Pump Station Improvements	\$ 60,000.00	\$ -	\$ 60,000.00
Sewer - N Main Pump Station Generator	\$ 48,638.93	\$ (93.93)	\$ 48,545.00
Water - Hatcase Pond Fiber and Security	\$100,000.00	\$ -	\$100,000.00
Late APRA allotment yet to be allocated	\$ 1,108.66	\$ (1,108.66)	\$ -
Total City of Brewer ARPA Funding	<u>\$955,347.44</u>	<u>\$ (0.00)</u>	<u>\$955,347.44</u>

; and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the reallocation of \$83,990.50 in bond funding from the City’s annual paving program (0510113-551311) to the Doyle Field Light Replacement Project (02000001-520000-20613) to replace the APRA funds that could not be obligated by the deadline.

Statement of Fact: This order ensures that the City meets the December 31, 2024 federal deadline to obligate ARPA funds and is not required to return any of its ARPA money to Washington. The order reallocates a portion of ARPA funds approved for use on the Doyle Field project (which did not get constructed in 2024 as originally anticipated) to the City’s 2024 paving program, which is complete, and moves a portion of the paving program’s bond funding to the Doyle Field project to replace the ARPA funds. This exchange of funding sources is in accordance with both ARPA rules and regulations as well as the City’s bond authorization.

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2024-B049

November 19, 2024

TITLE: RESOLVE, ADOPT POLICY REGARDING CITY COUNCIL MEMBER
COMMUNICATIONS WITH CITY EMPLOYEES.

Filed November 12, 2024

By Jenn M. Morin

BE IT RESOLVED, that the Brewer City Council hereby adopts the “Policy Regarding City Council Member Communications with City Employees” as presented and attached hereto; and

BE IT FURTHER RESOLVED, that this policy shall provide guidance to City Council Members in their communications with City employees, outlining the proper channels and boundaries to ensure respect for the administrative structure and chain of command, in alignment with the City Charter, Code of Ordinances, and the City of Brewer Personnel Policy; and

BE IT FURTHER RESOLVED, that any conflicts between this policy and existing provisions of the City Charter, Code of Ordinances, or City of Brewer Personnel Policy shall default to those controlling documents; and

BE IT FURTHER RESOLVED, that this policy shall be referenced by City Councilors to understand their role in refraining from involvement in administrative activities, directing City employees, or participating in disciplinary matters, except as provided by adopted City policy or state law.

Statement of Fact: The purpose of this order is to adopt a formal policy governing communications between City Council Members and City employees. This policy provides clear guidelines to ensure that Council Members communicate with employees in a manner that respects the established administrative structure and avoids any interference with the duties and responsibilities of City employees. The policy clarifies that Council Members should not involve themselves in daily operations or disciplinary processes, unless otherwise specified by City policy or state law, to maintain an objective and consistent approach to employee management and avoid potential conflicts or misunderstandings. The policy establishes that while Council Members may inquire with department heads or their designees on matters of immediate concern or relevant to Council agenda items, they should refrain from providing direction to employees or involving themselves in administrative actions. Furthermore, it reinforces the City’s chain of command, requiring Council Members to address any concerns about employee performance or conduct through the City Manager. This policy serves to balance Council Members’ access to information needed for decision-making with the operational integrity and administrative authority of the City Manager and department leaders. Adopting this policy is essential for maintaining a professional and efficient working relationship between the Council and City employees.

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POLICY REGARDING CITY COUNCIL MEMBER COMMUNICATIONS WITH CITY EMPLOYEES

This Policy is adopted by the City Council to govern and provide guidance to Council Members when communicating with City employees. To the extent this policy conflicts with any provision of the City Charter, Code of Ordinances, or City of Brewer Personnel Policy, the City Charter, Code of Ordinances, or City of Brewer Personnel Policy shall control.

- A. Council Members shall refrain from becoming directly involved in the administrative activities and daily responsibilities of employees. Council Members may make inquiries of department heads or their designee, for the limited, legitimate purpose of informing themselves regarding agenda items or important affairs of an immediate and urgent nature. The City Manager may choose to establish formal procedure for Council Member-department head interaction and staff support of Council committees.
- B. Council Members shall avoid situations that can result in City employees being directed, intentionally or unintentionally, by one or more Members of the Council. While Council Member interaction with the City employees is unavoidable, giving direction regarding City employees, duties, working conditions, supervisors, or discipline is not allowed. If an employee voices a concern or complaint with a Councilor, they may listen to such concerns and complaints, and shall then refer any such complaints back to the City Manager, or if the City Manager is involved in the matter, to the human resources manager, for follow up and action, if needed. Council Members may remind the City's employees that they have a number of resources at their disposal to address employment issues if needed, including the City of Brewer Personnel Policy, or following the grievance procedures set forth in their collective bargaining agreement in the case of a union employee. This section shall not be construed as prohibiting or discouraging employees from reporting criminal acts or serious acts of personal misconduct that violate City ordinance or policy.
- C. In situations in which an employee approaches a Council Member and the communication does not involve a complaint or concern with regard to other City employees, duties, working conditions, supervisors, or other terms of employment, the Council Member(s) may freely speak with the employee.
- D. Nothing herein shall diminish a Council Member's constitutional right to free association or speech with any City employee during any City employee's time when not in work status.

COUNCIL MEMBERS AND THE EMPLOYEE DISCIPLINARY PROCESS:

- A. Council Members shall not become involved in disciplinary matters and the disciplinary or investigative process except where adopted City policy or state law may allow such participation.
- B. Council Members shall operate within the city's established chain of command. The established chain of command requires the City Manager, department heads, managers, and supervisors to oversee and direct their workforce on behalf of the City. The City Manager's Office is required to ensure City policies are consistently applied across all departments. If a Council Member has a concern or complaint about an employee's job performance or ethical behavior, the Council Member must bring the matter to the City Manager for further investigation and/or action. This is

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to avoid inconsistent or political influences in the investigative or disciplinary process, which may lead to arbitration, civil service proceedings, or litigation.

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2024-A208

November 19, 2024

TITLE: ORDER, AUTHORIZE FIRE DEPARTMENT ENGINE CONTROL UNIT
REPAIRS FOR LADDER 305.

Filed November 13, 2024
By Dani O'Halloran

WHEREAS, the Brewer Fire Department's frontline fire truck Ladder 305 began to demonstrate random electrical malfunctions that would shut down essential operational equipment, and activate alarms forcing the operator to shut down the truck; and

WHEREAS, vehicle performance for Ladder 305 became a safety concern for firefighters operating the truck and for emergency personnel depending on truck operation; and

WHEREAS, the City Public Works Department attempted to diagnose issues with Ladder 305, however alarms would not log properly within the trucks system making diagnoses challenging and time consuming; and

WHEREAS, Ladder 305 was sent to Reliance Equipment for further troubleshooting, diagnoses and repair; and

WHEREAS, Reliance Equipment logged twenty-two hours on the unit, and replaced an onboard Electronic Command Unit.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith authorizes the appropriation and expenditure of \$10,050.41 from 0115911-504200 (Fire Vehicle Maintenance and Repair) to pay for unanticipated diagnostic work and repair for Ladder 305.

