

# **CITY COUNCIL SPECIAL MEETING**

**Tuesday, July 22, 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. Workshop: Moratorium on large-scale solar energy systems.
  - 2. Public Comments
- IV. Recess for Public Hearing**
  - 1. To consider extending moratorium on large-scale solar energy systems.
- V. Adjourn Public Hearing**
- C. Consent Calendar**
  - 1. (2025-B030) RESOLVE Resolution to extend moratorium on large-scale solar energy systems. (Councilor Phanthay)
  - 2. (2025-A164) ORDER Authorize purchase of two replacement vehicles for Brewer Police Department. (Councilor O'Halloran)
  - 3. (2025-A165) ORDER Accept fees for tables in craft fair and business section of Brewer Riverwalk Festival. (Councilor Kimball)
  - 4. (2025-A166) ORDER Accept donations to City of Brewer for Young Citizens Public Safety Academy. (Councilor Morin)
  - 5. (2025-A167) ORDER Declare property situated at 39 Mill Street, Brewer, Maine, and more specifically described in Penobscot County Registry of Deeds, Book 13092, Page 238, to be surplus and authorize its disposal. (Councilor Phanthay)
  - 6. (2025-A168) ORDER Accept donation from Downeast Credit Union to Brewer Parks & Recreation Department for Family Movie Night. (Councilor O'Halloran)
  - 7. (2025-A169) ORDER Declare property situated on Harlow Street, Brewer, Maine, and more specifically described in Penobscot County Registry of Deeds, Book 2461, Page 249, to be surplus and authorize its disposal.  
(Councilor Kimball and Mayor Daniels)
- D. Monthly Reports** (none)
- E. Nominations, Appointments, Elections** (none)
- F. Unfinished Business** (none)

**G. New Business**

1. (2025-C008) ORDER Amend Chapter 24 of the Charter, Codes and Ordinances of the City of Brewer, entitled “Land Use Code”, to change portion of Rural zoning district and portion of the General Business (GB) zoning district to Low Density Residential (LDR) zoning district on Bennett Road (Tax Map 8, Lot 69-B and portion of Lot 71). (Councilor Kimball)
2. (2025-C009) ORDER Amend Chapter 1 of the Charter, Codes and Ordinances of the City of Brewer, entitled “The City Council”, to add Section 219,” Annual Review”.  
(Councilor Morin and Mayor Daniels)

**H. New Items with Leave of Council**

**I. ADJOURN**

## **CITY OF BREWER PUBLIC NOTICE**

Notice is hereby given that the Brewer City Council will hold a public hearing on **Tuesday, July 22, 2025 at 2:00 p.m. in the Council Chambers at Brewer City Hall located at 80 North Main Street, Brewer, Maine** to consider whether to extend the current moratorium on large-scale solar energy systems. Any person may present written or oral comments at this public hearing. Written comments must be received by 12:00 p.m. on the date of the hearing.

Vincent P. Migliore  
City Clerk

# CITY OF BREWER, MAINE

## IN CITY COUNCIL ASSEMBLED

2025-B030

July 22, 2025

TITLE: RESOLVE, RESOLUTION TO EXTEND MORATORIUM ON LARGE-SCALE SOLAR ENERGY SYSTEMS.

Filed July 2, 2025  
By Soubanh Phanthay

WHEREAS, on September 12, 2023 the Brewer City Council enacted the “City of Brewer Moratorium Ordinance on Large-Scale Solar Energy Systems” (hereinafter “Moratorium”); and

WHEREAS, the Brewer City Council has thrice voted to extend the Moratorium, each time for an additional one-hundred-and-eighty-days, at meetings on February 13, 2024, August 13, 2024, February 11, 2025, and the moratorium is set to expire on September 1, 2025; and

WHEREAS, 30-A M.R.S. § 4356 provides that, after notice and hearing, municipal officers may extend moratoriums for additional one-hundred-and-eighty-day periods; and

WHEREAS, a properly noticed public hearing was held on the twenty-second day of July, 2025, to allow the City Council to consider the need to extend the Moratorium and whether reasonable progress has been made to alleviate said need, at which the City Council heard from all persons wishing to speak to the issue of extending the Moratorium; and

WHEREAS, pursuant to the aforescribed hearing, the City Council finds the problem giving rise to the Moratorium still exists; and

WHEREAS, the City Council further finds that additional time is warranted to provide sufficient time to alleviate the need giving rise to the Moratorium.

