

City Council Minutes
Regular Meeting, Tuesday, April 8, 2025

Regular Meeting
City Hall Council Chambers

Tuesday, April 8, 2025
6:00 p.m.

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

Councilor Phanthay-present
Councilor Kimball-present
Mayor Daniels-present

Councilor O'Halloran-present
Councilor Morin-present

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

Mayor Daniels led members of the Council and others present in reciting the pledge of allegiance to the flag of the United States of America.

Mayor Daniels read the notice for the regular meeting.

TO: Soubanh Phanthay, Dani O'Halloran, William Kimball, Jenn Morin and Michele Daniels;
MEMBERS OF THE BREWER CITY COUNCIL. You are hereby notified that a **regular meeting** of the City Council of the City of Brewer will be held on **Tuesday, April 8, 2025 beginning at 6:00 p.m.**, at 80 North Main Street, to consider and act on the items on the attached agenda.

s/ Michele Daniels
Mayor and Chairman of the City Council
Or _____
Majority of the City Council

a true copy, attest: s/Vincent P. Migliore
City Clerk

OFFICER'S RETURN

I have on the date(s) and time(s) indicated given notice of this meeting by giving in hand of by leaving at the usual dwelling place of the within named an attested copy of this notice of meeting:

Given/Delivered to:	by (person delivering)	Title	Date	Time
Soubanh Phanthay			04/04/2025	
Dani O'Halloran			04/04/2025	
William Kimball			04/04/2025	
Jenn M. Morin			04/04/2025	
Michele Daniels			04/04/2025	

CITY COUNCIL REGULAR MEETING

April 8, 2025 6:00 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 of the March 18, 2025 Special Meeting, Minutes of the March 18, 2025 Regular Meeting and Minutes of the March 25, 2025 Special Meeting** (Councilor O'Halloran)
- B. Awards, Petitions and Public Comments**
 - 1. (2025-B017) RESOLVE Resolution of the City Council of the City of Brewer, Maine, declaring support for preservation of federal tax exemption of municipal bonds. (Councilor Phanthay, Councilor O'Halloran, Councilor Kimball, Councilor Morin, and Mayor Daniels)
 - 2. City Manager's Report
 - 3. Public Comments
- C. Consent Calendar**
 - 1. (2025-A066) ORDER Accept donation from Downtown Charcuterie to Brewer Parks and Recreation Department for Spring T-Ball Program. (Councilor Phanthay)
 - 2. (2025-A067) ORDER Accept donation from Walker's Garage to Brewer Parks and Recreation Department for special event. (Councilor O'Halloran)
 - 3. (2025-A068) ORDER Award contract to adjust sewer manholes on Mill Street as part of Maine Department of Transportation project. (Councilor Kimball)
 - 4. (2025-A069) ORDER Authorize purchase of replacement pickup truck for Environmental Services. (Councilor Morin)
 - 5. (2025-A070) ORDER Accept grant from Galen Cole Family Foundation to purchase American Flags. (Councilor Phanthay)
 - 6. (2025-A071) ORDER Accept donations to City of Brewer to support Brewer Riverwalk Festival. (Councilor O'Halloran)
 - 7. (2025-A072) ORDER Accept fees for tables in craft fair and business section of Brewer Riverwalk Festival. (Councilor Kimball)
 - 8. (2025-A073) ORDER Certify affordable housing information. (Councilor Morin)
 - 9. (2025-A074) ORDER Reallocate portion of sewer debt service to sewer asset reserve. (Councilor Phanthay)
- D. Monthly Reports** (Councilor O'Halloran)

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E. Nominations, Appointments, Elections

Consent Calendar

1. (2025-A075) ORDER Appoint member to the Board of Appeals of the City of Brewer. (Councilor Kimball)
2. (2025-A076) ORDER Appoint member to the Parks and Recreational Advisory Commission of the City of Brewer. (Councilor Morin)