Statement of Fact: This order appropriates \$10,050.41 in unanticipated apparatus repair work for Ladder 305.

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

D. Monthly Reports

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

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E. Nominations, Appointments, Elections

2024-B050

November 19, 2024

TITLE: RESOLVE, DECLARE THE RESULTS OF NOVEMBER 5, 2024 CITY OF BREWER MUNICIPAL ELECTION, UNITED TECHNOLOGIES CENTER REFERENDUM ELECTION, AND STATE OF MAINE REFERENDUM ELECTION AND GENERAL ELECTION.

Filed November 7, 2024

By William Kimball

WHEREAS, the City of Brewer Municipal Election, the United Technologies Center Referendum Election, and the State of Maine Referendum Election and General Election were held on November 5, 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 Brewer Municipal Election, the United Technologies Center Referendum Election, and the State of Maine Referendum Election and General Election as follows:

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**CITY OF BREWER, MAINE
RETURN OF VOTES CAST**

At a legal meeting of the inhabitants of consolidated ward one in the City of Brewer, qualified by the Constitution and Laws of the State of Maine to vote for Representatives held on November 5, 2024 said inhabitants gave in their vote for two members of the City Council for 3-year terms, two members of the School Committee for 3-year terms, and one member of the High School District Trustees for a 5-year term and the same were received, sorted, counted, declared and registered in open ward meeting, by the Warden who presided, and in the presence of the Ward Clerk and City Clerk, who formed a list of the whole number of ballots given in, and of the persons voted for, and made a record thereof as follows:

FOR TWO MEMBERS OF THE CITY COUNCIL (3-YEAR TERMS)

Jenn M. Morin	had	3,644
William Kimball	had	2,861

FOR TWO MEMBERS OF THE SCHOOL COMMITTEE (3-YEAR TERMS)

Erika Largay	had	2,617
Kevin Forrest	had	2,338
Matthew Damon	had	2,039

FOR ONE MEMBER OF THE HIGH SCHOOL DISTRICT TRUSTEES (5-YEAR TERM)

Timothy Daniels	had	4,362
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Total Ballots Cast: 5,346

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MUNICIPAL CLERK'S RETURN AND CERTIFICATE
AS TO RESULTS OF VOTING

CITY OF BREWER

I certify that the result of the vote taken on Question 1 of the Warrant and Notice of Election in the City of Brewer, covering the United Technologies Center (Region 4 Southern Penobscot County Vocational Region) Referendum held November 5, 2024 relating to the issuance of bonds or notes for minor capital project purposes by United Technologies Center (Region 4 Southern Penobscot County Vocational Region) is as follows:

QUESTION 1:

Yes	<u>4,149</u>
No	<u>960</u>
Blank	<u>231</u>

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STATE OF MAINE RETURN OF VOTES CAST

MUNICIPALITY: BREWER - 1 (1-1)

QUESTION 1: CITIZEN INITIATIVE

3,819 YES
1,280 NO
262 BLANK

QUESTION 2: BOND ISSUE

2,833 YES
2,248 NO
280 BLANK

QUESTION 3: BOND ISSUE

2,469 YES
2,631 NO
261 BLANK

QUESTION 4: BOND ISSUE

2,696 YES
2,355 NO
310 BLANK

QUESTION 5: STATE REFERENDUM

1,804 YES
3,359 NO
198 BLANK

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STATE OF MAINE RETURN OF VOTES CAST

MUNICIPALITY: BREWER - 1 (1-1)

PRESIDENT AND VICE PRESIDENT

2,550 HARRIS, KAMALA D. AND WALZ, TIM
39 OLIVER, CHASE AND TER MAAT, MIKE
54 STEIN, JILL AND WARE, RUDOLPH
2,615 TRUMP, DONALD J. AND VANCE, JAMES D.
18 WEST, CORNEL AND ABDULLAH, MELINA
0 AYYADURAI, SHIVA / ELLIS, CRYSTAL (Declared Write-In)
6 DE LA CRUZ, CLAUDIA / GARCIA, KARINA (Declared Write-In)
0 DYER, ROBERT R. / WHITTEN, DANIEL K. (Declared Write-In)
0 SONSKI, PETER A. / ONAK, LAUREN M. (Declared Write-In)
95 BLANK

REGISTER OF PROBATE (PENOBSCOT)

2,605 SIMMONS, HILARI K.
2,427 STUPAK, RENEE M.
345 BLANK

COUNTY COMMISSIONER (District 1)

2,518 TREMBLE, DANIEL J.
2,536 WESTON, CARY M.
323 BLANK

UNITED STATES SENATOR

138 CHERRY, JASON S.
581 COSTELLO, DAVID ALLEN
2,505 KING, ANGUS S. JR.
2,011 KOUZOUNAS, DEMI
142 BLANK

REPRESENTATIVE TO CONGRESS (District 2)

2,840 GOLDEN, JARED FORREST
2,369 THERIAULT, AUSTIN
5 MERENDA, DIANA D. (Declared Write-In)
163 BLANK

STATE SENATOR (District 10)

2,669 DANIELS, MICHELE LABREE
2,466 HAGGAN, DAVID G.
242 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 20)

2,442 JUDE, PATRICK
2,550 O'HALLORAN, DANI L.
244 BLANK

REPRESENTATIVE TO THE LEGISLATURE (District 24)

64 LAPOINTE, DANIEL
70 PERRY, JOSEPH C.
7 BLANK

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ACTION: Councilor Kimball moved that the resolve be adopted. Councilor Daniels seconded the motion. The motion passed with a vote of 4 to 0.

F. Unfinished 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 Daniels moved that the amendment be enacted. Councilor O’Halloran seconded the motion. The motion passed with a vote of 4 to 0.

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**G. New Business
Consent Calendar**

2024-C016

November 19, 2024

TITLE: ORDER, AMEND CHAPTER 36 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “PURCHASING ORDINANCE”, ARTICLE 3, ENTITLED “FUNCTIONS AND POLICIES”, TO STRENGTHEN CONTROLS.

Filed November 7, 2024
By Michele Daniels

WHEREAS, Chapter 36 of the Charter, Codes, and Ordinances, entitled “Purchasing Ordinance”, currently requires the City Manager “poll” the City Council for approval of purchases that fall between \$10,000 and \$15,000; and

WHEREAS, the process of “polling” is difficult to document and, therefore, to verify compliance with after the fact; and

WHEREAS, best practice in purchasing internal control would be establish a bright line between the City Manager’s purchasing authority and that of the City Council such that each step can be documented and verified after the fact as needed.