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council hereby extends the Moratorium by an additional one-hundred-and-eighty-day time period; and

BE IT FURTHER RESOLVED, that to the extent any provision of this Resolution or the Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Resolution and/or Moratorium shall remain valid.

**Statement of Fact:** The Brewer City Council enacted a moratorium on large-scale solar energy systems in September of 2023. The Moratorium has thrice been extended by additional one-hundred-and-eighty-day periods, and is set to expire on September 1, 2025. This resolution extends the moratorium for an additional one-hundred-and-eighty days with a new expiration of February 28, 2026.

# **CITY OF BREWER, MAINE**

## **IN CITY COUNCIL ASSEMBLED**

2025-A164

July 22, 2025

TITLE: ORDER, AUTHORIZE PURCHASE OF TWO REPLACEMENT VEHICLES  
FOR BREWER POLICE DEPARTMENT.

Filed July 3, 2025  
By Dani O'Halloran

### **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 necessary for the Brewer Police Department to affect these transactions as quickly as possible to receive the best possible prices; 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; and

WHEREAS, the Brewer City Council approved the Brewer Fiscal Year 2026 (FY26) Capital Improvement Program (CIP) which includes funding for replacement of two police vehicles: one for primary patrol use and one for unmarked police use; and

WHEREAS, a bid was solicited from Island Technology Services (ITS) for two new vehicles; and

WHEREAS, the bid for the primary patrol vehicle consisted of one 2025 Ford Utility Police Interceptor, at a cost of \$43,444.45 from McGovern MHQ plus \$20,510.90 in installed equipment from ITS for a total cost of \$63,955.35, which includes a \$2,000 trade in allowance for a 2018 Ford Utility Police Interceptor (patrol VIN x7656); and

WHEREAS, the bid for the unmarked police vehicle consisted of one 2025 Chevy Tahoe Special Service Vehicle (SSV), at a cost of \$57,489.25 from Liberty Chevrolet plus \$15,802.90 in installed equipment from ITS for a total cost of \$73,292.15; and

WHEREAS, the trade-in offer from Liberty Chevrolet for a 2017 Ford Explorer XLT (unmarked VIN x3413) was well below market value and was rejected; and

WHEREAS, City staff are confident that the 2017 Ford Explorer XLT can be auctioned off at Central Maine Auction Center for at least \$10,000.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the City Manager or his designee to sign a purchase order for \$20,510.90 with Island Technology Services (equipment) and for \$43,444.45 with McGovern MHQ (vehicle) and authorizes the appropriation and expenditure of this amount from capital account 0510132-511200 (Police Cruiser) to fund the purchase of the 2025 Ford Utility Police Interceptor; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or his designee to sign a purchase order for a 2025 Chevy Tahoe SSV to capital account 0510132-511205 (Police Unmarked Vehicles) for \$15,802.90 with Island Technology Services (equipment) and for \$57,489.25 with Liberty Chevrolet (vehicle), provided that the 2017 Ford Explorer XLT first sells at auction for at least \$10,000; and

BE IT FURTHER ORDERED, that should the 2017 Ford (VIN x3413) sell for at least \$10,000 that \$10,000 be appropriated for expenditure from capital account 0510132-511205 (Police Unmarked Vehicles) to help fund the purchase of the 2025 Chevy Tahoe SSV with any proceeds received above \$10,000 being receipted to the CIP Sale of Assets account (0500100-300410); and

BE IT FURTHER ORDERED, the City Council hereby declares the Police Department's 2018 Ford Utility Police Interceptor (VIN#1FM5K8ARXJGCO7656), and 2017 Ford Explorer XLT (VIN#1FM5K8D86HGD73413) surplus and authorizes the City Manager or his designee to dispose of the vehicles by allowing for trade-in and/or auction to offset the purchase price of the new police vehicles; and

BE IT FURTHER ORDERED, that the City Council of the City of Brewer herewith exercises its authority under Section 404 of the City's Purchasing Ordinance, Chapter 36 of the Charter, Codes and Ordinances of the City of Brewer in the purchase of goods and supplies for this project.

