

Mayor Hart called the meeting to order at 6:00pm.

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;

Absent: Councilor Jon Ault, At large;

Also in attendance: City Manager, Christine Landes; Economic Development Director, Tracey Desjardins; Police Chief, James Toman; Fire Chief, Al Nelson; Library Director, Anne Davis; Finance Director, Denise Brown

2. PUBLIC COMMENT (anything not on the Agenda)

Facebook question from Darcia Aronson: What is happening with the McKay Park?
City Manager Landes apologized with the current appearance of the park. Certain decisions were made without proper approval and the park is now being repaired. EDD Desjardins will be gathering members interested in developing the park to start the improvement process and a proposal will be coming to Council for review.

3. PETITIONS/PUBLIC HEARINGS

None

4. NEW BUSINESS

a) Proclamation Honoring Memorial Day

As you are all aware, due to safety concerns surrounding COVID-19, the American Legion was not able to put together a Memorial Day parade honoring our veterans this year. As a good will gesture, in honor of all veteran's that gave the ultimate sacrifice, the City Council is being asked to adopt this Proclamation. (Many thanks to Sue Crawford for putting together this Proclamation.)

Mayor Hart read the Proclamation aloud.

Councilor Cusick moved to adopt this Proclamation with many thanks and respect to the veterans of all services and ranks for their ultimate sacrifice.

Councilor Rines seconded.

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

b) Conduct of Meetings Proposed Policy

At the City Council goal setting session in February, it was mentioned that the City Council should have a policy in regards to conduct at meetings. The City Manager drafted and presented this policy at a previous Council meeting (under Manager's report). The City Council was asked

to review and forward any suggestions or edits upon their review. The City Manager did not receive any suggestions on this policy, therefore the Council was asked to adopt the policy as written.

Councilor Rees moved to adopt the Conduct of Meetings Policy with the following change: the word “citizen” should be changed to “public”, located in the third bullet sentence from the top.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Councilor Berry asked if the policy could be placed on the back of the agenda.

City Manager Landes replied that going forward it can certainly be done that way.

Mayor Hart suggested that the word “citizen” should be changed to “public”, located in the third bullet sentence from the top.

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

c) Request from Gardiner Public Library Board of Trustees (City Council’s advisory board)
Regarding Member Municipality Fees

At the May 11, 2020 Gardiner Public Library Board of Trustees meeting, attending members unanimously voted to request that Gardiner City Council consider this motion. The reason for this request is based on two library issues. Though the library staff is working diligently to bring library services back to our six (6) municipalities, towns have been without real-time library service since March 27, 2020 when library staff was issued a stay at home order from the City Manager. Staff remained off-site until their return back on May 11, 2020. There is an obvious gap of service during that time. Secondly, towns throughout our service area are looking at the COVID-19 impact on their upcoming budgets. The Board of Trustees felt that the loss of \$5,744.50 might be a good investment in trying to keep this consortium together and guarantee a revenue stream of \$111,236.50. This is a good faith effort to our member municipalities to retain our working relationship(s) on many levels.

Library Director Anne Davis briefly explained the fee schedule request and gave an update on the current library services.

Councilor Berry moved to freeze the FY21 proposed fees for Library services at the FY20 rate.

Councilor Cusick seconded.

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

d) Hoyle Tanner Process and Electrical Equipment Upgrade at WWTP/Interim Financing for Project Upgrade/Set Interim Financing Public Hearing Date

The Wastewater Treatment Plant is in the process of an upgrade to many facets of the operation. As the team navigated through the funding and upgrade requests with USDA-Rural Development, it was determined that the 'full' project could not be completed without substantial increases in user fees beyond the currently pre-approved 4% for FY2. Because of that fact, it was decided that the project needed to be scaled back at this time. It was also noted that Rural Development (RD) indicated because user rates are relatively low compared to similar

communities, the grant funding may be hindered. The City Council is being asked to first award the contract to Evoqua with a condition on the contract that upon approval of the shop drawings, they will need written authorization from the city to move forward with fabrication. This will protect the city in the event RD proposes a less than anticipated grant offer. That being said, the RBCs are a critical component and DEP will require this upgrade, so the risk to the City is low because these RBCs will need to be procured and replaced this year regardless of the funding package. *Note that the Evoqua bid came in under budget.

Wastewater Director, Doug Clark and Daniel Marks from Hoyle Tanner gave a brief summary of the project proposal.

Councilor Berry moved to award the contract to Evoqua and set the Public Hearing for Interim Financing in the amount of \$3,532,000 for June 10, 2020 and June 24, 2020 respectively, with a condition on the contract that on approval of the shop drawings, they will need written authorization from the city to move forward with fabrication.

Councilor Rines seconded.

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

e) Set Public Hearing Date for Central Maine Crossing

Previously, the City Council approved a new TIF district at Central Maine Crossing. As part of that process, the City Council has also been in negotiations for a possible CEA for the property. City Council will be meeting in Executive Session at the conclusion of this meeting regarding Economic Development at Central Maine Crossing, but they are being asked to set a Public Hearing prior to that session, in the event an agreement on a CEA is made.