NOW, THEREFORE, BE IT ORDAINED, by the Brewer City Council that Chapter 36, of the Charter, Codes and Ordinances of the City of Brewer, entitled “Purchasing Ordinance”, Article 3, entitled “Functions and Policies”, be amended as follows:

ARTICLE 3. FUNCTIONS AND POLICIES

SECTION 302.1.4 APPROVAL

No purchase of supplies or services exceeding Fifteen Thousand Dollars (\$15,000.00) shall be made without the written approval of the City Council. ~~For purchases over Ten Thousand Dollars (\$10,000.00) but less than Fifteen Thousand Dollars (\$15,000.00), the City Manager shall poll all members of the City Council for an approval by consensus.~~

SECTION 302.2.3 MINIMUM PURCHASE

Negotiations may be used for the purchase of supplies and services when the estimated cost does not exceed Fifteen Thousand Dollars (\$15,000.00). ~~For purchases over Ten Thousand Dollars (\$10,000.00) but less than Fifteen Thousand Dollars (\$15,000.00), the City Manager shall poll all members of the City Council for an approval consensus.~~

SECTION 302.3.3 PURCHASES ONE THOUSAND DOLLARS (\$1,000.00) TO FIFTEEN

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THOUSAND DOLLARS (\$15,000.00)

Negotiated purchases exceeding One Thousand Dollars (\$1,000.00), but not exceeding Fifteen Thousand Dollars (\$15,000.00) in value, must be approved by the City Manager prior to award. Approval requests will include a full statement justifying the award recommendation. ~~For purchases over Ten Thousand Dollars (\$10,000.00), but less than Fifteen Thousand Dollars (15,000.00), the City Manager shall poll all members of the City Council for an approval by consensus.~~

SECTION 302.3.4 PURCHASES EXCEEDING FIFTEEN THOUSAND DOLLARS (\$15,000.00)

Negotiated purchases exceeding Fifteen Thousand Dollars (\$15,000.00) or greater in value must be approved by the City Council prior to award. Request for such approval will be accompanied by a full statement of facts justifying the recommendation for award. ~~For purchases over Ten Thousand Dollars (\$10,000.00) but less than Fifteen Thousand Dollars (\$15,000.00), the City Manager shall poll all members of the City Council for an approval by consensus.~~

SECTION 302.3.5.7 EXCEPTION

These rules and procedures for employing engineers, architects, surveyors or other professions should not apply to those instances where (a) the City contracts for such services ~~of~~ in connection with the review of subdivisions or site plan reviews and where the applicant for the project has paid the City money for an escrow account to offset the City's costs for such services; (b) the cost of said services is expected to be less than Five Thousand Dollars (\$5,000.00) in any one occurrence (up to a maximum of Fifteen Thousand Dollars (\$15,000.00) in any given year); (c) when, in the judgment of the City Manager ~~and upon polling of the members of the City Council~~, a delay in securing such services through public announcement and/or bid solicitation will negatively impact the City, its services, or its ability to meet project requirements in a cost-effective and/or timely way.

Statement of Fact: This order amends the City's Purchasing Ordinance to improve accountability and controls by removing the "polling" of the City Council for purchases between \$10,000-\$15,000 since the "polling" process is difficult to document and verify. In removing the polling requirement, the Purchasing Ordinance would ensure the following approvals for all purchases:

Approving Body	Approval Required	Approval Method
Department Head	All purchases	Signature or PO approval
City Manager	Purchases \$1,000 and over	Signature or PO approval
City Council	Purchases over \$15,000	Council vote

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2024-C017

November 19, 2024

TITLE: ORDER, AMEND CHAPTER 24 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED "LAND USE CODE", ARTICLE 3, "ZONING DISTRICTS", SECTIONS 306 AND 307, AND ARTICLE 4, "PERFORMANCE STANDARDS", SECTION 413.

Filed November 12, 2024
By Dani O'Halloran

BE IT ORDAINED, by the Brewer City Council that Chapter 24, of the Charter, Codes and Ordinances of the City of Brewer, entitled "Land Use Code", be changed by making the following amendments to Article 3, "Zoning Districts", Sections 306 and 307, and Article 4, "Performance Standards", Section 413:

ARTICLE 3 ZONING DISTRICTS

306.1 ACTIVITY CATEGORIES AND PURPOSES OF ZONING DISTRICTS

The purposes of the several zoning districts are as follows:

"General Business District" The purpose of this district is to provide for a variety of commercial uses, including highway oriented types. The area is intended to be the location for the communities major shopping facilities, including shopping centers. The standards of the district are intended to encourage developments which have controlled vehicular access. The basic utilization unit is one acre; ~~on~~ off lot water and sewer are required.

307 DIMENSIONAL REQUIREMENTS (#31)

307.1 SCHEDULE OF DIMENSIONAL REQUIREMENTS (#57)

All parcels of land, structures and uses shall meet or exceed the following minimum dimensional requirements. Non-conforming parcels of land cannot be created unless otherwise indicated in this ordinance. Letters adjacent to some dimensional requirements refer to notes at the end of the schedule which contain additional requirements. "N/A" shall mean "Not Allowed".

307.2 USE OF ~~TRIANGULAR AREA LAND~~ ADJACENT TO INTERSECTIONS OF PUBLIC STREET CORNERS

The following provisions shall apply to the ~~triangular~~ area land adjacent to intersections of public street corners:

- ~~1- The location of regulated private land adjacent to public street corners shall be determined and the same as that described in the planting setbacks contained in Article 4 Section 426 of this Land Use Code. On residential properties, the triangle shall be located by measuring a line five (5) feet along each edge of the traveled ways and connecting the ends of the two~~

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~~lines that are farthest from the corner. On commercial properties, the triangle shall be located by measuring a line 10 (ten) feet along each edge of the traveled ways and connecting the ends of the two lines that are farthest from the corner.~~

2. All regulations contained in Article 4 Section 426 of this Land Use Code shall apply.
3. No structure, trees, or plantings shall be allowed within said area described in Section 307.4 above. ~~the triangular area if they interfere with or obstruct sight distance.~~
4. The provisions of this standard shall apply prospectively from the effective date of this Land Use Code.
5. The Code Enforcement Officer shall order the removal of any structure; tree or planting that interferes with or obstructs sight distance.
6. City signs and utilities shall be exempt from the provisions of this standard.

ARTICLE 4 PERFORMANCE STANDARDS

413 EXCAVATION, REMOVAL, AND FILLING AND GRADING OF LANDS (#4)

Any excavation, removal, filling, grading or depositing of inert fill as defined in M.R.S. Title 38 §1303-C within the City of Brewer shall meet the requirements of this Article. The use of land for the excavation, removal, filling, grading or depositing of inert fill as defined in M.R.S. Title 38 §1303-C not prohibited by law, is permitted in the districts set forth in this ordinance provided that such activity will not entail the following:

1. Increase runoff or cause flooding on property of others; or
2. Cause erosion or sedimentation; or
3. Alter any waters of the State, stream, watercourse, natural drainage way or wetland without first having obtained requisite State and/or Federal permits. ~~or~~
4. Cause disturbance to stormwater treatment measures or Shoreland Zoning setback buffers or disturb or alter any "sensitive area" identified by qualified professions which may include but not be limited to restricted buffers, waters of the State and Shoreland Zoning, protected natural resources, predevelopment drainage ways, and significant and essential wildlife habitats without first having obtained requisite City, State and/or Federal permit approvals.

