



**COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
GARDINER CITY COUNCIL CHAMBERS
WEDNESDAY, August 16, 2023
6:00 PM PUBLIC MEETING**

1. ROLL CALL / PLEDGE OF ALLEGIANCE:

City Council present: Mayor Hart, Councilor Frey, Councilor Cusick, Councilor Berry, Councilor Greenleaf, Councilor Brown, Councilor Grant.

City Staff: Andrew Carlton- City Manager, Melissa Lindley- Economic Development Director, Hailee Lovely- Deputy City Clerk, Angelia Christopher- Planning and Development Assistant/ General Assistance Director, Denise Brown- Finance Manager, Doug Clark- Superintendent of Sewer/ Wastewater, Rick Sieberg- Fire Chief, Dawn Thistle- Others present: Mike Miclon- Johnson Hall, Tamara Whitmore- Gardiner Main St. Executive Director, Zach Wanberg, Dorothy Washburn.

2. PUBLIC COMMENT (anything not on the agenda) - No comment currently.

3. PETITIONS / PUBLIC HEARINGS

- a) 3a. Public Hearing regarding a Cannabis License for Flying Fish LLC
Mayor Hart opened the public hearing at 6:01pm. There being no comment, she closed the public hearing at 6:02pm.

4. NEW BUSINESS

4a. Approval of City Council meeting minutes from August 2, 2023

Action: Councilor Grant moves to approve the City Council meeting minutes from 08/02/2023. Councilor Greenleaf seconded the motion. No further discussion. Unanimously approved.

4b. Approval of a Cannabis Cultivation Manufacturing License for Flying Fish LLC

Action: Councilor Cusick moved to approve the Cannabis Cultivation license for Flying Fish LLC. Councilor Frey seconded the motion. No further discussion. Unanimously approved.

4c. Approval of a Victualers License renewal for Ainslie's Market

Action: Councilor Berry Moved to approve the Victualers license renewal for Ainslie's Market. Councilor Cusick seconded the motion. No further discussion. Unanimously approved.

4d. Department Head Reports-

Mayor Hart and City Councilors thank the department heads for the reports.

4e. Request regarding a permanent stage at the Waterfront from Johnson Hall

Mike Miclon from Johnson Hall- The current, temporary, stage takes up 6 parking spots at the waterfront. Johnson Hall is proposing building a permanent structure, on a section of lawn, that would open those parking spaces back up. The summer concert series has been very popular since 2014. Johnson Hall wants to raise all the funds to build a stage and then continue to raise money for upkeep. City Councilor Berry- His initial thought was, "this is city property paid by someone else, it's a great idea and addition but some competing uses need to play out." City manager Carlton- "It would need to go through same process as the current one does, go before city council, need a calendar for it. We will reach out to the insurance company for liability questions." City Councilor Brown- has concerns about where in the park it would be. She does not want to see the view obstructed. Mr. Miclon states that they would nestle the stage in the trees so it would not block the park and the water view. City Councilor Grant has concerns about larger events on it with parking issues. Mayor Hart explains that something of this nature, there should be a work group formed, to help work on details and potential issues. Dorothy Washburn- longtime Gardiner resident, explains that she has mixed feelings on this. She would like to see a structure built that could be used as a stage and a pavilion. This will be revisited again at a later date.

4f. Approval of a Large event for Gardiner Main Street: Swine and Stein

Tamara Whitmore Executive Director for Gardiner Main St. - The Swine and Stein event brings about 1500 people downtown, depending on the weather. There are no proposed changes to this event this year. Last year's set up and event seemed to allow more movement and enjoyment. City Manager Carlton- Everything looks good, last year's event went well.

Action: Councilor Cusick moved to approve and waive all associated fees regarding the large event for Gardiner Main Street: Swine and Stein. Councilor Frey seconded the motion. No further discussion. Unanimously approved.



4g. Lower Road RUAC Draft Report

Councilor Grant updated the council on the Maine Department of Transportation's Lower Road Rail Use Advisory Council, or RUAC, on which she represents the city. The group's purpose is to study the 33 ½ mile of unused rail corridor between Brunswick and Augusta. The group is completing its nine-month study regarding whether and how to establish a multiuse trail on the corridor until restoration of rail service becomes feasible. At the last meeting, to be held August 23, 2023. Councilor Grant intends to vote with what is expected to be the majority, to recommend that the DOT Commissioner consider building a multiuse trail through this corridor in place of the old rails and ties, until rails service becomes feasible.

Councilor Grant provided the Council with the draft Majority Report for their information and asked the council to provide informal support for her vote.

Councilor Berry expressed concern about the city's responsibility for construction costs and maintenance of such a trail. Councilor Grant said that at this stage of the process the city is not making any financial or other commitments for the project, only approving the concept for further study by the DOT Commissioner and the Legislature. More formal conversations will take place if the Commissioner and Legislature move the project forward.

There was no objection to the approval of the concept going forward as the Majority Report of the Lower Road RUAC outlined.

5. CITY MANAGER REPORT

Thank you to City staff, for running the city hall smoothly while he was on vacation. There will be a Facilities Study meeting in September. The new police truck arrived and will be in service soon. The Public Works dump truck should be ready in the next couple of weeks. Harrison Ave did not sustain any additional damage with the recent heavy rains, which is very good news. City Manager Carlton reported that he reached out to DOT, following concerns from residents about the bridge being shut down to one way traffic for 30 days. DOT has finalized the project, with the plan to shut traffic to the bridge to one way traffic for a month. The overall hope is that with incentives, and good weather, the job could be done in as little as 20 days. Nothing else currently.

6. CITY COUNCIL REPORT

Councilor Cusick: Nothing to report currently.

Councilor Berry: Nothing to report currently.

Councilor Frey: Nothing to report currently.

Councilor Greenleaf: Thank you to the department heads for the reports. Continuing to receive concerns about the sidewalks, regarding the overgrown bushes.

Councilor Brown: Nothing to report currently.

Councilor Grant: Has received concerns about possible rotten trees on River Avenue, and the process of how they would be taken care of if the trees were to fall. City Manager Carleton- If a tree falls in the public right of way, it is the City's responsibility for cleanup. It usually depends on the road and where the tree lies. He will make plans to investigate the condition of the trees in the location that Council Grant spoke of.

Mayor Hart: Thanks, both Gardiner PD and Fire for making sure that the high school track champs had a great celebration parade. There is an Art walk this Friday the 18th. The Boys and Girls Club will be celebrating the opening of their new athletic field on 8/17. She expressed that she has concerns about speeding on Highland Avenue. There are many pedestrians that walk that road and with school starting soon, the traffic will increase significantly. She would like to get the electric speed limit sign installed on the street and regular patrols to be happen. Nothing else at this time.

7. EXECUTIVE SESSION

7a) Action regarding Poverty Tax Abatement Request

Action- Councilor Brown moved to enter executive session at 6:49p.m. pursuant to 36 M.R.S.A. §841(2) Property Tax Abatement Request, Councilor Cusick seconded the motion. A roll call vote was conducted; Councilor Cusick – yes, Councilor Berry – yes; Councilor Frey – yes; Councilor Grant – yes; Councilor Greenleaf – yes; Councilor Brown – yes; Mayor Hart – yes. The motion passed. The City Council moved into executive session at 6:49 p.m.

Action-Councilor Greenleaf moved to exit executive session at 7:13 p.m. pursuant to 36 M.R.S.A. §841(2) Property Tax Abatement Request, Councilor Cusick seconded. A roll call vote was conducted: Councilor Cusick – yes; Councilor Berry – yes; Councilor Frey – yes; Councilor Grant – yes; Councilor Greenleaf – yes; Mayor Hart – yes. The motion passed.

The City Council moved out of Executive Session at 7:13 p.m.

ACTION: Councilor Berry moved to deny the abatement request for case number 2023-1. Councilor Cusick seconded the motion. A roll call vote was conducted: Councilor Brown – yes; Councilor Greenleaf – yes; Councilor Grant – yes; Councilor Frey – yes; Councilor Berry – yes; Councilor Cusick – yes; Mayor Hart – yes. The motion passed.

8. Adjourn

- **Action: Councilor Brown makes motion to adjourn at 7:20 pm. Councilor Cusick seconded the motion. No further discussion. Unanimously approved.**



2023 MEETING DATES

9/20/23

10/4/23

10/18/23

11/1/23

11/15/23

12/6/23

12/20/23