Councilor Cusick moved to set a Public Hearing for a Credit Enhancement Agreement with Central Maine Crossing on June 10, 2020 and June 24, 2020 respectively.

Councilor White seconded.

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

f) Modifying a Right-of-Way on Commerce Drive/Libby Hill Business Park

At the last Planning Board meeting, Ben Philbrook's proposal for a business on Lot 15 was approved with a couple of modifications requested. One of the requests was for the city to allow the lot line to be moved a bit allowing a portion of the road to be a bit smaller at the turn around point. The City Manager, Police Chief, and Fire Chief each reviewed the request and all have no issues with this request. The City Council is being asked to allow this modification so that the business can progress as soon as possible.

Planning Board Chair, Debby Willis and Economic Development Director, Tracey Desjardins gave a brief explanation of the request.

Councilor Rees moved that City Manager Landes is hereby authorized to proceed with the process of a discontinuance of the public way regarding the Libby Hill Philbrook Steel project as approved by the Planning Board, including preparation of all notices and forms, to be later

presented to the City Council for review and approval, and the cost of the legal fees is borne by the developer.

Councilor Frey seconded.

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

g) Review Proposed Food Truck Ordinance Changes/Set Public Hearing

The Planning Board approved the new Mobile Food Vending Units, Title 5, Chapter 12, Land Use Code and Amending the Code of Ordinances in dealing with Food Trucks. On May 14, 2020 the Planning Board requested the City Council to set a public hearings for first and second readings to adopt these proposed changes.

Planning Board Chair, Debby Willis and Economic Development Director, Tracey Desjardins gave a detailed summary of the proposed ordinance.

Councilor Rees moved to set the Public Hearing for proposed modifications to the Land Use Code and Code of Ordinances, regarding food trucks on the following dates respectively: June 10, 2020 and June 24, 2020.

Councilor Cusick seconded.

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

h) Discuss and Review, with Public Input, FY21 Budget Proposal

At the 5/13/2020 City Council meeting, the FY21 proposed budget was presented (proposed budget and City Manager presentation is available via the website). The City Council requested a chance for further review of the proposed FY21 budget and also have the public participate in the discussion.

Councilor Rees expressed concerns with the amount of money being used from the Fund Balance.

Councilor Berry expressed concerns with using the Libby Hill Lot sales to balance the budget. He would also like to see a proposal come back to the Council with a 2.5 or 3 percent decrease in expenses.

Councilor Cusick expressed concerns with an increase in property taxes.

Councilor Rines stated that the city should use the lot sales as revenue to offset the budget. He also asked what impact COVID-19 has had on the FY20 budget and if there is any saved monies, could they be used to offset the FY21 budget.

Finance Director Denise Brown replied that City Services were still operating and there were no full building closures.

Fire Chief Al Nelson added that any monies saved on office supplies were spent on PPE and cleaning supplies. He also asked if Department Heads are being asked to look at decreasing expenses and to make cuts in the budget, Council should look at cuts across the board, which includes non-profits.

Councilor Rines commented that citizens would probably not be surprised with a small tax increase due to the current state of the economy.

Mayor Hart commented that when speaking with resident George Trask, he stated that he would support a slight tax increase this year.

Councilor Rees shared a conversation about the possibility of a small tax increase with a citizen and that person stated that the taxes have not really gone up in the last couple of years. A small increase would not be out of line.

Councilor Frey would be in support of a small increase along with a small amount from one-time funds.

There was a lengthy discussion between the Council and Fire Chief Nelson about the addition of three new fire positions.

The Council is in support of the addition of three new fire positions.

Mayor Hart recommended sending the budget back to Department Heads for review and to come back with a proposed budget of no more than a three percent increase. Council agreed.

i) Add June 10, 2020 as an Additional City Council Meeting

In an effort to streamline the budget process to allow adoption of the FY21 budget prior to the end of FY20, the City Council is being asked to add an additional meeting to their schedule. This meeting will be used to conduct a Public Hearing and First Read of the FY21 budget, and to address any other items that are pressed for consideration by the City Council.

Councilor Frey moved to add June 10, 2020 to the City Council meeting schedule.

Councilor Cusick seconded.

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

5. CITY MANAGER REPORT

- City Hall will be opening to the public starting Monday, June 1, 2020 with limited hours. There will be an opening policy reviewed on Facebook live so everyone can view it.
- The Library will be operating with takeout services through an open window.
- 28 Spring Street is set for demolition in the near future.
- The Bailey lot will be remediated very soon.
- Ingrid Stanchfield from the Boys & Girls club stated that on June 1, 2020 they are opening more childcare spaces to up to 120.
- June 5, 2020 the Friday Food Pantry will be curbside. Good Shepherd will be supplying the food for that event. The Cohen Center for fresh vegetables will be providing product once there gardens are ready. June 22, 2020 they will be opening for kids as summer feeding site using curbside.
- We will be announcing the new Public Works Director hire at the next regular meeting as the person has accepted the position and is finishing the hiring steps.

6. CITY COUNCIL REPORT

Councilor Cusick

- Received a complaint about the appearance of the Waterfront

Councilor White

- Thanked the residents, hope everyone is staying well and reach out if you need anything.

Councilor Berry

- Thanked Fire Chief Nelson and all mutual aid for the assistance of a fire on Fairview Street.

Councilor Rees

- All set

Councilor Frey

- The spring cleanup around the City has been great.
- The Pierce Street paving came out great.

Councilor Rines

- There will be a drive through memorial on Saturday, May 30, 2020 from 11:00am to 2:00pm for Daniel Bailey.
- 155 Spring Street had a water line break, which has been fixed, but the pavement still needs to be fixed at the driveway entrance.
City Manager Landes will follow up on that.

Mayor Hart

- The Boys & Girls Club are feeding their families and seniors. The High School is feeding the students as well and have been all along.
- Thanked everyone for a respectful debate of the budget.
- Remember the Proclamation, which was read at the beginning of the meeting.

7. EXECUTIVE SESSION

- Pursuant to M.R.S.A. § 405 (6)(A): Personnel Issue Regarding Employees' Participation in Emergency Response and Providing Essential Services

Councilor Cusick moved to enter into executive session pursuant to M.R.S.A § 405 (6)(A): Personnel Issue Regarding Employees' Participation in Emergency Response and Providing Essential Services

Councilor Rines seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 6:07pm.

Councilor Cusick moved to exit out of executive session pursuant to M.R.S.A § 405 (6)(A): Personnel Issue Regarding Employees' Participation in Emergency Response and Providing Essential Services"

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 7:22pm.

Councilor Cusick moved to take this item up in Executive Session at the next regular meeting.

Councilor White seconded.

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

- Pursuant to M.R.S.A. § 405 (6)(D): Discussion of Union Contracts and Proposals; The City of Gardiner and Gardiner Professional Firefighter's Local 2303

Councilor Cusick moved to enter into executive session pursuant to M.R.S.A § 405 (6)(D): Discussion of Union Contracts and Proposals; The City of Gardiner and Gardiner Professional Firefighter's Local 2303.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 7:27pm.

Councilor Cusick moved to exit out of executive session pursuant to M.R.S.A § 405 (6)(D): Discussion of Union Contracts and Proposals; The City of Gardiner and Gardiner Professional Firefighter's Local 2303.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 8:12pm.

Councilor Cusick moved to go back into Executive Session at the end of the current meeting.

Councilor Frey seconded.

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

- Pursuant to M.R.S.A. § 405 (6)(E): Economic Development for Central Maine Crossing

Councilor Cusick moved to go into executive session pursuant to M.R.S.A. 405(6)(E); Economic Development for Central Maine Crossing

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 10:47pm

Councilor Berry moved to exit out of executive session pursuant to M.R.S.A. § 406(6)(E) Economic Development at Central Maine Crossing.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 11:32pm

Materials presented during the executive session will be taken to the Public Hearing that was scheduled during the current regular meeting (6/10/2020 and 6/24/2020)

- Pursuant to M.R.S.A. § 405 (6)(D): Discussion of Union Contracts and Proposals; The City of Gardiner and Gardiner Professional Firefighter's Local 2303

Councilor Cusick moved to again enter executive session pursuant to M.R.S.A § 405 (6)(D): Discussion of Union Contracts and Proposals; The City of Gardiner and Gardiner Professional Firefighter's Local 2303.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 11:35pm.

Councilor Cusick moved to exit out of executive session pursuant to M.R.S.A § 405 (6)(D): Discussion of Union Contracts and Proposals; The City of Gardiner and Gardiner Professional Firefighter's Local 2303.

Councilor Rees seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 11:52pm.

The City Council will hold a special meeting on 6/1/2020. This meeting will only be an executive session for this matter.

8. ADJOURN

Councilor White moved to adjourn.

Councilor Rees seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 11:54pm.

- Denise Brown10:08: Kelly said she can't see it.
- Christine11:08: can she on FB now?
- Anne Davis11:29: I don't see it
- Denise Brown12:20: Not yet
- Anne Davis12:57: I don't think it's recording or posting
- Amy Rees13:43: I don't see it on FB
- anelson13:54: not on Facebook
- anelson14:18: if it's required we need to regroup
- Anne Davis35:46: only two comments and a share so far
- Anne Davis49:08: from FB, asking about sewer and McKay Park from Darcie Aronson
- Pat Hart02:27:31: can everyone please mute? we are getting feedback thanks
- Davis02:37:46: the WORST thing is a firefighter or paramedic or a citizen can get injured due to low staffing
- Anne Davis02:38:30: not I
- Davis02:49:50: I understand and thank you for listening
- debby02:51:02: And a thank you from citizen Debby Willis for adding firefighters.

This document was approved during the June 3, 2020 City Council Meeting.