F. Unfinished Business (none)

G. New Business

1. Consent Calendar
 1. (2025-C003) ORDER Amend Chapter 31 of the Charter, Codes and Ordinances of the City of Brewer, entitled, “Environmental Ordinance”, to remove Subsection 1208 (C)(4). (Councilor Phanthay)
 2. (2025-C004) ORDER Amend Chapter 36 of the Charter, Codes and Ordinances of the City of Brewer, entitled, “Purchasing Ordinance”, Article 3, “Functions and Policies”, to increase threshold for department head approval. (Councilor O’Halloran)
2. (2025-A077) ORDER Award contract for refuse collection services. (Councilor Kimball)
3. Presentation: Final Designs for New City Logo, Sutherland Weston
4. (2025-A078) ORDER Accept new City logo design for the City of Brewer. (Councilor Morin)
5. (2025-A079) ORDER Establish Charter Review Commission for the City of Brewer pursuant to Title 30 M.R.S. §2103. (Councilor Phanthay)

H. New Items with Leave of Council

I. ADJOURN

A. Minutes of the March 18, 2025 Special Meeting, Minutes of the March 18, 2025 Regular Meeting and Minutes of the March 25, 2025 Special Meeting

ACTION: Councilor O’Halloran moved that the Minutes of the March 18, 2025 Special Meeting, Minutes of the March 18, 2025 Regular Meeting and Minutes of the March 25, 2025 Special Meeting be accepted and placed on file. Councilor Kimball seconded the motion. The motion passed with a unanimous vote.

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B. Awards, Petitions and Public Comments

2025-B017

April 8, 2025

TITLE: ORDER, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREWER, MAINE, DECLARING SUPPORT FOR PRESERVATION OF FEDERAL TAX EXEMPTION OF MUNICIPAL BONDS.

Filed March 31, 2025
By Soubanh Phanthay, Dani O'Halloran,
William Kimball, Jenn M. Morin, and
Michele Daniels

WHEREAS, the tax-exempt municipal bond market is a widely used source of capital for states, local governments, tribes, territories, and non-profit borrowers that finances a tremendous share of the nation's public infrastructure; and

WHEREAS, state and local governments finance about three-quarters of the public infrastructure in the United States and use tax-exempt bonds to do so, with the federal government providing only about one-quarter of the investment; and

WHEREAS, federal tax exemption for municipal bonds, dating back to the 1800s and incorporated into the modern tax code in 1913, has been crucial for state and local governments to affordably finance critical infrastructure projects; and

WHEREAS, tax-exempt bonds have a multiplier effect of 2.11, meaning that for every dollar, borrowers achieve \$2.11 in borrowing cost savings, thereby demonstrating the efficiency and effectiveness of this exemption in facilitating infrastructure investment; and

WHEREAS, tax-exempt bonds provide for essential infrastructure projects, such as roads, bridges, utilities, broadband, water and sewer systems, and hospitals, which are vital to the health and well-being of communities such that without tax-exempt bonds, the cost of borrowing would be more expensive, causing an increase in taxes and fees that would place an undue burden on taxpayers.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brewer as follows:

The Brewer City Council hereby encourages the Maine Congressional Delegation to assist the City of Brewer, Maine by preserving the tax-exempt status of municipal bonds by supporting and ensuring the protection of the federal tax exemption of municipal bonds; and

BE IT FURTHER RESOLVED, that copies of this resolution shall be furnished to all members of the Maine Congressional Delegation.

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ACTION: Councilor Morin moved that the resolve be adopted. Councilor Phanthay seconded the motion. The motion passed with a unanimous vote.

2. City Manager's Report

Brewer City Manager Eric Glidden gave a report on the ongoing operations of the City Manager's Office. The City Manager said that the Penobscot County Commissioners had begun a series of meetings with municipalities to discuss regionalizing services to save money, but noted the increasing County Budget was a point of contention. The City Manager said that there would be a FY26 City Budget Workshop on Tuesday, April 15 at 6:00 p.m. The City Manager said that there would be some upcoming road work and that there would be detours for projects on Elm Street and on the Lambert Road.

3. Public Comments

There were no public comments.

C. Consent Calendar

2025-A066

April 8, 2025

TITLE: ORDER, ACCEPT DONATION FROM DOWNTOWN CHARCUTERIE TO BREWER PARKS AND RECREATION DEPARTMENT FOR SPRING T-BALL PROGRAM.

