

1. CALL TO ORDER

Mayor Rines called the meeting to order at 7:03 PM, asking the Council and citizens to take a moment to remember Councilor Michael Webster, Barbara Temple, and James Connor, who all recently passed away.

2. ROLL CALL

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

Richard Rambo, District 2
Mayor Brian Rines
Jeffrey Kobrock, City Manager
Molly Gallant, Council Clerk

Councilor Colwell absent.

3. PETITIONS, COMMUNICATIONS, RESOLUTIONS, & PUBLIC HEARINGS

3.1 Public Hearing for Liquor License Renewal for Kennebec Brewing Company.

Public Hearing opened and closed at 7:09 without comment.

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

Harvey Devane spoke to the Mayor and Council about the land use issue he is taking to the Board of Appeals.

4. CONSENT AGENDA

4.1 Consideration of Accepting November Warrants

#18	11/03/05	035281-035347	\$	129,163.99
#19	11/10/05	035348-035413	\$	155629.59
#20	11/17/05	035414-035487	\$	478,710.06

4.2 Consideration of Councilor Benner Signing December 2005 Warrants.

4.3 Consideration of Liquor License Renewal for Kennebec Brewing Company.

Council Minutes of December 1, 2005

4.4 Consideration of November 3, 2005 Council Minutes.

Motion by Councilor Rambo and seconded by Councilor Dellert to Accept Consent Agenda Items 4.1 – 4.4.

Vote: 6 in favor 0 – opposed Motion: passes

Mayor Rines asked if there were any objections to adding an Addendum Items, there were none.

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

Mayor Rines stated that the Council discussed a legal matter on speaker phone with an attorney, the City Manager and attorney were directed to proceed on the issue and keep in mind Council concerns.

5. NEW BUSINESS

5.1 Introduction of Community Development Associate.

Sarah Fritzhand was introduced as the new Community Development Associate.

5.2 Discussion of Central Street School.

Manager Kobrock recently received a letter from a couple interested in purchasing the Central Street School building to use as a residence and also art studio space. Before continuing discussions with the Mason's they thought they would talk to the City about conditional use. Manager Kobrock spoke to the Code Enforcement Officer about zoning issues, and building would be considered a home occupation with a private studio space. The Council thought that there should be a time frame placed on fixing up the property, there was also some concern about noise, but the Council was told that to live within the ordinance, they owners would not be able to create a lot of disruption within the neighborhood. The Council thought it would also be good to receive the amount due the City in the original deed restrictions.

5.3 Consideration of Library Fees.

Anne Davis, Library Director asked the Council to approve the fees for the Towns:

- Farmingdale \$13,815
- Litchfield \$12,647
- Pittston \$17,829
- Randolph \$12,346
- West Gardiner \$23,613

Motion by Councilor Benner and seconded by Councilor Dellert to Accept Library Fees.

Vote: 6 in favor 0 – opposed Motion: passes

5.4 Consideration of Property Tax Abatement.

This is a requested tax abatement in the amount of \$50.00, the company was required to file yearly but did not return the filing as requested. Assessor Curt Lebel did not grant the abatement and Manager Kobrock concurs.

Motion by Councilor Rambo and seconded by Councilor Dellert to Not Grant the Property Tax Abatement.

Vote: 6 in favor 0 – opposed Motion: passes

5.5 Consideration of Resolution 05-35, City of Gardiner Priorities for New Mills Bridge Rt. 126 Construction Projects.

The City Council desires a comprehensive design approach be utilized by Maine Department of Transportation that includes both the New Mills Bridge and Route 126 reconstruction, and that it:

- Incorporates pedestrian, bicycle and safety concerns
- Addresses aesthetic issues relating to the gateway entrance factor
- Applies appropriate elements of future uses and activities as envisioned in this area by the Cobbosseecontee Corridor Master Plan
- Is careful to mitigate unwanted effects upon residents regarding traffic diversions and temporary routes.

Motion by Councilor Dellert and seconded by Councilor Benner to Accept Resolution 05-35, City of Gardiner Priorities for New Mills Bridge Rt. 126 Construction Projects.

Vote: 6 in favor 0 – opposed Motion: passes

5.6 Discussion of Gardiner's Emergency Action Plan.

Council Minutes of December 1, 2005

Chief Mark Kimball submitted to the Council an overview of Gardiner's Emergency Action Plan in regards to floods, hurricanes, terrorists, ice storms, dam failures, & hazardous-material incidents.

6. **EXECUTIVE SESSION per MRSA, Title 1, Chapter 13, Section 405 (6) (D)** **Labor Negotiations**

Postponed.

7. **CITY MANAGER REPORT**

Anne Davis recently finished being Interim Planning and Development Director, her time at City Hall in the position was very much appreciated, thank you.

Maine Department of Transportation has notified the City of Gardiner about project deferral on Cobbossee Stream. There have been 159 projects deferred, the deferrals are still under discussion, there will be a meeting next week to discuss this further.

Real Estate values continue to rise which may force a revaluation. Jason Simcock, Planning and Development Director & Assessor Curt Lebel will be meeting with the Council in the future to discuss this matter.

Chuck Applebee & Pat Gilbert are continuing to work on the West Street odor problem, surveys have been sent, and the data will be reviewed. Chemicals are being used to help correct the issue along with a smoke test.

The Kennebec River is expected to be rising in the near future to flood levels, it is being watched very closely.

Reggie Grant has recently started as Public Works Supervisor; Reggie was already working at Public Works as a Truck Driver.

8. **COUNCIL DISCUSSION**

Councilor Dellert stated that the speed limit from Church Hill downward has been a problem, Chief Toman stated that he would speak to Reggie Grant about signage.

Councilor Doiron stated that if the City does a revaluation, the citizens to be kept informed from the beginning to make sure that there is no confusion.

Councilor Rambo asked if the stripe in the road that is by Christ Church can be blacked out, Pat Gilbert stated it is too late in the season now, it will be taken care of in the Spring. Councilor Rambo asked if there could be a newsletter produced by the City, so that information could be obtained by all. Councilor Rambo reminded the Councilor that it is time for the review of Brown's Autograveyard. Manager Kobrock stated that it will done when the new Code Enforcement Officer is hired.

Council Minutes of December 1, 2005

Councilor Hart asked if the manholes on Route 24 will be done soon. Pat Gilbert stated that he has been talking to MDOT, it won't be done until Spring because of the temperature. Councilor Hart also asked if the City is taking care of snow removal differently, recently he was in Pittston and it seemed as though the plowing on their roads had been handled better. Pat Gilbert stated that there has been no change. Mayor Rines asked to have Pat keep an eye on the road conditions and report back to Council.

Mayor Rines reminded the Council of the Christmas luncheon. The Mayor will be working on committee appointments.

Councilor Benner asked if the paving projects got done this year. Pat Gilbert stated that they hadn't but there would be no penalties, and the quoted price will be honored. Councilor Benner also asked if there any way to distribute welcome baskets to new citizens of Gardiner. Mayor Rines stated that it had been done in the past with volunteers, but it is difficult to continue.

Harvey Devane remarked to the Council that he recently filled out an Appeals form and found many mistakes and misinformation on the form given to him. He asked that office to look it over for mistakes before handing it out in the future.

9. ADJOURNMENT

Mayor Rines adjourned the meeting at 9:07 pm.

Respectfully submitted,

Molly M. Gallant
Council Clerk