**Statement of Fact:** This order authorizes the purchase of two police vehicles as authorized in the FY26 CIP. Two vehicles from the Police Department fleet will be used for trade-in and/or auction to offset the purchase prices of the two new vehicles. Island Tech Services (ITS) is the vendor that provides and installs all police equipment in the Brewer Police fleet: emergency lights, sirens, light controllers, camera systems, radios, radar, et cetera. ITS has a network of automotive vendors in the Eastern United States that offer government fleet contract pricing and has readily available inventory. ITS has quoted vehicle price, using said vendors, as well as equipment and related installation costs. These purchased vehicles will be completely outfitted and ready for service.

**Vehicle Trade Ins/Auction:**

2017 Ford Explorer: \$10,000 estimated at auction. *Note: Central Maine Auction Center sold a 2017 Ford Explorer on 07/01/2025 with double the mileage for \$9,000.00. There is no commitment to sell through auction, if desired price isn't met, there is no fee. If sale is made there is a \$350 auction fee.*  
2018 Ford Utility Police Interceptor: \$2,000 (trade in).

# CITY OF BREWER, MAINE

## IN CITY COUNCIL ASSEMBLED

2025-A165

July 22, 2025

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

Filed July 9, 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 \$75 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 \$75 from craft vendors and businesses for the purpose of securing a spot during the Brewer Riverwalk Festival to financially support the Riverwalk Festival.

# CITY OF BREWER, MAINE

## IN CITY COUNCIL ASSEMBLED

2025-A166

July 22, 2025

TITLE: ORDER, ACCEPT DONATIONS TO CITY OF BREWER FOR YOUNG  
CITIZENS PUBLIC SAFETY ACADEMY.

Filed July 11, 2025

By Jenn M. Morin

WHEREAS, the City of Brewer Public Safety Department will be hosting the Young Citizens Public Safety Academy 2025; and

WHEREAS, the following businesses have made donations to support the Young Citizens Public Safety Academy:

Nichols Plumbing & Drain Cleaning	\$1,000
Twin City Tire	\$500
Acadia Federal Credit Union	\$250

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 account 0600058-360015-58062 for the purpose of supporting the Young Citizens Public Safety Academy; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of these funds from 0600058-560000-58062 to support the Young Citizens Public Safety Academy.

**Statement of Fact:** The City of Brewer Police Department received donations totaling \$1,750 for the purpose of supporting the Brewer Young Citizens Public Safety Academy. This order accepts the funds and appropriates them for the expenditure to support the event.

# CITY OF BREWER, MAINE

## IN CITY COUNCIL ASSEMBLED

2025-A167

July 22, 2025

TITLE: ORDER, DECLARE PROPERTY SITUATED AT 39 MILL STREET, BREWER, MAINE, AND MORE SPECIFICALLY DESCRIBED IN PENOBSCOT COUNTY REGISTRY OF DEEDS, BOOK 13092, PAGE 238, TO BE SURPLUS AND AUTHORIZE ITS DISPOSAL.

Filed July 15, 2025  
By Soubanh Phanthay

WHEREAS, the City of Brewer is the current owner of the property situated at 39 Mill Street, Brewer, Maine (Tax Assessor's Map 21, Lot 60), more specifically described in the Penobscot County Registry of Deeds in Book 13092, Page 238 (hereinafter referred to as the "Property"); and

WHEREAS, City staff has concluded that the Property is not required for public purposes and recommends to the City Council that it be declared surplus and sold or otherwise disposed of as would be in the best interest of the citizens of Brewer.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby declares the Property situated at 39 Mill Street, Brewer, Maine, to be surplus property for public purposes, and authorizes the City Manager, or his designee, to sell by quitclaim deed or otherwise dispose of the Property; and

BE IT FURTHER ORDERED, that the City Manager, or his designee, is authorized to take any and all further action he, or his designee, deems necessary and to sign any and all documents that he, or his designee, deems appropriate to effectuate the sale or transfer of said Property.

**Statement of Fact:** The City of Brewer owns the property located at 39 Mill Street (Tax Map 21, Lot 60), as recorded in the Penobscot County Registry of Deeds in Book 13092, Page 238. City staff have evaluated the property and determined that it is not needed for any current or foreseeable municipal purpose. Accordingly, the property has been recommended for declaration as surplus and disposal through sale or other means deemed appropriate. This order authorizes the City Manager, or his designee, to carry out the necessary actions to dispose of the property in a manner consistent with applicable state laws and in the best interest of the City of Brewer.

