

Mayor Hart called the meeting to order at 6:01pm.

1. ROLL CALL & PLEDGE OF ALLEGIANCE

Patricia Hart, Mayor at large; Councilors: Terry Berry, District 1; Colin Frey, District 3; Tim Cusick, At large; Amy Rees, District 2; Marc Rines, District 4; Maryann White, At large; Jon Ault, At large;

Also in attendance: City Manager, Christine Landes; Economic Development Director, Tracey Desjardins; Police Chief, James Toman; Fire Chief, Al Nelson

2. PUBLIC COMMENT (anything not on the Agenda)

Fire Chief Al Nelson gave a brief update on the COVID-19 regarding City Staff policies and protection.

Councilor Rines moved to approve the closure of all City Buildings in response to COVID-19 until the approval by the Governor or by the Emergency Management Team of the United States, whichever occurs later.

Councilor Berry seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

Councilor Berry asked Chief Nelson if Gardiner has any mechanism in place to communicate with surrounding Towns and cities.

Chief Nelson said Gardiner is communicating statewide although there is nothing formal in place.

Mayor Hart stated that City Manager Landes has a network of Municipal Managers that she communicates with on a regular basis. The Department Heads are also in similar groups.

City Manager Landes commented that the Maine Managers will be meeting via Zoom to update each other and make sure everyone is on the same page.

Chief Nelson gave an update on the NO BURN rule in place currently. Reason number one is because it is very dry right now. Reason number two is related to COVID-19 in regards to trying to comply with the social distancing policy.

Councilor Rees moved to approve the ability of the City Manager to make decisions on behalf of the City Council when consulting with the Mayor to be tied to the Governors' State of Emergency timeframe or the US State of Emergency timeframe, whichever occurs later.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

3. PETITIONS/PUBLIC HEARINGS

- a. Public Hearing on Proposed Amendments to the Land Use Code for Small-Scale Alcoholic Beverage Production and Sales

The proposed amendments to the Land Use Code specifically provide for businesses that produce and serve various types of alcoholic beverages. This is often a hybrid of a production/manufacturing use and retail use.

1. The state licenses small breweries, small wineries, and small distilleries with limits on the volume of beverages that each can produce.
2. Similarly the state has various categories of restaurant licenses.
3. However there is no ready-made state category that addresses all of these types of activities.

The Ordinance Review Committee and the Planning Board recommend that the City create a use that incorporates the various types of small-scale alcohol beverage producers and allows the sale and consumption of produced beverages on the premises and permits them in appropriate locations. The proposed amendments to the Land Use Code will do this.

Mayor Hart opened the public hearing at 6:20pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:20pm.

#### 4. NEW BUSINESS

- a) Second Read and Possible Approval of Proposed Amendments to the Land Use Code for Small-Scale Alcoholic Beverage Production and Sales

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- 1. The state licenses small breweries, small wineries, and small distilleries with limits on the volume of beverages that each can produce.
  - 2. Similarly the state has various categories of restaurant licenses.
  - 3. However there is no ready-made state category that addresses all of these types of activities.
- The Ordinance Review Committee and the Planning Board recommend that the City create a use that incorporates the various types of small-scale alcohol beverage producers and allows the sale and consumption of produced beverages on the premises and permits them in appropriate locations. The proposed amendments to the Land Use Code will do this.

Councilor Berry moved to approve the proposed amendments to the Land Use Code for Small-Scale Alcoholic Beverage Production and Sales and to waive publication of the ordinance in the newspaper as allowed by City Charter Article II, Section 9.

Councilor Cusick seconded.

Mayor Hart asked for any discussion.

Councilor Frey asked if any research had been done as to what constitutes a small business. EDD Desjardins replied that it is the determination of the State.

Mayor Hart asked for any further discussion. Seeing none. All those in favor. Unanimous.

- b) Consider Approval of a Roving/On-Wheels/Food Truck License for Papa's Roadhouse

Papa's Roadhouse, a mobile food truck, has applied for a roving/on-wheels/lunch wagon license. Kelly Gooldrup, City Clerk, notified him of the draft of the new food truck ordinance that will be going to council.

Councilor Ault moved to approve the Roving/On-wheels/Food Truck License for Papa's Roadhouse.

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

- c) Accept Public Works Director Tony LaPlante's Resignation

This agenda item is a formality on the City Council's part. The Council is being asked to accept the former PW Director Tony LaPlante's resignation effective March 20, 2020.

Councilor Ault moved to accept, with regret, Tony LaPlante's resignation and to also thank him for his dedication to the city while he held the position.

Councilor White seconded.

Councilor Berry wished Tony LaPlante all the best of luck in his future endeavors.  
Mayor Hart thanked Tony LaPlante for his service and wished him well.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

d) Approve MDOT Construction Over Limit Permit and Allow the City Manager to Sign Permit

This item is a request from the Maine State DOT regarding an overweight permit to be approved for an ultra-thin wearing course to be applied on Winter Street and Route 9.

This will be Project 2643100, which will cover Winter Street in Gardiner at the intersection of Summer Street and extending south 0.06 miles including Bridge #5070.

This permit will allow the contractor to haul non-divisible over limit loads on municipal roadways. The City Council has an option to require a bond if they so choose; this bond will cover any damage that may occur to the roads during the process. (Some City Councils have required the bond and others have not.) The City Manager is also seeking permission to sign the permit, with the City Council signing the Agreement.

Councilor Rees moved to pursuant to 29-A MRSA ss 2382 to approve the overweight permit for the MEDOT, require a bond and allow the City Manager to sign the permit and the Mayor to sign the Agreement for all of the Municipal Officials.

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

e) Update from Chief Toman Regarding NIXL

With the recent COVID-19 situation, and other snowplowing alerts being sent out, it came to the city's attention that the current NIXL account we have is a 'free' account that only sends emails to those that have signed up for the alerts. There is a NIXL program that also allows text messages to be sent out, but that program comes with a premium price. Chief Toman reported to the City Council in March on options with expanding this program to the residents of Gardiner. He was asked to come back with some more information.

Chief Toman gave an update regarding the different options of NIXL. He recommended NIXL engage which is a yearly cost of \$3,300 with a onetime setup fee of \$300.

Councilor Rees asked if notifications will go out to everyone or just to those who have signed up.

Chief Toman replied that it is an opt-in program and would require a push for the Citizens to sign up to receive notifications.

Councilor Rees asked if there is an option to reach everyone.

Chief Toman responded that NIXL does have a program called NIXL Ever Reach which would cover about 60% of the population and would cost about \$10,000 yearly.

Councilor Berry is concerned with adding the cost to the already tight budget when only about 200 people have been signed up in the years past.

Chief Toman replied that under the current circumstances, more people need to be informed.

Councilor Rees asked if Staff could advertise the program using Social Media to expand the reach beyond 200 people.

Chief Toman explained that the current program sends out a text alert for a severe weather warning, missing child, gas leak, wildfire, tsunami warning or a contagious disease outbreak.

Councilor White asked what perimeters would open up with the NIXL engage.

Chief Toman replied that the perimeters open up to local alerts such as there will be snow removal tonight, please move your cars or they will be towed or an alert such as there will be a parade on Memorial Day.

Councilor Berry asked if this program can be advertised at City Hall when a customer comes in.

City Manager Landes replied that the program is something that each individual would sign up on their own and not something that Staff can sign them up for just by giving a phone number or email address. Staff can put up notice advertising the program for individuals to sign up on their own.

Councilor Rees moved to authorize the purchase of NIXL Program Engage at a cost of \$3,300 per year with a onetime setup fee of \$300. Such funding for this program shall be disbursed from fund balance. Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

Councilor Rees would also like to see a plan put in place to reach out to more people in the community to get them signed up.

- f) Consideration of Canceling the April 15, 2020 Budget Session and April 22, 2020 Regular Council Meeting

In light of the current Covid-19 crisis, the City Manager is asking the City Council to place under consideration a possible cancellation of the upcoming April 15, 2020 budget session and the regular April 22, 2020 meeting.

Last year the second meeting in April was a limited agenda as the City Manager was on vacation.

There are no pressing items that would warrant a second meeting this month and the management team in Gardiner would prefer an in person budget review process if that becomes available in the next couple of months.

Councilor Berry asked if in place of those meetings the Council could receive updates regarding current and future happenings within the City.

City manager Landes responded that she would.

Councilor Cusick moved to cancel the April 15, 2020 Budget Session and April 22, 2020 Council Meeting due to the COVID-19 crisis.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

- g) Accept Meeting Minutes from March 25, 2020

Councilor Cusick moved to approve the minutes of March 25, 2020 as presented.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

## 5. CITY MANAGER REPORT

- Department Heads have been asked to suspend the monthly updates temporarily. Bulleted updates will be provided a couple times this month to keep the Council informed instead.

- The paving bids will be due next week. We have received a few bids already.
- The Wastewater bid opening was today. There were two bidders: Evoca Water at a cost of \$1,299,998 and Walker at a cost of \$1,315,000. This will come back to Council after Hoyle Tanner reviews it and the price is only 25% of the whole equation.

## 6. CITY COUNCIL REPORT

Councilor Ault

- All set

Councilor Cusick

- All set

Councilor White

- Wished Tony LaPlante well in Augusta and thanked him for his service in Gardiner.

Councilor Berry

- Thanked all the Citizens that are staying home, surviving and keeping their head on their shoulders. This is a tough time. Thanked City Staff.

Councilor Rees

- Proud of the City Staff and Residents of Gardiner for how everyone is handling this tough time.
- On a positive note, I have met a lot of neighbors who have been out and about from a distance.

Councilor Frey

- Here Here

Councilor Rines

- Here Here
- Wants to remind everyone to be kind to yourself and your neighbors

Mayor Hart

- Wants to remind everyone that there is a lot of good information on the City website. EDD Desjardins has been updating with information including links for small business relief, links for people who are feeling anxious and need help and links to the Maine CDC website and US CDC website.
- People should also look at the FEMA website for information.

## 7. EXECUTIVE SESSION

- Pursuant to M.R.S.A. § 405(6)(C): Economic Development at Libby Hill Business Park

Councilor Ault moved to enter into executive session pursuant to M.R.S.A § 405 (6)(C): Economic Development at Libby Hill Business Park.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 6:56pm.

Councilor Ault moved to exit out of executive session pursuant to M.R.S.A § 405 (6)(C): Economic Development at Libby Hill Business Park.

Councilor Rees seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 8:23pm.

The City Council gave directions and guidance to the City manager and Economic Development Director. No action taken.

## 8. ADJOURN



**CITY COUNCIL MEETING MINUTES  
WEDNESDAY, APRIL 08, 2020  
6:00 PM**

Councilor White moved to adjourn.

Councilor Ault seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 8:24pm.

*This document was approved as presented during the May 13, 2020 City Council Meeting.*