413.1 APPROVAL REQUIRED

- A. Such excavation, removal and filling and grading shall be in accordance with a fill and grading plan, for approval ~~to~~ by the Planning Board. The City Engineer must approve the plan prior to the approval of the Planning Board. This regulation does not apply to normal soil removal for basement or foundation work when a building permit has previously been issued by the Code Enforcement Officer or filling or removal of material indicated on an approved site plan pursuant to Article 6 of this Land Use Code.

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- B. ~~Filing Filling~~ or removal of fill material less than 200 cubic yards per property per calendar year shall not require an approved fill and grading plan when such filling and grading ~~does not encroach on any wetland areas—is incidental to, and in connection with, normal soil removal for swimming pool, basement or foundation work when a building permit has been issued by the Code Enforcement Officer or filling or removal of material indicated on an approved site plan pursuant to Article 6 of this Land Use Code and which does not involve activities listed under Section 413 above.~~ However, all such filling or removal shall require written approval from the Code Enforcement Officer and City Engineer to be filed with the Code Enforcement Officer.

413.2 FILL AND GRADING PLAN (#37)

- A. The procedure for Planning Board review and approval of a fill and grading plan shall be the same as outlined in Article 6 of this Land Use Code ordinance for a minor site plan.
- B. Fees for a fill and grading plan shall be a non-refundable application fee set forth in the City Council adopted fee schedule, payable to the City of Brewer, plus the technical review/escrow account fee as defined in Article 6 of this ordinance for a minor site plan. The applicant is responsible for the legal notice fees for the required public hearing as set forth in the then current City Council adopted fee schedule.
- C. The fill and grading submission shall contain the following:
1. Application form.
 2. Demonstration of sufficient right, title or interest in the property. (see Section 606.1 of this Land Use Code ordinance for options).
 3. A 24" x 36" fill and grading plan sheet drawn at a scale of not less than one (1) inch equals twenty feet, fifty (50) feet equals one (1) inch, showing:
 - a. existing and proposed grades, including at no more than two foot contour intervals with corresponding basis of elevation and who/how the contours were determined. If a Maine registered surveyor is not utilized to complete the contours, the plan shall include base point with elevation and several existing grade shots such that accuracy of information can be reviewed;
 - b. drainage and stormwater treatment areas;
 - c. existing site conditions and utility infrastructure (soils, vegetation, property lines, entrances and streets, flood areas, culverts, sewer manholes, catchbasins, water shut offs, gas shut offs, utility poles, buildings, wells, subsurface wastewater disposal systems, location of on-site and adjacent protected natural resources, public drinking water supplies, etc.);
 - d. location of sensitive areas on and within one-hundred (100) feet of the site including natural water resources and intermittent channels, significant and essential wildlife habitats, and natural areas and natural communities;
 - e. location of vegetated buffers not to be disturbed;
 - f. limits of disturbance including vegetation clearing and grading which shall be marked on the site and maintained throughout the project;
 - g. project schedule along with erosion control inspection frequency;
 - h. temporary and permanent erosion control measures meeting "Best Management Practices" including an erosion and sedimentation control plan in accordance with

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~~the standards and requirements of Chapter 500 defined in this Land Use Code; using 12 point items outline in Erosion and Sedimentation Control: Best Management Practices, published by the Maine Department of Environmental Protection, Bureau of Land and Water Quality, dated March 2003~~

~~i. Submittal of required information in accordance with Sections 440, 439.2 and 439.2.2 of this Land Use Code as applicable;~~

~~j. plus other data as may be required by the City Engineer, Code Enforcement Officer and/or City Planner;~~

~~k. Upon completion of all such excavation, removal and filling of lands, it shall be graded, loamed and seeded.~~

4. Demonstration that the items listed under Section 413 above will be met.

413.3 ~~MINERAL EXTRACTION- REMOVAL OF FILL, GRAVEL, STONE, LOAM~~

~~In the districts set forth in this Land Use Code within the City of Brewer, provided that such operation will not have a significant detrimental effect on the use and peaceful enjoyment of abutting properties as a result of noise, vibrations, fumes, odor, dust, glare, air quality, or other cause and meets the requirements of this Land Use Code and Article, any operation within any twelve (12) month period which removes more than one hundred (100) cubic yards of soil, topsoil, loam sand, gravel, clay, rock, peat, or other like material from its natural location and to transport the product removed away from the extraction site shall not be permitted within 100 75 feet of any property line nor within 100 feet of any street right of way line. Areas within 100 feet of said lines shall be maintained as a natural uncut buffer and remain in stable condition. , ~~without the written permission of the owner of such adjacent property~~~~

Statement of Fact: These amendments are proposed to make the ordinance current with State and Federal regulations and to be consistent with other local ordinances. The Planning Board held a public hearing on November 4, 2024 and unanimously made the recommendation to adopt these amendments to Chapter 24, "Land Use Code", as written. There were no public comments.

ACTION: Councilor O'Halloran asked that Order 2024-C018 be removed from the consent calendar. Councilor Daniels moved that the remaining amendments on the consent calendar be certified and filed with the city clerk for posting. Councilor Kimball seconded the motion. The motion passed with a vote of 4 to 0.

2024-C018

November 19, 2024

TITLE: ORDER, CREATE CHAPTER 53 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED "CITY OF BREWER CODE OF ETHICS ORDINANCE".

Filed November 12, 2024

By William Kimball

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BE IT ORDAINED, by the Brewer City Council that Chapter 53, of the Charter, Codes and Ordinances of the City of Brewer, entitled “City of Brewer Code of Ethics Ordinance”, shall be adopted as follows:

CITY OF BREWER CODE OF ETHICS ORDINANCE

1. Declaration of Policy

The proper operation of the City of Brewer requires that all City Officials with executive decision-making authority, whether elected or appointed, be impartial, equitable and responsive to the needs of the people and each other in the performance of their respective functions and duties; that proper conduct by City officials be maintained to promote public confidence in the integrity of the City’s government; and that public office not be used for personal or financial gain or advantage. In recognition of these goals, a Code of Ethics is hereby established for City Officials (“Code” or “Ordinance”).

2. Definitions

BUSINESS - any corporation, partnership, individual, sole proprietorship, joint venture, or any other legal recognized entity organized for the purposes of making a profit.

CITY OFFICIAL - any individual who is an elected official or an appointed member of an executive board as defined herein.

CENSURE - a judgment or resolution condemning a person for misconduct.

EXECUTIVE BOARDS - City Council, Board of Assessment Review, Planning Board, and Board of Appeals.

FINANCIAL INTEREST - a direct or indirect interest having monetary or pecuniary value, including, but not limited to, the ownership of shares of stock.

IMMEDIATE FAMILY – spouse, and children, parents, brothers and sisters.

