

1. CALL TO ORDER

In the absence of Mayor Rines, Councilor Benner called the meeting to order at 7:05 PM

2. ROLL CALL

Jean Dellert, District 3
Dennis Doiron, At-Large
Lewis Benner, At-Large
Phil Hart, District 4

Rebecca Colwell, At-Large
Jeffrey Kobrock, City Manager
Molly Gallant, Council Clerk

Mayor Rines, Councilors Rambo & Webster absent.

Motion by Councilor Doiron and seconded by Councilor Hart to go into Executive Session at 7:10 pm.

Vote: 5 in favor 0 – opposed Motion: passes

Out of Executive Session at 8:25.

**3. EXECUTIVE SESSION per MRSA, Title 1, Chapter 13, Section 405 (6) (E)
Legal Advice**

Discussion of a legal matter that is pending, with legal direction as how to proceed.

Mayor Rines present

**4. PETITIONS, COMMUNICATIONS, RESOLUTIONS, & PUBLIC
HEARINGS**

**4.1 Consideration of Comments from the Public on Issues that
Do Not Appear Elsewhere on the Agenda (Please limit comments
to five minutes.)**

Rob Tisdale introduced himself to the Council, he is the Operating Manager of Dirigo Housing. He would like to see more elderly housing available in the Gardiner area.

5. NEW BUSINESS

5.1 Consideration of Adelpia /Time Warner Transfer, Resolution 05-33.

Motion by Councilor Hart and seconded by Councilor Dellert to Accept Resolution 05-33, Adelpia Time Warner Transfer.

Vote: 6 in favor 0 – opposed Motion: passes

5.2 Consideration of Second Reading of Ordinance 05-30, Correction of Clerical Errors to the Land Use Ordinance.

Motion by Councilor Hart and seconded by Councilor Dellert to Accept Resolution 05-30, Correction of Clerical Errors to the Land Use Ordinance.

Vote: 6 in favor 0 – opposed Motion: passes

5.3 Consideration of Second Reading of 05-32, General Assistance Ordinance.

Motion by Councilor Hart and seconded by Councilor Dellert to Accept Resolution 05-32, General Assistance Ordinance.

Vote: 6 in favor 0 – opposed Motion: passes

Mayor Rines asked if there were any objections to taking up Addendum Items, there were none.

1. Consideration of Amending December 9, 2004 Council Minutes.

Manager stated the Public that the Council Minutes showed Richard Nickless was listed as present and voting on December 9, 2004 after resigning as a Councilor on December 2, 2004. After listening to Council Meeting tapes it was discovered that there was an error, Mr. Nickless not being present, and this amendment of the minutes will reflect this.

Motion by Councilor Doiron and seconded by Councilor Hart to Accept Amending the December 9, 2004 Minutes.

Vote: 5 in favor 1 abstain (Benner) 0 – opposed Motion: passes

2. Consideration of Loan Recommendation from Economic Development Committee for Johnson Hall Comprehensive Plan.

This loan money will be used to fund the cost of the planning/consultant team. Johnson Hall has a contract with Ann Beha Architects of Boston for \$62,000. The balances of the funds required have been raised through grants. The contract covers architectural plans, a business plan, board development, fundraising feasibility, structural analysis, electrical plans and a traffic study.

Motion by Councilor Colwell and seconded by Councilor Benner to Grant Loan for Johnson Hall Comprehensive Plan.

Vote: 6 in favor 0 – Opposed Motion: passes

3. Consideration of Loan Recommendation from Economic Development Committee for Gardiner Board of Trade/Libby Hill Expansion.

The proposed loan would provide for the necessary funds for Gardiner Board of Trade to meet the organization's obligations for ownership of the Libby Hill Expansion Project property. The loan will allow GBOT to make payments for another 12 months or until permanent funding is obtained to develop the property into saleable lots.

Motion by Councilor Colwell and seconded by Councilor Dellert to Grant Loan for Gardiner Board of Trade/Libby Hill Expansions.

Vote: 6 in favor 0 – Opposed Motion: passes

4. Consideration of Special Permit for Catering Privileges for Kennebec Brewing Co.

Motion by Councilor Doiron and seconded by Councilor Hart to Accept Special Permit for Kennebec Brewing Company.

Vote: 6 in favor 0 – opposed Motion: passes

7. CITY MANAGER REPORT

Manager Kobrock stated that last week City Attorney, Erik Stumpfel entered the City of Gardiner as an intervener in the Public Utilities Case.

Council Minutes of October 13, 2005

At the last Council Meeting it was requested that the manager look into the bid process concerning vehicles. After reviewing the policy, it was done properly with a competitive process and taking the lowest bid.

There was an extraordinary rainfall this past weekend, and the Public Works Department along with the Wastewater Department handled it very well.

The Fire Department had a difficult structure fire yesterday and did an excellent job handling it.

Recently the City had an offer to change power options but decided to not to change. At the present the city is with the standard who buys power on the open market.

8. COUNCIL DISCUSSION

Councilor Benner stated that he recently looked at a drainage problem on Brunswick Terrace, there is water in the basement of the home, it is a cellar drain problem not a perimeter drain problem. Councilor Benner wondered what could be done. Pat Gilbert City Services Director stated that he also has looked at and will see what can be done. Councilor Benner also stated that Pray Street School is not zoned for Boys and Girls Club use, he has spoken to Pat Hart Planning Board Chair, and there will be a workshop to discuss this. Manger Kobrock stated that he will report back the findings, but this can't be addressed until after the referendum vote.

Councilor Hart asked if the manholes on Route 24 are at the right height. Manager Kobrock stated that the MDOT has been contacted along with the contractor with no answer back as of yet.

Councilor Dellert stated that she was experiencing water problems at her home also. Also there has been some trouble around the old school, she hopes that it can be fixed soon.

Mayor Rines stated that Councilor Benner and Councilor Dellert were present along with him at the Kennebec Valley Chamber Board Meeting last week. Mayor Rines stated that he recently sent out a two page email about Council rules, Council may want to change if so it can be on an agenda in the future. There is a copy of rules in the desk drawer in the Council Room if anyone would like to look at, also there are meetings for new officials that may be attended if interested at Maine Municipal Association.

9. ADJOURNMENT

Mayor Rines adjourned the meeting at 9: 28 pm

Respectfully submitted,

Council Minutes of October 13, 2005

Molly Gallant
Council Clerk