# CITY OF BREWER, MAINE

## IN CITY COUNCIL ASSEMBLED

2025-A168

July 22, 2025

TITLE: ORDER, ACCEPT DONATION FROM DOWNEAST CREDIT UNION TO  
BREWER PARKS & RECREATION DEPARTMENT FOR FAMILY  
MOVIE NIGHT.

Filed July 16, 2025  
By Dani O'Halloran

WHEREAS, the Brewer Parks & Recreation Department has received a donation of \$1,000 from Downeast Credit Union for support of upcoming Family Movie Night events; 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 Family Movie Night.

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 \$1,000 contribution from Downeast Credit Union to the City of Brewer Parks & Recreation Department and authorizes the expenditure of this contribution to support Family Movie Night.

# CITY OF BREWER, MAINE

## IN CITY COUNCIL ASSEMBLED

2025-A169

July 22, 2025

TITLE: ORDER, DECLARE PROPERTY SITUATED ON HARLOW ST, BREWER, MAINE, AND MORE SPECIFICALLY DESCRIBED IN PENOBSCOT COUNTY REGISTRY OF DEEDS BOOK 2461, PAGE 249, TO BE SURPLUS AND AUTHORIZE ITS DISPOSAL.

Filed July 18, 2025  
By William Kimball and  
Michele Daniels

WHEREAS, the City of Brewer is the current owner of the property situated on Harlow Street, Brewer, Maine (Tax Assessor's Map 32, Lot 32), more specifically described in the Penobscot County Registry of Deeds in Book 2461, Page 249 (hereinafter referred to as the "Property"); and

WHEREAS, City staff has concluded that the Property is not required for public purposes and recommends to the City Council that it be declared surplus and sold or otherwise disposed of as would be in the best interest of the citizens of Brewer.

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby declares the Property situated on Harlow Street, Brewer, Maine, to be surplus property for public purposes, and authorizes the City Manager, or his designee, to sell by quitclaim deed or otherwise dispose of the Property; and

BE IT FURTHER ORDERED, that the City Manager, or his designee, is authorized to take any and all further action he, or his designee, deems necessary and to sign any and all documents that he, or his designee, deems appropriate to effectuate the sale or transfer of said Property.

**Statement of Fact:** The City of Brewer owns the property located on Harlow Street (Tax Map 32, Lot 32), as recorded in the Penobscot County Registry of Deeds in Book 2461, Page 249. City staff have evaluated the property and determined that it is not needed for any current or foreseeable municipal purpose. The property has been recommended for declaration as surplus and disposal through sale or other means deemed appropriate. This order authorizes the City Manager, or his designee, to carry out the necessary actions to dispose of the property in a manner consistent with applicable state laws and in the best interest of the City of Brewer.

# CITY OF BREWER, MAINE

## IN CITY COUNCIL ASSEMBLED

2025-C008

July 22, 2025

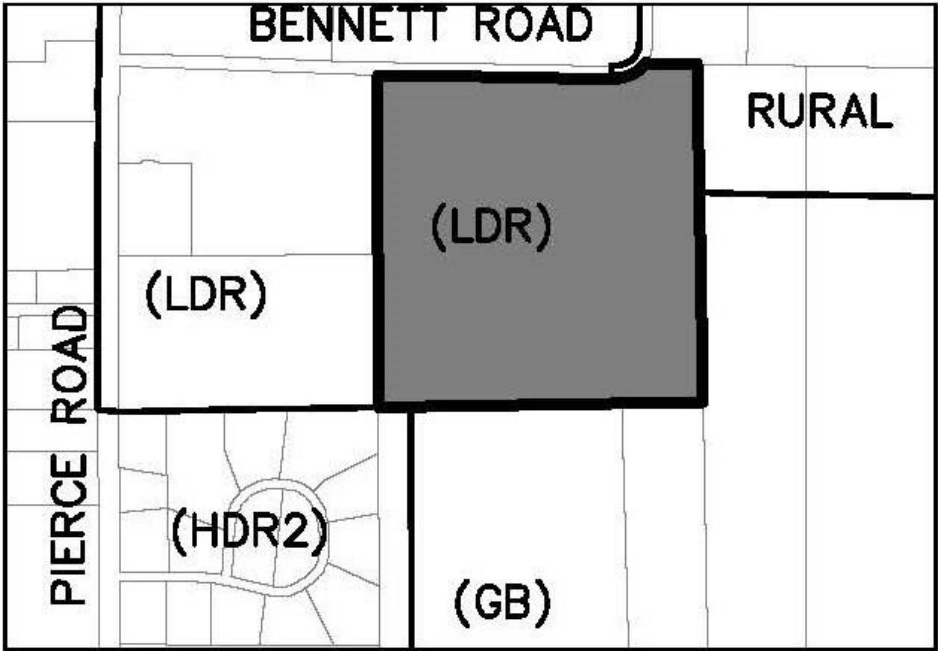
TITLE: ORDER, AMEND CHAPTER 24 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “LAND USE CODE”, TO CHANGE PORTION OF RURAL ZONING DISTRICT AND PORTION OF GENERAL BUSINESS (GB) ZONING DISTRICT TO LOW DENSITY RESIDENTIAL (LDR) ON BENNETT ROAD (TAX MAP 8, LOT 69-B AND PORTION OF LOT 71).

Filed July 16, 2025  
By William Kimball

BE IT ORDAINED, by the City Council of the City of Brewer, that Chapter 24, of the Charter, Codes and Ordinances of the City of Brewer, entitled “Land Use Code”, shall be amended to change a portion of the Rural zoning district and the General Business (GB) zoning district to Low Density Residential (LDR) zoning district on Bennett Road (Tax Map 8, Lot 69-B and a portion of Lot 71) by moving the existing zone line so that the following land is changed to Low Density Residential (LDR):

1. Tax Map 8, Lot 69-B: the entire parcel which is shown as all of Lot 3 of the Three Rivers Subdivision as shown on the plan recorded in the Penobscot County Registry of Deeds as Plan 2005-37.
2. Portion of Tax Map 8 Lot 71: That portion of land lying northeasterly of a line created by the extension of the lot line between Lot 2 and Lot 3 of said Three Rivers Subdivision Plan in a southeasterly direction. The portion of land to be rezoned runs from said Lot 2/Lot 3 line extension to Bennett Road and is approximately 247.50 feet in width.
3. The zone line shall follow the centerline of Bennett Road where applicable.

**Statement of Fact:** The Tax Map 8, Lot 69-B parcel currently lies within the Rural zoning district, and the Lot 71 parcel currently lies within the General Business (GB) zoning district and the Rural zoning district. By moving the current zone line to encompass the property, the developer could potentially develop the property into uses allowable in the Low Density Residential (LDR) zoning district. The Brewer Planning Board held a public hearing on July 14, 2025 and made the recommendation that the zone line be moved so that the land described above is within the Low Density Residential (LDR) zoning district. No public comments spoke against the proposed zone change.



# CITY OF BREWER, MAINE

## IN CITY COUNCIL ASSEMBLED

2025-C009

July 22, 2025

TITLE: ORDER, AMEND CHAPTER 1 OF THE CHARTER, CODES AND ORDINANCES OF THE CITY OF BREWER, ENTITLED “THE CITY COUNCIL”, TO ADD SECTION 219, “ANNUAL REVIEW”.

Filed July 18, 2025  
By Jenn M. Morin and  
Michele Daniels

BE IT ORDAINED, by the City Council of the City of Brewer, that Chapter 1, of the Charter, Codes and Ordinances of the City of Brewer, entitled “The City Council”, Article 2, “General”, by adding Section 219, “Annual Review” as follows:

### **SECTION 219 ANNUAL REVIEW**

The Brewer City Council shall conduct an annual self-review process to promote effective governance and foster continuous improvement. Each City Councilor shall complete a self-review of their performance, responsibilities, and contributions in advance of the regular monthly meeting scheduled in August of each calendar year. The form and format of the self-review process, including any instruments, prompts, or procedures to be used, shall be determined by a majority vote of the Council and may be revised from year to year.

**Statement of Fact:** This ordinance amendment establishes an annual self-review for the City Council.