PERSONAL INTEREST – any interest of a City Official acting in their private capacity as a resident, landowner, taxpayer, citizen, or member of the general public.

SPECIAL INTEREST – a direct or indirect interest having value peculiar to a certain individual or group, whether economic or otherwise, which value may accrue to such individual or group as a result of action or failure to act on the part of the City and which interest is not shared by the general public.

3. Purpose

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The purpose of this Code is to establish ethical standards of conduct expected of all City Officials by setting forth those acts or actions deemed to be in conflict or incompatible, or that create the appearance of impropriety, with the best interests of the City of Brewer.

4. Statutory Standards

There are certain provisions of the general statutes of the State of Maine which should, while not set forth herein, be considered an integral part of this Ordinance. Accordingly, the provisions of the following sections of the general statutes of the State of Maine, as may be amended, are hereby incorporated by reference and made a part of this Code of Ethics, and shall apply to all City Officials of the City of Brewer whenever applicable as if more fully set forth therein, to wit:

17 MRSA § 3104 Conflicts of Interest; Purchases by the State

17-A MRSA § 456 Tampering with Public Records of Information

17-A MRSA § 602 Bribery in Official and Political Matters

17-A MRSA § 603 Improper Influence

17-A MRSA § 604 Improper Compensation for Past Action

17-A MRSA § 605 Improper Gifts to Public Servants

17-A MRSA § 606 Improper Compensation for Services

17-A MRSA § 607 Purchase of Public Office

17-A MRSA § 608 Official Oppression

17-A MRSA § 609 Misuse of Information

17-A MRSA § 903 Misuse of Entrusted Property

21 MRSA § 533 Persons Ineligible to Serve as Election Officials

30-A MRSA § 2605 Conflicts of Interest

30-A MRSA § 5122 Interest of Public Officials, Trustees or Employees

5. Disclosure of Confidential Information

No City official shall, without authorization, disclose confidential information concerning the property, government or affairs of the City; nor shall they use such information to advance their financial,

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personal, or special interest of themselves or others. For purposes of this subsection, the term "confidential information" shall mean any information, oral or written, which comes to the attention of, or is available to, such City Official only because of their position with the City and is not a matter of public record. Without limiting the generality of the foregoing, information received and discussed during an executive session of the Brewer City Council called pursuant to I.M.R.S. § 405 shall be considered within the constraints of this section and shall not be disclosed to any third party unless permitted by an affirmative vote of such body.

6. Contracts, Purchases and Employment

- A. No City Official shall participate directly by means of solicitation, deliberation, approval or disapproval, or recommendation, in the purchase of goods and services for the City, or in the award of any contracts with the City, where to their knowledge there is a financial, personal, or special interest other than that possessed by the public generally in such purchase or award, or held by:
 - i. that City Official or a member of their immediate family;
 - ii. a business in which that City Official or a member of their immediate family serves as an officer, director, trustee, partner or employee in a supervisory or management position; or
 - iii. any other person or business with whom or with which that City Official or a member of their immediate family does business, is negotiating to do business, or has an arrangement concerning future employment.

- B. No City Official shall participate, by means of deliberation, approval, disapproval, or recommendation, in the decision to hire, promote, discipline, lay off or to take any other personnel action in respect to any applicant for City employment or City employee, or vote for appointed positions, where said applicant, employee, or potential appointee is:
 - i. a member of their immediate family; or
 - ii. a person with whom either they or a member of their immediate family are in business.

7. Gifts and Favors

No City Official, shall accept any valuable gift, whether in the form of service, loan, thing or promise, from any person and/or business which to their knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the City; nor shall any City Official: accept any gift, favor or thing of value that tends to influence or could reasonably be expected to influence them in the performance of official duties or was intended as a reward for any official action. This does not prohibit:

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- A. gifts or social courtesies related to a family relationship or friendship between the elected or appointed official and the donor, which are not designed to influence the proper judgment or action of the officer or employee in a matter within his authority;
- B. public, government-sponsored or informational events, generally accepted as a condition of office, where refreshments may be served, which are not designed to influence the proper judgment or action of the elected or appointed official in a matter within their authority;
- C. political contributions received in compliance with law;
- D. loans obtained according to commercial practice at the prevailing rate of interest;
- E. customary performance, merit awards or honorariums, consistent with municipal practices.

8. Use of City Property and Facilities

No City Official shall use or authorize others to use City-owned property, including but not limited to, motor vehicles, equipment and buildings except for the following:

- A. for City business;
- C. for purposes and on terms generally available to other persons that is properly authorized by the City;

9. Representing Third Party Interests Before City Agencies

No City Official shall either appear on behalf of any third-party interest before any City agency, or represent a third-party interest in any action, proceeding, or litigation in which the City or one of its agencies is a party. Nothing herein shall prohibit a City Official, on behalf of a constituent in the course of his or her duties as a representative of the electorate, or on behalf of their personal interest, from appearing before a City agency. No City Official shall appear on behalf of any third-party interest before a City agency of which he or she is a current member. Nothing herein shall prohibit a City official, on behalf of his or her personal interest, from appearing before any City agency including that of which he or she is a current member. A City Official who is employed or under retainer by a person having a matter pending before the agency of which the official is a member shall disclose that fact and shall abstain from participation in the matter. Participation includes but is not limited to discussion and/or voting on the matter.

10. Conflicts of Interest

No City Official shall, in such capacity, participate in the deliberation or vote, or otherwise take part in the decision-making process, on any agenda item before their collective body in which they or a member

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of their immediate family has a financial, personal, or special interest of a pecuniary nature, other than an interest held by the public generally.

11. Disclosure of Conflict

Any City Official who believes that they or a member of their immediate family has a financial, personal, or special interest of a pecuniary nature, other than an interest held by the public generally, in any agenda item before their collective body, shall disclose the nature and possible extent of such interest. The collective body will vote to determine if there is a conflict.

Any City Official who believes that any fellow City Official, or a member of their immediate family has a financial, personal, or special interest of a pecuniary nature, other than an interest held by the public generally, in any item before their collective body, shall disclose the possibility of such interest, and the City Clerk or their designee shall make a record of such disclosure, with a copy forwarded to the Chair of the appropriate Executive Board.

Once the issue of conflict has been initiated relative to an individual City Official, and disclosure has been made as provided in Section 11(B), the Executive Board shall vote on whether or not such individual shall be excused from participating in the deliberation or vote. The member that is the subject of the disclosure shall not participate in the deliberation or voting on whether a conflict exists.

12. Avoidance of Appearance of Conflict

To avoid the appearance of a violation of this section, once any individual City Official is determined to have a conflict of interest in respect to any agenda item, said individual shall immediately remove themselves from the meeting room or to the area of the room occupied by the general public. They shall not return to their regular seat as a member of the body until deliberation and action on the item is completed. Nothing herein shall require an individual City Official to remove themselves for any item contained on a "Consent Agenda" on which there is no deliberation, the individual's conflict has been determined by the other members, and the right to abstain from voting on the item has been granted.

14. Personal Interest

Nothing herein shall be construed to prohibit any City official from representing his/her own personal interest by appearing before his/her collective body on any such agenda item.

15. Disclosure Statement by City Elected and Appointed Municipal Official

Within fifteen (15) days after each annual municipal election, every elected official shall file a completed disclosure form with the City Clerk with a copy forwarded to the Chair of the appropriate Executive Board and to the chair of the City Council. Within thirty (30) days after his/her appointment, every appointed official shall file a completed disclosure form with the City Clerk, with a copy forwarded to the Chair of the appropriate Executive Board. Each executive body is responsible for ensuring that members comply with the filing of a disclosure statement. An extension beyond the stated time frame

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for filing a disclosure statement may be approved with a majority vote of the appropriate executive body.

Each executive body will review the financial reports of its members. Should a conflict be discovered, a majority vote of the executive body can refer the matter to the Ethics Board for an opinion. Such disclosure forms shall be under oath and shall contain the following information to the best of the disclosing party's knowledge and belief:

- A. the name of each person or entity, whether incorporated or not, doing business with the City in an amount in excess of \$1,000 during the preceding calendar year from which such disclosing party or member of his/her immediate family has received money or other thing of value in an amount in excess of \$1,000 during the preceding calendar year;
- B. the name of each entity, whether incorporated or not, doing business with the City in an amount in excess of \$1,000 for preceding calendar year in which such disclosing party or member of his/her immediate family has a financial interest in an amount in excess of \$1,000, including, but not limited to, the ownership of shares of stock;
- C. the name of each nonprofit and/or for profit entity, whether incorporated or not, for which such disclosing party or member of his/her immediate family holds a position of officer or member of any board. For each such entity, such disclosing party shall provide the following information:
 - i. a brief description of the purpose of each board and/or office;
 - ii. a short summary of such disclosing party's or family member's duties relative to any such board and/or office;
 - iii. the term of service on each such board and/or office;
 - iv. whether or not such disclosing party or family member receives compensation for service on such board and/or office and the extent to which such compensation exceeds \$100 in the aggregate annually.

For purposes of this subsection "compensation" shall include, but not be limited to, monetary compensation, gifts, gratuities, perks, fringe benefits, services, and any other thing of value.

- D. Every City official shall amend his/her disclosure statement as may be required to ensure the continued accuracy thereof. Each such amendment shall be made within thirty (30) days following the occurrence which requires the amendment.
- E. For purposes of this Code, a list prepared by the Finance Director of those persons or entities doing business with the City in an amount in excess of \$1,000 for the preceding year shall be determinative for purposes of reporting under this section. Income from, and

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financial investments in, policies of insurance, and deposits in accounts from commercial or savings banks, savings and loan associations, or credit unions and the ownership of less than 5% of the outstanding shares of stock in a publicly held corporation shall not be considered to be a financial interest within the meaning of this section.

16. Political Standards of Conduct

No City Official shall participate in any political activity which would be in conflict or incompatible with the performance of their official functions and duties for the City. No City Official may use his/her official authority or position for the purposes of influencing or interfering with or affecting the results of any election, nor shall they solicit funds or contributions or accept or receive funds or contributions from City employees for political purposes. No City Official may distribute pamphlets/handbills while he or she is performing their official functions and duties with the City. Notwithstanding the foregoing, nothing herein shall be construed to prohibit any City Official from participating in the political process in their capacity as private citizens.

17. Incompatible Office

No City Official shall occupy any other office, elected or appointed, in any other governmental entity, where the duties of such office are incompatible with the proper discharge of their official duties with the City. For purposes of this Code, the occupancy of any office, elected or appointed, with any other governmental entity by any municipal official is hereby prohibited in any one of the following circumstances:

- A. where the duties of the other office make it a physical impossibility to discharge the duties of the City position; or
- B. where one office is subordinate of the other; or
- C. where one office carries the power of removal of the other; or
- D. where the occupancy of both offices is otherwise prohibited by law.

18. Board of Ethics

- A. BOARD OF ETHICS ESTABLISHED - There is hereby created and established a Board of Ethics consisting of three (3) members who will be sworn in on appointment by the City Council.
- B. TERMS - All members shall be appointed for terms of three (3) years each. Each member shall serve until December 31st of the final year of their appointed term, subject to continuance in office for a period not to exceed six (6) months until a successor is appointed. All members must be residents of the City of Brewer. No member shall serve more than two (2) complete consecutive terms.

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- C. OTHER OFFICES PROHIBITED - No member of the Board shall hold any other City office or position or be the member of any City Council appointed committees.
- D. PROCEDURES AND RECORDS - The Board shall establish such rules as it may determine to be necessary to govern its procedures. In addition, the Board shall at all times maintain in the office of the City Clerk appropriate records of its opinions and proceedings subject to Maine’s Freedom of Access Law. 1 M.R.S. § 400 et seq.
- E. DUTIES - The Board shall render advisory opinions to any of the Executive Boards regarding any provisions of this Code to any particular situation. In the performance of its duties, the Board shall limit its review and fact finding only to those issues referred to it by the respective Executive Board. The Board shall also perform such other duties as may be prescribed from time to time by the City Council.
- F. PROCEDURE - Any City Official seeking advice as to whether a particular situation constitutes a violation of this Code shall first submit a written statement describing the nature of the matter to the chairperson of the appropriate Executive Board. If a majority of the Executive Board votes that an advisory opinion is necessary, they may so vote and refer the matter in a written statement to the Ethics Board. If the Ethics Board finds any matter referred is based upon allegations it determines to be frivolous, unfounded or with malice, they shall so advise the appropriate Executive Board. It is the purpose and intent of this Code to provide a mechanism by which all such matters shall be investigated by the Ethics Board and reported to the appropriate executive body as a whole within sixty (60) days if its findings warrant further action. Upon written request to the appropriate Executive Board an extension can be obtained.
- G. ORIENTATION OF EXECUTIVE BOARD MEMBERS AND MUNICIPAL OFFICIALS – All Executive Board members are requested to attend an annual orientation meeting to be scheduled during the month of January of each calendar year or as can be reasonably scheduled. All City Officials are encouraged to attend an annual presentation given by the Board or its designee.
- H. DUTIES OF THE BOARD OF ETHICS - The Board shall meet as needed and, upon request, shall prepare and submit to the City Council an annual report outlining its actions during the preceding 12-month period.
- I. PUBLIC RELEASE OF FINDINGS OF NO WRONGDOING - In cases where the respective Executive Board finds the person accused has not committed any violations, they will be publicly cleared at the next regular meeting of the Executive Board.
- J. PENALTIES - In addition to any other penalties or remedies as may be provided by law, violation of this Code shall constitute cause for censure, after notice and hearing conducted by the applicable Executive Board.

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19. SEPARABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such validity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of the Ordinance.

Statement of Fact: The City of Brewer Code of Ethics Ordinance has been created to establish a framework of ethical standards for all City officials. This Code outlines guidelines for conduct, conflict of interest, confidentiality, and transparency, ensuring that City officials act in the public’s best interest with integrity and accountability. The adoption of the Code of Ethics will help maintain public trust, foster consistency in decision-making, and protect the reputation of the City government. By adopting this Code, the City Council underscores its commitment to ethical governance and sets clear expectations for all officials serving the City of Brewer.

Councilor O’Halloran expressed concern all members of the Council should be able to participate in the interview process for Board of Ethics appointments, and suggested that the ordinance could be revised to require three Councilors to sit for Board of Ethics candidate interviews. Mayor Morin noted that if three Councilors were involved, that would make the interviews a public meeting. The City Solicitor said that the Council could conduct interviews as part of a public meeting, or in executive session. Councilor O’Halloran said she was open to discussing how the appointment process might be conducted.

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

2024-A209

November 19, 2024

TITLE: ORDER, APPOINT CITY OF BREWER CITY MANAGER.

Filed November 12, 2024

By William Kimball

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, it is imperative that this order become effective immediately upon its passage to accomplish an orderly transition and so that the appointee may proceed with his duties without interruption; 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.

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NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith appoints Eric Glidden to the position of City Manager for the City of Brewer, effective Tuesday, November 19, 2024 for a term ending June 30, 2027; and

BE IT FURTHER ORDERED, that Mayor Jenn M. Morin is herewith authorized to sign an employment contract with Mr. Glidden for his services as City Manager.

Statement of Fact: This order appoints Acting City Manager Eric Glidden as City of Brewer City Manager. Mr. Glidden was hired as Assistant City Manager in October of 2023, and has served as Acting City Manager since July.

ACTION: Councilor Kimball moved that the order have passage. Councilor Daniels seconded the motion. The motion passed with a vote of 3 to 0, Councilor O’Halloran abstained. The city clerk swore-in the Eric Glidden as City of Brewer City Manager.

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 Kimball seconded the motion. The motion passed with a unanimous vote. The meeting was adjourned at 6:38 P.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine

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The 2024 annual meeting was called to order by the city clerk at 6:38 P.M. The city clerk called the roll:

Councilor Phanthay-absent
Councilor O'Halloran-present
Councilor-Elect Kimball-present

Councilor Daniels-present
Councilor-Elect Morin-present

The city clerk declared that a quorum was present City Manager Eric Glidden and City Solicitor Jonathan Pottle were also present.

A. Swearing in of Elected Officials

The city clerk swore in Jenn Morin and William Kimball as members of the City Council of the City of Brewer for three-year terms.

The city clerk swore in Kevin Forrest and Erika Largay as members of the Brewer Superintending School Committee, for three-year terms.

The city clerk swore in Carmen Bryant as Student Representative Member of the School Superintending Committee.

The city clerk swore in Timothy Daniels as Trustee of the Brewer High School District, for a five-year term.

B. Election of Mayor

The city clerk heard nominations for a City Council Member to serve as City Mayor for the upcoming year. Councilor Kimball nominated Michele Daniels for Mayor. Michele Daniels was elected Mayor of the Brewer City Council by a vote of 4 to 0. The city clerk swore in Michele Daniels as City Mayor. The city clerk turned the proceedings over to Mayor Daniels.

C. Election of Deputy Mayor

Mayor Daniels heard nominations for a City Council Member to serve as Deputy Mayor for the upcoming year. Councilor Kimball nominated Jenn Morin for Deputy Mayor. Jenn Morin was elected Deputy Mayor of the Brewer City Council by a vote of 4 to 0. The city clerk swore in Jenn Morin as Deputy Mayor.

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D. Mayor's Remarks

1. Outgoing Mayor's Remarks

Councilor Morin gave thanks for support received during her term as Mayor from Councilors and City staff. Councilor Morin noted several City staff that had been exceptionally helpful: City Manager Administrative Assistant Autumn Treadwell; the city clerk; City Manager Eric Glidden; Public Safety Director Jason Moffit; and Finance Director Karen Fussell. Councilor Morin expressed her gratitude to City Employees, and said they were the bedrock of City achievements. Councilor Morin reflected on the City Council's accomplishments during her Mayoral term, having enhanced communication with constituents including; having established a robust social media presence; launched the Notify Brewer program; created a monthly newsletter; established the Culture and Arts Committee; and instituted streaming City Council meetings online. Councilor Morin praised City staff for making it possible to complete so many projects, and said she was honored to have served the City as Mayor.

Mayor Daniels presented Councilor Morin with a plaque commemorating her term as Mayor.

2. Incoming Mayor's Remarks

Mayor Daniels said that, in her upcoming term, she would work toward making Brewer the best place for its residents and its businesses. Mayor Daniels noted her recent work with the City Manager's Office to develop the City Councilor Handbook, a resource to help new and current City Councilors. Mayor Daniels said that her goal was to be thinking ahead, not just ten years, not just twenty-five years, but to consider how the City might be improved one-hundred years into the future. Mayor Daniels thanked her husband and family, the City Council, the City Manager and City staff.

E. Establishment of Committees

Mayor Daniels made the following committee appointments for the upcoming year:

- All City Councilors appointed to the Committee on Finance.
- Councilor Kimball appointed to serve as Council Liaison for the City Budget.
- Councilor Morin and Mayor Daniels appointed to serve as sub-committee to interview candidates for standing boards and committees.
- Councilor Phanthay and Councilor Kimball appointed as liaisons to the Brewer School Committee.
- Councilor O'Halloran and Councilor Kimball appointed as liaisons to the Brewer High School District Trustees.
- Councilor Morin and Mayor Daniels appointed as Council liaisons to the Brewer Planning Board.

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- Councilor Morin appointed as Council liaison to the Penobscot County Budget Committee.
- Councilor Phanthay and Councilor O'Halloran appointed as Council liaisons to the Parks and Recreation Advisory Commission.
- Councilor Morin and Mayor Daniels appointed as Council liaisons to the Bangor Area Recovery Network.
- Councilor Morin and Councilor Kimball appointed as Council liaisons and representatives to the Housing Authority.
- Councilor Phanthay and Mayor Daniels appointed as Council liaisons to the Culture and Arts Committee.
- Mayor Daniels appointed as Council liaison to Brewer Board of Appeals and the Brewer Board of Assessment Review.

F. Discussion of Councilor Goals for the upcoming term

Mayor Daniels said that in the upcoming year the Council would be updating the City's Comprehensive Plan. Mayor Daniels also said that the City Charter had not been revised since 1992, and that the Council would be reviewing the Charter to consider possible updates. Mayor Daniels invited Councilors to share their goals for the upcoming year. Councilor Morin said that her goal for the upcoming year was to work with City Departments (and in conjunction with the update to the City's website), to streamline process for businesses looking to undertake projects in Brewer. Councilor Kimball said that he too was interested in streamlining and hearing from Department Heads, and noted that he was considering several possible projects for the upcoming year. Councilor O'Halloran said that she would like to reunite the Code Enforcement Office and the Planning Department rather than having their offices in two separate buildings. Councilor O'Halloran said she would like to see expanded hours for the Brewer Landfill and for the Brewer Tax Office to better accommodate the needs of residents. Mayor Daniels said that she would be working toward making a new library for the City of Brewer. Mayor Daniels said her hope was to finance the new library through grants and fundraising to minimize the effect on taxpayers.

G. Establishment of Chair and Vice-Chair of the Brewer School Committee

Mayor Daniels announced that Mark Farley had been elected Chairman of the Brewer School Committee, and that Kayla Dunn had been elected Vice-Chairman.

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H. New Business

2024-B051

November 19, 2024

TITLE: RESOLVE, ESTABLISH LOCATION FOR REGULAR MEETINGS.

Filed November 7, 2024
By Jenn M. Morin

WHEREAS, the Charter of the City of Brewer requires that the City Council establish a place for holding its regular meetings.

NOW, THEREFORE, BE IT RESOLVED, that for and during the year from November 19, 2024 and including November 18, 2025, the place for holding regular meetings of the City Council will be established as the Arthur C. Verow Council Chambers at Brewer City Hall, 80 North Main Street, Brewer, Maine.

ACTION: Councilor Morin moved that the resolve be adopted. Councilor Kimball seconded the motion. The motion passed with a vote of 4 to 0.

2024-B052

November 19, 2024

TITLE: RESOLVE, ESTABLISH TIME AND DATES OF REGULAR MEETINGS AND SPECIAL MEETINGS.

Filed November 7, 2024
By Dani O'Halloran

WHEREAS, the Charter of the City of Brewer provides that a regular meeting of the City Council shall be held at least once per month; and

WHEREAS, it is the wish of the Brewer City Council to schedule a series of special meetings on a monthly basis.

NOW, THEREFORE, BE IT RESOLVED, that for and during the year from November 19, 2024 to and including November 18, 2025 regular meetings of the City Council shall be held at 6:00 p.m. on the following dates:

Tuesday,	December	10, 2024	6:00 P.M.
Tuesday,	January	14, 2025	6:00 P.M.
Tuesday,	February	11, 2025	6:00 P.M.
Tuesday,	March	18, 2025	6:00 P.M.
Tuesday,	April	08, 2025	6:00 P.M.

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Tuesday,	May	13, 2025	6:00 P.M.
Tuesday,	June	10, 2025	6:00 P.M.
Tuesday,	July	08, 2025	6:00 P.M.
Tuesday,	August	12, 2025	6:00 P.M.
Tuesday,	September	09, 2025	6:00 P.M.
Tuesday,	October	14, 2025	6:00 P.M.
Tuesday,	November	18, 2025	6:00 P.M.

; and

BE IT FURTHER RESOLVED, that the following special meetings shall be held at 2:00 p.m. on the following dates:

Tuesday,	December	17, 2024	2:00 P.M.
Tuesday,	January	28, 2025	2:00 P.M.
Tuesday,	February	25, 2025	2:00 P.M.
Tuesday,	March	25, 2025	2:00 P.M.
Tuesday,	April	22, 2025	2:00 P.M.
Tuesday,	May	27, 2025	2:00 P.M.
Tuesday,	June	24, 2025	2:00 P.M.
Tuesday,	July	22, 2025	2:00 P.M.
Tuesday,	August	26, 2025	2:00 P.M.
Tuesday,	September	23, 2025	2:00 P.M.
Tuesday,	October	28, 2025	2:00 P.M.

ACTION: Councilor O'Halloran moved that the resolve be adopted. Councilor Kimball seconded the motion. The motion passed with a vote of 4 to 0.

2024-B053

November 19, 2024

TITLE: RESOLVE, ADOPT ETHICAL PRINCIPLES FOR EXCELLENCE IN GOVERNMENT.

Filed November 7, 2024
By William Kimball

WHEREAS, public service is a public trust and public servants have the obligation to serve the public's interest and to perform and serve with integrity; and

WHEREAS, the many difficult decisions facing public servants involve tough choices between competing claims which involve loyalty to the City, respect for authority, recognition of the policy role of City Council positions, responsiveness to the public's right-to-know and sensitivity to the need for confidentiality when appropriate; and

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WHEREAS, an individual’s character is measured through the management of one’s ego, envy, timidity, ambition and/or craving for personal publicity.

NOW, THEREFORE, BE IT RESOLVED, that the true Brewer public servant:

- *will not act out of spite, bias, or favoritism;*
- *contributes to a climate of mutual trust and respect;*
- *does not succumb to peer or political pressure;*
- *refuses to let official action be influenced by personal relationships, including those arising from past or prospective employment;*
- *has the courage of his or her convictions;*
- *does not try to shift blame to others;*
- *never forgets that he or she is working for the people – all the people*

;and

BE IT FURTHER RESOLVED, that the members of the Brewer City Council formally adopt and actively pursue the Ethical Principles for Public Servants provided by the “Council for Excellence in Government,” 1992; and

BE IT FURTHER RESOLVED, that copies of this proclamation of ethics be provided to all appointed personnel of the City and the City Manager for dissemination to all employees of the City of Brewer.

ACTION: Councilor Kimball moved that the resolve be adopted. Councilor Morin seconded the motion. The motion passed with a vote of 4 to 0.

2024-B054

November 19, 2024

TITLE: RESOLVE, ADOPT 10 HABITS OF HIGHLY EFFECTIVE CITY COUNCILS.

Filed November 7, 2024

By Jenn M. Morin

WHEREAS, Thomas Cronin, a recognized authority on public policy, has observed hundreds of governing bodies over many years and has identified 10 “habits” of highly effective municipal councils; and

WHEREAS, it is the sense of the Brewer City Council that adopting and observing these 10 “habits” can make the Brewer City Council highly effective and competent in leading the community.

NOW, THEREFORE, BE IT RESOLVED, that the 10 “habits” of Highly Effective Councils, set forth below, are herewith adopted by the Brewer City Council for the 2024 to 2025 term:

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1. Think and Act Strategically
2. Understand and Demonstrate the Elements of Teams and Teamwork
3. Master Small-Group Decision Making
4. Clearly Define Roles and Relationships
5. Establish and Abide by a Council-Staff Partnership
6. Make a Systematic Evaluation of Policy Implementation
7. Allocate Council Time and Energy Appropriately
8. Set Clear Rules and Procedures for Council Meetings
9. Get a Valid Assessment of the Public’s Concerns and An Evaluation of the Council’s performance
10. Practice Continuous Personal Learning and Development as a Leader

ACTION: Councilor Morin moved that the resolve be adopted. Councilor Kimball seconded the motion. The motion passed with a vote of 4 to 0.

VIII. Adjourn 2024 Annual Meeting

ACTION: Councilor O’Halloran moved to adjourn. Councilor Daniels seconded the motion. The motion passed by a vote of 4 to 0. The meeting was adjourned at 7:02 P.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine