

CITY COUNCIL SPECIAL MEETING

Tuesday February 25, 2025 2:00 P.M.

Brewer City Hall Council Chambers

- I. **Call to Order** (Mayor Daniels)
- II. **Roll Call** (city clerk)
- III. **Pledge of Allegiance to the Flag of the United States of America** (Mayor Daniels)
- A. **Minutes** (none)
- B. **Awards, Petitions and Public Comments**
 1. Presentation: Fiscal Year 2024 Audit Report, Casey Leonard, CPA, Runyon Kersteen Ouellette, Partner.
- C. **Consent Calendar**
 1. (2025-A030) ORDER Accept donation from Brewer Kiwanis to benefit the Youth Public Safety Academy. (Councilor Kimball)
 2. (2025-A031) ORDER Accept windstorm disaster reimbursement funds. (Councilor O'Halloran)
 3. (2025-A032) ORDER Accept funds from Brewer Historical Society to support preservation and promotion of Brewer history. (Councilor Morin)
- D. **Monthly Reports** (none)
- E. **Nominations, Appointments, Elections**
Consent Calendar
 1. (2025-B009) RESOLVE Confirm City Manager's appointment of Christopher Martin as City of Brewer Public Safety Director. (Councilor Phanthay)
 2. (2025-A033) ORDER Appoint member to the Brewer Board of Assessment Review. (Councilor Morin)
- F. **Unfinished Business**
Consent Calendar
 1. (2025-C001) ORDER Repeal Chapter 38 of the Charter, Codes and Ordinances of the City of Brewer, entitled "Development Ordinance". (Councilor O'Halloran)
 2. (2024-C002) ORDER Amend Chapter 24 of the Charter, Codes and Ordinances of the City of Brewer, entitled "Land Use Code", Article 4, "Performance Standards", Section 445.5, "Operation, Maintenance and Inspections", to add Subsection c. (Councilor Kimball)
- G. **New Business**
 1. (2025-A034) ORDER Convene in executive session pursuant to Title 1, M.R.S.A. §405(6)(E) to consult with legal counsel regarding City Council rights and duties. (Councilor Morin)
- H. **New Items with Leave of Council**
- I. **ADJOURN**

CITY OF BREWER, MAINE IN CITY COUNCIL ASSEMBLED

2025-A030

February 25, 2025

TITLE: ORDER, ACCEPT DONATION FROM BREWER KIWANIS TO BENEFIT THE
YOUTH PUBLIC SAFETY ACADEMY.

Filed February 7, 2025
By William Kimball

WHEREAS, the Brewer Kiwanis has donated \$1,000 to support the Youth Public Safety Academy; and

WHEREAS, the donation is intended to provide financial assistance for educational materials, equipment, and program-related expenses that will enhance the Academy's mission of fostering leadership and safety awareness among youth participants; and

WHEREAS, it is the recommendation and request of the Brewer Public Safety officials that these funds be allocated specifically to benefit the Youth Public Safety Academy.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, hereby accepts this donation and directs that it be deposited into account 0600058-360015-58062 (Public Safety Jr Academy Revenue); and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of these funds from account 0600058-560000-58062 (Public Safety Jr Academy Expense) to support program initiatives.

Statement of Fact: This order accepts a \$1,000 donation from the Brewer Kiwanis to support the Youth Public Safety Academy, ensuring the funds are used to enhance the program's educational and operational efforts.

**CITY OF BREWER, MAINE
IN CITY COUNCIL ASSEMBLED**

2025-A031

February 25, 2025

TITLE: ORDER, ACCEPT WINDSTORM DISASTER REIMBURSEMENT FUNDS.

Filed February 14, 2025

By Dani O'Halloran

WHEREAS, between December 17, 2023 and December 21, 2023 the State of Maine experienced an extreme wind and rain event that led to extensive damage across the state, which led to a federal disaster declaration; and

WHEREAS, the City of Brewer incurred substantial costs responding to the storm and repairing the damage it caused; and

WHEREAS, after a detailed application and substantiation process, the City has received a total of \$160,990.98 in reimbursement, which represents 75% reimbursement for eligible costs from the federal government (FEMA) and 15% from the State (MEMA), for a total of 90% reimbursement; and

WHEREAS, the impacts and reimbursement are split between the City general fund, the sewer fund and the water fund as follows:

Fund	Reimbursement
City	\$89,908.60
Water	\$38,035.57
Sewer	\$33,046.81
TOTAL	\$160,990.98

; and

WHEREAS, since the fiscal year in which these costs were incurred is closed, it is the recommendation of the Finance Director that these funds be moved to reserve accounts in the respective funds and used to support future capital projects, subject to approval of the City Council.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby accepts these disaster reimbursement funds and authorizes their deposit into the following accounts:

City 0200000-320000-53027

Water 0700000-110805

Sewer 0800000-110805

Statement of Fact: This order accepts \$160,990.98 from the Federal Emergency Management Agency and the Maine Emergency Management Agency reimbursing the City and its Water and Sewer Departments for costs incurred as a result of the December 2023 wind and rain storm. The order authorizes the funds to be deposited in reserve accounts for future use.

CITY OF BREWER, MAINE IN CITY COUNCIL ASSEMBLED

2025-A032

February 25, 2025

TITLE: ORDER, ACCEPT FUNDS FROM BREWER HISTORICAL SOCIETY TO SUPPORT PRESERVATION AND PROMOTION OF BREWER HISTORY.

Filed February 19, 2025
By Jenn M. Morin

WHEREAS, the Brewer Historical Society has dissolved and designated its remaining funds, totaling \$41,648.22, to the City of Brewer; and

WHEREAS, the Brewer Historical Society has specified the funds are to be used for preserving, promoting and celebrating the history of Brewer, including, among other things, the historical collections held by the City of Brewer Public Library, including those the Brewer Historical Society recently gifted to the Library; and

WHEREAS, the preservation and promotion of Brewer history aligns with the City of Brewer Public Library's mission to safeguard materials of historic and communal value for future generations.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council accepts this donation of \$41,648.22 from the Brewer Historical Society to the City of Brewer and authorizes its deposit into the Historic Preservation Reserve revenue account (0600072-360015-72039); and

BE IT FURTHER ORDERED, that the City Council authorizes the appropriation and expenditure of these funds from the Historic Preservation Reserve expense account (0600072-560000-72039) for the purpose of preserving, promoting and celebrating the history of Brewer.

Statement of Fact: This order accepts \$41,648.22 from the dissolution of the Brewer Historical Society and dedicates its use to preserve, promote and celebrate the history of Brewer.

CITY OF BREWER, MAINE IN CITY COUNCIL ASSEMBLED

2025-B009

February 25, 2025

TITLE: RESOLVE, CONFIRM CITY MANAGER'S APPOINTMENT OF CHRISTOPHER MARTIN AS CITY OF BREWER PUBLIC SAFETY DIRECTOR.

Filed February 14, 2025

By Soubanh Phanthay

WHEREAS, the previous City of Brewer Public Safety Director resigned to accept a position as City of Brewer Assistant City Manager; and

WHEREAS, the Charter, Codes and Ordinances of the City of Brewer, Chapter 10, entitled, "The Police Department", Article 1, Section 101, authorizes the City Manager of the City of Brewer to appoint the position of Public Safety Director; and

WHEREAS, such appointments are subject to confirmation by the Brewer City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Brewer herewith confirms the City Manager's appointment of Christopher Martin as City of Brewer Public Safety Director; and

BE IT FURTHER ORDERED, that this appointment shall be effective Tuesday, April 1, 2025.

Statement of Fact: This order confirms the City Manager's appointment of Christopher Martin to the office of City of Brewer Public Safety Director. Christopher Martin has served as the Deputy Police Chief since 2016.

**CITY OF BREWER, MAINE
IN CITY COUNCIL ASSEMBLED**

2025-A033

February 25, 2025

TITLE: ORDER, APPOINT MEMBER TO THE BREWER BOARD OF ASSESSMENT
REVIEW.

Filed February 14, 2025
By Jenn M. Morin

BE IT ORDERED, that Lisa Liberatore of 16 Silk Street is herewith appointed to the Brewer Board of Assessment Review; and

BE IT FURTHER ORDERED, that Ms. Liberatore's term will commence March 2, 2025 and expire March 31, 2026.

Statement of Fact: This order appoints Lisa Liberatore to the Brewer Board of Assessment Review to fill the unexpired term of Erica Veazey.

CITY OF BREWER, MAINE IN CITY COUNCIL ASSEMBLED

2025-C001

February 11, 2025

TITLE: ORDER, REPEAL CHAPTER 38 OF THE CHARTER, CODES, AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “DEVELOPMENT ORDINANCE”.

Filed January 27, 2025

By Dani O’Halloran

WHEREAS, Chapter 38 of the Charter, Codes, and Ordinances of the City of Brewer, entitled “Development Ordinance”, outlines provisions that are no longer relevant to the operations of the City of Brewer Economic Development Department; and

WHEREAS, the regulations contained in Chapter 38 have become outdated and do not reflect the current needs or practices of the City of Brewer; and

WHEREAS, removing Chapter 38 will streamline the City’s ordinances, ensuring they remain relevant, accurate, and supportive of the City’s operational goals.

NOW, THEREFORE, BE IT ORDERED, that Chapter 38 of the Charter, Codes, and Ordinances of the City of Brewer is hereby repealed in its entirety; and

BE IT FURTHER ORDERED, that the City Clerk is directed to amend the City of Brewer’s Charter, Codes, and Ordinances to reflect this repeal, and to remove or update any references to Chapter 38 in all City documents as appropriate.

Statement of Fact: This order repeals Chapter 38 of the City of Brewer Charter, Codes, and Ordinances as its provisions are no longer used by the Economic Development Department and are considered obsolete. This action ensures that the City's ordinances are current and relevant to municipal operations.

CITY OF BREWER, MAINE IN CITY COUNCIL ASSEMBLED

2025-C002

February 11, 2025

TITLE: ORDER, AMEND CHAPTER 24 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “LAND USE CODE”, ARTICLE 4, “PERFORMANCE STANDARDS”, SECTION 445.5, “OPERATION, MAINTENANCE AND INSPECTIONS”, TO ADD SUBSECTION C.

Filed February 3, 2025

By William Kimball

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”, shall be amended by adding the following subsection to Article 4, “Performance Standards”, Section 445.5, “Operation, Maintenance and Inspections.”:

445. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE (#71)

445.5 Operation, Maintenance and Inspections.

c.) Within ninety (90) days of cessation of use of the Electric Vehicle Charging Station(s) and components, the property owner, their successors, and/or assigns shall restore the site to its original condition.

Statement of Fact: In December 2024, the Brewer Planning Board recommended an amendment to Chapter 24, “Land Use Code”, including the addition of Section 445, “Electric Vehicle Charging Infrastructure”, which was largely enacted at the January Council Meeting per Order 2024-C019. Subsection 445.5 (c), which was recommended by the Planning Board, was not included in Order 2024-C019, due to a clerical error. This amendment corrects that error by added Subsection 445.5(c) per the Planning Board’s original recommendation.

**CITY OF BREWER, MAINE
IN CITY COUNCIL ASSEMBLED**

2025-A034

February 25, 2025

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

Filed February 14, 2025

By Jenn M. Morin

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