Filed March 20, 2025
By Soubanh Phanthay

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$100 from Downtown Charcuterie, LLC d/b/a Downtown Charcuterie for support of the Spring T-Ball Program; and

WHEREAS, it is the recommendation and request of the Parks & Recreation Director and the donor that this donation be appropriated and expended to supplement the Spring Program.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Spring Program/League revenue account (0107123-300326); and

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BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Spring Program/League expense account (0117121-506110).

Statement of Fact: This order accepts a contribution of \$100 from Downtown Charcuterie to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Spring T-Ball Program.

2025-A067

April 8, 2025

TITLE: ORDER, ACCEPT DONATION FROM WALKER'S GARAGE TO BREWER
PARKS & RECREATION DEPARTMENT FOR SPECIAL EVENT.

Filed March 25, 2025
By Dani O'Halloran

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$100 from Walker's Garage, LLC. d/b/a Walker's Garage for support of the Egg Hunt; and

WHEREAS, it is the request of the donor and the recommendation of the Parks & Recreation Director that this donation be appropriated and expended to supplement the Egg Hunt.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council herewith accepts this donation and directs that the donation be receipted to the Special Events Revenue account (0107123-300325); and

BE IT FURTHER ORDERED, that the City Council herewith authorizes the appropriation and expenditure of this money from the Special Events Expense account (0117121-506150).

Statement of Fact: This order accepts a \$100 contribution from Walker's Garage to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support the Egg Hunt.

2025-A068

April 8, 2025

TITLE: ORDER, AWARD CONTRACT TO ADJUST SEWER MANHOLES ON MILL STREET AS PART OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT.

Filed March 30, 2025
By William Kimball

WHEREAS, the Maine Department of Transportation (MDOT) has decided to pave several streets in Brewer as part of their Light Capital Paving program this summer; and

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WHEREAS, through their new funding formulas program, MDOT is funding 100% of the paving work for Mill Street with no local share required from the City of Brewer; and

WHEREAS, in conjunction with this work, the City is required to adjust sewer manholes on Mill Street to accommodate the paving work; and

WHEREAS, proposals were solicited, received and evaluated for adjusting 12 sewer manholes along Mill Street; and

WHEREAS, Facility Construction Services of Old Town, Maine, provided the lowest bid at \$50,500.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the appropriation and expenditure of \$55,500 (the bid plus 10% contingency) from account 0818101-502700 (Sewer Line Materials and Supplies) to pay Facility Construction Services to complete the process of lowering and raising twelve manholes on Mill Street; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the transfer to the sewer fund and appropriation and expenditure of up to \$55,500 in unanticipated revenue in the Interest Earnings account (0105504-300400) to cover the cost of this work.

Received Bids for this Project

Facility Construction Services	Old Town, Maine	\$50,500.00
Eastwood Construction	Brewer, Maine	\$94,800.00

Statement of Fact: This order authorizes the use of \$55,500 in unanticipated interest earning revenue to adjust twelve sewer manhole covers as part of the MDOT paving project taking place on Mill Street. MDOT is paying for the paving with no contribution from the City.

2025-A069

April 8, 2025

TITLE: ORDER, AUTHORIZE PURCHASE OF REPLACEMENT PICKUP TRUCK FOR ENVIRONMENTAL SERVICES.

Filed March 31, 2025
By Jenn M. Morin

WHEREAS, bids were solicited, received and evaluated for the purchase of a new pickup truck to replace Environmental Services Unit #701, a 2012 Ford F150 pickup truck; and

WHEREAS, Quirk Ford of Augusta, of Hallowell, Maine, provided the City with the lowest bid received in the amount of \$50,862 for a 2024 Ford F250 pickup truck; and

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WHEREAS, this low bid is \$8,862 higher than the amount approved in the Fiscal Year 2025 (FY25) Sewer Capital Improvement Program (CIP), but the sewer asset reserve has sufficient funds available to cover this overage.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Manager, or his designee, is authorized to sign a purchase order to Quirk Ford of Augusta in the amount of \$50,862 for the purchase of a new 2024 Ford F-250 pickup truck to be charged to account 0817702-503200 (WPCF Reserve – Machinery and Equipment); and

BE IT FURTHER ORDERED, that the current Environmental Services Unit #701 (VIN ending in 3886) be deemed surplus City equipment upon receipt of the new pickup truck and that the City Manager, or his designee, be authorized to dispose of said surplus property by means that would be in the best interest of the City of Brewer; and

BE IT FURTHER ORDERED, that any funds acquired through the sale of Unit #701 be deposited into account 0800004-300410 (Sewer Sale of Assets) and be used to replenish the Machinery & Equipment Reserve 0817702-503200.

Statement of Fact: The FY25 CIP authorized the replacement of Environmental Services Unit #701, a 2012 F150 pickup truck, which is in poor condition. This order authorizes the purchase of a 2024 F250 for \$50,862 from Quirk Ford of Augusta, the low bidder.

Received Bids for this Project

Quirk Ford of Augusta	Hallowell, Maine	2024 Ford 250 SuperCab 4x4	\$50,862
Varney GMC	Newport, Maine	2025 Ford 250 SuperCab 4x4	\$51,191
Varney GMC	Newport, Maine	2025 Ford 250 SuperCab XL 4x4	\$51,675
Varney GMC	Newport, Maine	2025 GMC Sierra 2500 4WD	\$56,618

2025-A070

April 8, 2025

TITLE: ORDER, ACCEPT GRANT FROM THE GALEN COLE FAMILY FOUNDATION TO PURCHASE AMERICAN FLAGS.

Filed March 31, 2025
By Soubanh Phanthay

WHEREAS, the City of Brewer has been approved to receive a grant from the Galen Cole Family Foundation American Flag Program to cover half of the cost of up to forty-eight United States flags and associated hardware; and

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WHEREAS, the U.S. flags that the City installs along Wilson, North Main, and South Main Streets each spring are in poor condition, and the related hardware is also in poor condition; and

WHEREAS, the cost for Brewer with the assistance of the American Flag Program to purchase forty-eight flags and associated hardware is about \$1,440; and

WHEREAS, this grant will enable the City to replace damaged flags and associated hardware, and provide an inventory of stock flags and hardware for the future.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby accepts this generous grant from the Galen Cole Family Foundation and thanks them for their support of this patriotic effort; and

BE IT FURTHER ORDERED, that the City Council authorizes the expenditure of the City's \$1,440 share of the flag and hardware costs from the Flags in Brewer Reserve (0200000-520000-50001).

Statement of Fact: This order accepts a grant from the Galen Cole Family Foundation to pay for forty-eight replacement U.S. flags (and associated hardware) that line Wilson Street, North Main Street, and South Main Street.

2025-A071

April 8, 2025

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

Filed April 1, 2025
By Dani O'Halloran

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

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

Cianbro	\$1,000
Kiwanis Club of Brewer	\$1,000
Machias Savings Bank	\$500
High Tide Restaurant	\$500
<u>Paradis Shop n Save</u>	<u>\$250</u>
 TOTAL	 \$3,250.

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

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

Statement of Fact: The City received donations totaling \$3,250 from five local businesses to financially supporting the Brewer Riverwalk Festival. These donations will help pay for fireworks, marketing and supplies for the Riverwalk Festival. This order accepts these funds and appropriates them for expenditure to support the event.

2025-A072

April 8, 2025

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

Filed April 1, 2025
By William Kimball

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

WHEREAS, fees in the amount of \$1,075 have been collected for the purpose of securing a spot in the craft fair or business section of the Riverwalk Festival.

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

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

Statement of Fact: The City of Brewer Economic Development Office received fees of \$1,075 from craft vendors and businesses for the purpose of securing a spot during the Brewer Riverwalk Festival, to financially support the Riverwalk Festival.

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2025-A073

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TITLE: ORDER, CERTIFY AFFORDABLE HOUSING INFORMATION.

Filed April 1, 2025
By Jenn M. Morin

WHEREAS, as required by the City's Certificate of Approval for the Highland Community Affordable Housing Development District (District) issued by the Maine State Housing Authority and the provisions of Title 30-A M.R.S.A., Chapter 206, Section 5250-E, the Brewer City Council must certify that the City continues to meet the public purpose of the District and that the rental units within the District have remained affordable as well as account for any sale of property within the District; and

WHEREAS, both affordable housing facilities within the District—Somerset Place Senior Housing and Village Centre Apartments—have attested to the City that their rental units remain affordable and no sale of property has occurred; and

WHEREAS, the District continues to serve its public purpose by having expanded affordable housing within the City.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith certifies the public purpose of the Highland Community Affordable Housing Development District and the affordability of the rental units within it and authorizes the City Manager or his designee to submit the required report to the Maine State Housing Authority.

Type of Housing Unit	# of Affordable Units
Rental (Family) – Village Centre	48
Rental (Senior) – Somerset Place	28

Statement of Fact: This order fulfills a requirement of the City's affordable housing district approval and certifies that the district (consisting of Somerset Place and Village Centre) continues to meet its affordability requirements and to serve a public purpose.

2025-A074

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TITLE: ORDER, REALLOCATE PORTION OF SEWER DEBT SERVICE TO SEWER ASSET RESERVE.

Filed April 1, 2025
By Soubanh Phanthay

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WHEREAS, the Fiscal Year 2025 (FY25) Sewer Budget approved by the Brewer City Council included estimated interest and fees related to the Oak Grove Sewer Subsystem Remediation project loan; and

WHEREAS, delay in the project's construction schedule means that there is no interest or fees due on this project this fiscal year; and

WHEREAS, the Director of Environmental Services recommends this total of \$33,618 in interest and fees budgeted but not needed be reallocated to the Sewer Asset Reserve account to be used to support costs associated with future capital projects.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the reallocation of \$33,618 not needed to support debt service payments in FY25 from Org 0818701 (Sewer Debt – Lines) to 0800000-110805 (Sewer Asset Reserve).

Statement of Fact: This order authorizes the reallocation of \$33,618 in sewer debt service interest and fees budgeted but not needed in FY25 to the Sewer Asset Reserve to supplement funding in the account, which will support future sewer capital projects.

ACTION: Councilor Phanthay moved that the orders on the consent calendar have passage. Councilor Morin seconded the motion. The motion passed with a unanimous vote.

D. Monthly Reports

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

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

2025-A075

April 8, 2025

TITLE: ORDER, APPOINT MEMBER TO THE BOARD OF APPEALS OF THE CITY
OF BREWER.

Filed March 25, 2025
By William Kimball

BE IT ORDERED, that Lew Ireland of 182 Parkway North is herewith appointed to the Board of Appeals of the City of Brewer for the unexpired term ending March 31, 2027; and

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BE IT FURTHER ORDERED, that Mr. Ireland's term will commence April 13, 2025 and expire March 31, 2027.

Statement of Fact: This order appoints Lew Ireland to the Board of Appeals for the vacant seat which has its term ending in March of 2027.

2025-A076

April 8, 2025

TITLE: ORDER, APPOINT MEMBER TO THE PARKS AND RECREATIONAL
 ADVISORY COMMISSION OF THE CITY OF BREWER.

Filed March 25, 2025
By Jenn M. Morin

BE IT ORDERED, that Lew Ireland of 182 Parkway North is herewith appointed to the Parks and Recreational Advisory Commission of the City of Brewer for the unexpired term ending March 31, 2027; and

BE IT FURTHER ORDERED, that Mr. Ireland's term will commence April 13, 2025 and expire March 31, 2027.

Statement of Fact: This order appoints Lew Ireland to the Parks and Recreational Advisory Commission for the vacant seat which has its term ending in March of 2027.

ACTION: Councilor Kimball moved that the orders on the consent calendar have passage. Councilor Phanthay seconded the motion. The motion passed with a unanimous vote.

F. Unfinished Business

There was no unfinished business.

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G. New Business

1. Consent Calendar

2025-C003

April 8, 2025

TITLE: ORDER, AMEND CHAPTER 31 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “ENVIRONMENTAL ORDINANCE”, TO REMOVE SUBSECTION 1208(C)(4).

Filed March 31, 2025
By Soubanh Phanthay

BE IT ORDAINED, by the Brewer City Council that Chapter 31, of the Charter, Codes and Ordinances of the City of Brewer, entitled “Environmental Ordinance”, shall be amended as follows:

SECTION 1208 ABATEMENTS (#25)

C. Commercial and industrial operations

Commercial and manufacturing ratepayers that use water that does not reach the City’s sewer system and does not contribute directly or indirectly to runoff may apply for an abatement of the sewer as long as they meet the following requirements:

- (1) All commercial, and manufacturing sewer user ratepayers must first file an application and receive written permission from the Director of Environmental Services prior to engaging in any activity that will remove water from the sewer.
- (2) The commercial or manufacturing ratepayer must be able to document the volume they wish abated with a meter reading or other verifiable method that has been approved by the Director of Environmental Services
- (3) The Director of Environmental Services, after consultation with the City Manager, shall make the final decision as to whether the abatement shall or shall not be granted.
- ~~(4) No more than one (1) sewer abatement shall be given to any manufacturing, or commercial business in any 12-month period.~~

Statement of Fact: Removing Section 1208(C)(4) of Chapter 31 will give the City flexibility to handle abatements for commercial properties as outlined in Section 1208 of Chapter 31. A single entity might have multiple locations, or have different reasons for seeking abatements; under the current rule, more than one abatement cannot be sought in a single year.

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2025-C004

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TITLE: ORDER, AMEND CHAPTER 36 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “PURCHASING ORDINANCE”, ARTICLE 3, “FUNCTIONS AND POLICIES”, TO INCREASE THRESHOLD FOR DEPARTMENT HEAD APPROVAL.

Filed April 1, 2025
By Dani O’Halloran

WHEREAS, Chapter 36 of the Charter, Codes, and Ordinances, entitled “Purchasing Ordinance”, currently allows the City Manager to delegate approval authority for purchases \$1,000 or less to department heads or their authorized representatives; and

WHEREAS, this \$1,000 threshold has not been increased in at least 25 years; and

WHEREAS, it is the recommendation of the City Manager and the Finance Director that this threshold be increased to \$5,000 to reflect the increased price of goods and to reduce the administrative burden on the City Manager.

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, “Functions and Policies”, shall be amended as follows:

ARTICLE 3. FUNCTIONS AND POLICIES

SECTION 302.3.1 DECENTRALIZED PURCHASES

At the discretion of the City Manager, Department Heads or their authorized representatives, may ~~effect~~ affect purchases in amounts not to exceed ~~One~~ Five Thousand Dollars (~~\$15~~,000.00), which are considered micro purchases. The City Manager shall issue such rules and regulations and prescribe forms, as he or she deems necessary to control such purchases. He or she may also permit exceeding this monetary limitation, in those instances where price, terms, conditions and contractors have been predetermined by his or her establishing open-end (estimated requirement type) contracts of where prices established by the State Public Utility Commission (electricity, telephone services, etc.).

SECTION 302.3.2 PURCHASES - NOT TO EXCEED ~~ONE FIVE~~ THOUSAND DOLLARS (\$15,000.00)

When the City Manager considers prices to be fair and reasonable and the total amount of the purchase does not exceed ~~One~~ Five Thousand

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Dollars (~~\$15~~,000.00), procedures and documentation will be simplified to the maximum degree possible. The micro purchases must be distributed equitably among qualifie³d suppliers, to the greatest extent possible. He or she shall establish such rules of procedure for such purchases, as he/she feels necessary to ensure against abuse of the public's best interest.

SECTION 302.3.3 PURCHASES ~~ONE FIVE~~ THOUSAND DOLLARS (~~\$15~~,000.00) TO FIFTEEN THOUSAND DOLLARS (\$15,000.00)

Negotiated purchases ~~exceeding of One Five~~ Thousand Dollars (~~\$15~~,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.

SECTION 303 REQUISITION

Purchases involving the immediate encumbrance of City funds shall be made only on a written requisition submitted by the head of the requesting department, in such form as prescribed by the City Manager. Requisitions involving the expenditure of ~~One Five~~ Thousand Dollars (~~\$15~~,000.00) or more shall bear written approval of the City Manager.

SECTION 306 CONTRACT CHANGE ORDERS

Individual Change orders to contracts that have been previously authorized by the City Council must be approved by the City Manager when an individual change order exceeds either ~~One Five~~ Thousand Dollars (~~\$15~~,000.00) and/or five percent (5%) of the original contract value. Change orders exceeding these limits will be reported to the City Council at the next regularly scheduled Council meeting. Aggregate or total change orders exceeding ten percent (10%) of a previously approved contract will be reported to the City Council at the next regularly scheduled Council meeting.

Statement of Fact: This order amends the City's Purchasing Ordinance to increase the department head approval threshold, which has not been increased in at least 25 years. The amendment increases the threshold from \$1,000 to \$5,000 and would result in the following purchasing structure:

Approving Body	Approval Required	Approval Method
Department Head	All purchases	Signature or PO approval
City Manager	Purchases \$5,000 and over	Signature or PO approval
City Council	Purchases over \$15,000	Council vote

ACTION: Councilor Phanthay moved that the amendments on the consent calendar be certified and filed with the city clerk for posting. Councilor Morin seconded the motion. The motion passed with a unanimous vote.

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2025-A077

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TITLE: ORDER, AWARD CONTRACT FOR REFUSE COLLECTION SERVICES.

Filed April 1, 2025
By William Kimball

WHEREAS, the City of Brewer's current contract with Pine Tree Waste Services, Inc. for weekly curbside all-in-one commingled trash and recycling collection expires on June 30, 2025; and

WHEREAS, on March 3, 2025, the City issued a Request for Proposals seeking curbside collection services as well as dumpster servicing for municipal facilities for the five-year period July 1, 2025 through June 30, 2030; and

WHEREAS, the City received bids from three companies, with Gregory's Disposal of Fairfield, Maine, providing the lowest bid; and

WHEREAS, the City conducted due diligence on the Gregory's proposal, including reference checks and request of supplemental information, and found no reason to disqualify the bid.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby awards the five-year curbside collection contract to Gregory's Disposal of Fairfield, Maine, and authorizes the City Manager, or his designee, to execute a contract in substantial form as was included in the RFP and as would be in the best interests of the residents and taxpayers of the City of Brewer.

Statement of Fact: The City's contract with Pine Tree Waste Services for curbside collection of household waste expires June 30, 2025. This order awards the next five-year contract for this service to Gregory's Disposal of Fairfield, Maine, which provided the lowest of the multiple bids received. Gregory's will provide the same rear load service Brewer residents currently receive.

BID SUMMARY	Rear Load Service	Automated Side Load
Gregory's Disposal	Year 1 cost: \$360,000 5yr Contract Total: \$1,900,000	No bid.
Bolster's Rubbish Removal	Year 1 cost: \$438,320 5yr Contract Total: \$2,393,451	Year 1 cost: \$448,320* 5yr Contract Total: \$2,718,451
Casella dba Pine Tree Waste	Year 1 cost: \$478,500^ 5yr Contract Total: \$2,644,015	Year 1 cost: \$435,000^ 5yr Contract Total: \$2,403,650

*Plus estimated \$275,000 to purchase 3,600 carts at City expense. 5yr Total includes cart cost.

^Plus 3,000 gallons of diesel fuel annually. 5yr Total does not include fuel cost.

ACTION: Councilor Kimball recognized the City's previous refuse collection partner of more than twenty years Casella Waste Systems, and said that Casella had been a good partner for the City. Jim Dunning of Casella expressed his gratitude to the City. Councilor Kimball moved that the order have passage. Councilor Phanthay seconded the motion. The motion passed with a unanimous vote. Mayor Daniels congratulated Gregory's Disposal the City's new refuse collection partner.

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3. Presentation: Final Designs for New City Logo, Sutherland Weston

Mayor Daniels said that the presentation would be postponed until a Council workshop on April 15 at 5:00 p.m.

2025-A078

April 8, 2025

TITLE: ORDER, ACCEPT NEW CITY LOGO DESIGN FOR THE CITY OF BREWER.

Filed March 21, 2025

By Jenn M. Morin

WHEREAS, the current logo of the City of Brewer, rooted in the City's rich history, has served its purpose, but no longer reflects the vibrant, modern identity Brewer seeks to project in alignment with recent updated aesthetics of the Brewer Riverwalk and signage featuring contemporary colors; and

WHEREAS, a cohesive and updated logo will better represent Brewer as a forward-thinking community while continuing to honor its unique character and heritage; and

WHEREAS, the Brewer City Council has authorized the creation of a new, more easily recognizable logo that will assist the City in branding and economic development activities; and

WHEREAS, working groups of citizens, City Councilors, and staff have provided direction to Sutherland Weston for developing the logo; and

WHEREAS, after numerous design iterations, the final designs have been presented to the City Council for selection.

NOW, THEREFORE, BE IT ORDERED that the Brewer City Council herewith accepts and adopts Sutherland Weston's proposed logo designated _____ to be the new logo for the City of Brewer.

Statement of Fact: This order authorizes the use of a new logo for the City of Brewer City created by Sutherland Weston and approved by the Brewer City Council which reflects the City's modern identity while honoring its historical roots.

ACTION: Mayor Daniels announced that the order would not be taken up at this time. No action was taken.

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2025-A079

April 8, 2025

TITLE: ORDER, ESTABLISH CHARTER REVIEW COMMISSION FOR THE CITY OF
BREWER PURSUANT TO TITLE 30-A M.R.S. §2103.

Filed March 25, 2025
By Soubanh Phanthay

WHEREAS, Title 30-A, §2103 of the Maine Revised Statutes provides for the establishment of a Charter Commission to revise or amend a municipal charter; and

WHEREAS, the City Council of the City of Brewer believes it is timely and appropriate to initiate a review of the City Charter to ensure it reflects the current needs, values, and governance practices of the community; and

WHEREAS, the next State and Municipal election will be held on November 4, 2025, allowing adequate time to advertise and solicit interest in the elected Charter Commission positions.

NOW, THEREFORE, BE IT ORDERED, by the City Council of the City of Brewer, Maine, in City Council assembled, that:

1. Charter Review Commission Established

A Charter Review Commission is hereby established pursuant to 30-A M.R.S. §2103.

2. Membership and Selection

The Charter Commission shall consist of nine (9) members, selected as follows:

- Six (6) voter members shall be elected at-large and without party designation, in the same manner as municipal officers, at the State and Municipal election to be held on November 4, 2025, in accordance with Title 30-A M.R.S. §2103(1)(A)(1).
- Three (3) appointive members shall be appointed by the Brewer City Council within thirty (30) days following the election approving the establishment of the Charter Commission, pursuant to Title 30-A M.R.S. §2103(1)(B); appointive members need not be residents of the City of Brewer, but no more than one may be a current municipal officer.

3. Timeline

Following the election and the appointment of the remaining members, the Charter Commission shall convene and begin its work in January 2026, with the goal of completing its review and submitting any proposed revisions or amendments by November 2026, at which time the voters of Brewer shall vote on the proposed changes in accordance with applicable law.

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4. Support and Transparency

City staff shall provide appropriate administrative support to the Commission; the Commission shall conduct its meetings in accordance with Maine's Freedom of Access laws and actively engage the public through hearings and outreach; and

BE IT FURTHER ORDERED, that the Brewer City Council directs the Brewer City Clerk to take all necessary steps to comply with applicable statutory requirements to implement this Order.

Statement of Fact: The City of Brewer Charter has not undergone a comprehensive review in many years. In light of evolving governance practices, legal updates, and community needs, the City Council finds it appropriate to establish a Charter Review Commission under Title 30-A M.R.S. §2103. The Commission will include nine members: six to be elected at-large without party designation at the State and Municipal election on November 4, 2025, and three to be appointed by the City Council within 30 days of that election. Once established, the Commission will begin its work in January 2026, with the goal of completing its review and submitting any proposed Charter amendments for voter consideration at the November 2026 Municipal Election. This timeline allows for public awareness and candidate outreach, and ensures a transparent, thoughtful review process with support from City staff.

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

H. New Items with Leave of Council

There were no new items with leave of Council.

I. ADJOURN

ACTION: Councilor Phanthay moved to adjourn. Councilor Morin seconded the motion. The motion passed with a unanimous vote. The meeting was adjourned at 6:18 P.M.

ADJOURNED, ATTEST: _____ Vincent P. Migliore
City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine