

Mayor Hart called the meeting to order at 6:05pm.

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;; Interim City Manager, Anne Davis

2. PUBLIC COMMENT (anything not on the Agenda)

Mayor Hart introduced and welcomed Interim City Manager, Anne Davis.

3. PETITIONS/PUBLIC HEARINGS

a) FY21 Proposed Budget

This agenda item is the Public Hearing to hear comment from the public regarding the proposed FY21 budget.

The City Council had a preliminary review of the budget on May 27, and June 3, 2020. The public had been invited to give comments at those two meetings. At the May 27, 2020 meeting, the City Council gave guidance to the city staff as to what they would like to see for budget numbers/percentages. The proposed budget was reviewed by all Department Heads, and the City Manager, and a newly proposed budget with a reduced use of Fund Balance was presented. The City Council voted at the June 3, 2020 meeting to send it to a first and second read. The City Council was asked to pass the FY21 Budget Order as an emergency. (Charter states order is in effect 10 days after passage unless adopted as an emergency order with a time indicated. Adopting as an emergency will allow the FY21 budget to start on July 1, 2020.)

Mayor Hart opened the public hearing at 6:10pm and asked for any comment. Seeing and hearing none. Mayor Hart closed the public hearing at 6:10pm.

b) Interim Financing WWTP Upgrade

This agenda item is the Public Hearing to hear comment from the public regarding interim financing for the Wastewater Treatment Plant Upgrade. The City is awaiting word from Rural Development as to the grant amount that will be given to help facilitate this upgrade.

Mayor Hart opened the public hearing at 6:11pm and asked for any comment. Seeing and hearing none. Mayor Hart closed the public hearing at 6:11pm.

c) Mobile Food Vending Units Ordinance Changes

This agenda item is the Public Hearing to hear comment from the public regarding the Mobile Food Vending Unit Code of Ordinances Chapter 12. At the May 27, 2020 City Council meeting, the Council voted in favor of sending this proposal to a first and second read on June 10 and June 24, 2020 respectively.

Mayor Hart opened the public hearing at 6:11pm and asked for any comment. Seeing and hearing none. Mayor Hart closed the public hearing at 6:12m.

#### 4. NEW BUSINESS

- a) Second Read and Possible Approval and Resolution of FY21 Budget Appropriations and Direct the Tax Levy of City Services to the City Manager

This is the second read to the FY21 Budget Proposal. Due to the delay of approving the budget proposal, the City Council was asked to adopt the Resolution as an emergency (allowed per city charter) so that it is in effect on July 1, 2020. The new FY21 proposed budget shows a 2.4% total city increase. The City Council was also asked to allow the City Manager to enter into any and all contracts necessary to implement these budgets pursuant to the City's purchasing policy.

Finance Director Denise Brown gave a brief summary of the proposed FY21 budget.

Councilor Berry moved to approve, with an emergency adoption, the second and final read of the FY21 TIF Funds and General Funds Budget and to authorize the City Manager to enter into any and all contracts necessary to implement these budgets pursuant to the City's purchasing policy. Councilor White seconded.

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

- b) Consider Approval and Resolution to Establish FY21 Appropriations for the Enterprise Accounts

This agenda item is the adoption of the FY21 Budget for the Enterprise Accounts. Due to the delay of approving the budget proposal the City Council is being asked to adopt the Resolution as an emergency (allowed per city charter) so that it is in effect on July 1, 2020. The approval will include a Resolution 2021-02 which details that the Ambulance FY21 Budget is \$1,495,056, and the Wastewater FY21 Budget is \$1,623,804. The City Council was also asked to allow the City Manager to enter into any and all contracts necessary to implement these budgets pursuant to the City's purchasing policy.

Councilor Rees moved to approve, with an emergency adoption, the FY21 Ambulance and Wastewater Budgets and to authorize the City Manager to enter into any and all contracts necessary to implement these budgets pursuant to the City's purchasing policy. Councilor Berry seconded.

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

- c) Consideration of FY21 Tax Due Dates, Setting the Interest Rate, and Authorizing the Tax Club Program

Council was asked to approve the setting of tax due dates, the interest rate charged to delinquent accounts, and authorize the Tax Club Program. The FY21 Tax Due Dates will be September 15, 2020 and March 15, 2021. The interest rate allowed by law to be collected is a maximum of 8%

per annum and will accrue on outstanding balances as of September 16, 2020 and March 16, 2021.

Councilor Rees asked if the interest rate the same as last year.  
Finance Director Brown responded that it is not. It was 9% last year and went down to 8% this year. We have an average of 150 people each year enrolled in the tax club.

Councilor Ault moved to approve the tax due dates of September 15, 2020 and March 15, 2021 with a 8% interest rate on delinquent accounts, and allow residents to participate in the Property Tax Club Payment Plan for FY21, and to also authorize the acceptance of prepayments for taxes not yet committed, with 0% interest accrued.  
Councilor White seconded.

Councilor Berry asked where the tax rate comes from.  
Finance Director Brown responded that it is from the state. They allow up to a maximum.

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

d) Consideration of Carryforward Requests

Each year the City Council is required to formally approve any carryforward request for purchases or projects that were budgeted for but were not yet expended in the current fiscal year. The Finance Director reviews all requests with the department heads and forwards a list to the City Manager. The City Manager reviews and makes any necessary adjustments. The final list is brought before the City Council for approval. Some of these funds may be fully or partially spent before year-end, and if so, the amounts will be adjusted accordingly. The final amounts after any adjustments will be put in a separate account called "Assigned Fund Balance" and will be used in the following fiscal year for the intended purpose.

Councilor White moved to approve the City Manager's list of recommended carry-forward items from FY20 to FY21.  
Councilor Cusick seconded.

Councilor Berry asked about the retirement amount for the Library budget.  
Interim City Manager Davis stated that because she did not retire this year, that amount would need to be carried forward.  
Finance Director Brown commented that another library employee was set to retire, decided not to retire until next year.

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

e) Second Read and Possible Approval of Mobile Food Vending Units Ordinance Changes

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 public hearings for first and second readings to adopt these proposed changes.

Planning Board Chair Debby Willis gave a brief summary of the proposed ordinance.

Councilor Berry asked if there was any input from the public.

Planning Board Chair Debby Willis replied that no one from the public or any food truck owners.

Councilor Ault moved to adopt the Mobile Food Vending Units, Title 5, Chapter 12, Land Use Code and Amending the Code of Ordinances dealing with food trucks and to waive publication of the changes in the newspaper (as allowed by City Charter Article 11 Section 9).  
Councilor Frey seconded.

Desjardins has the fees in the ordinance and would like to have them removed from the ordinance.

Planning Board Chair Debby Willis commented that the fee schedule will be in the City Code instead of the Land Use Ordinance.

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

f) Consideration of Interim Financing for WWTP Upgrade

This agenda item is the consideration of City Council to approve interim financing for the Wastewater Treatment Plant Upgrade. Although an interest rate has not been set, the interest is not expected to exceed \$50,000. The City is awaiting word from Rural Development as to the grant amount that will be given to help facilitate this upgrade.

Waste Water Director Doug Clark gave a summary of the process and stated that the City is seeking a grant.

Councilor Cusick moved to approve the acquisition of interim financing for the Wastewater Treatment Plant with interest costs not to exceed \$50,000.  
Councilor White seconded.

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

g) Ratify Union Contracts/Teamsters Local #340; AFSME Local 2011 General Unit Council No. 93; Gardiner Professional Firefighter's Local 2303; and Gardiner Police Officers Association and Authorize the City Manager to Sign

Teamsters Local #340; AFSME Local 2011 General Unit Council No. 93; Gardiner Professional Firefighter's Local 2303; and Gardiner Police Officers Association and Authorize the City Manager to Sign.

The proposed contracts are one-year contracts for each of the city's four unions.

Besides minor health insurance language change, all unions have agreed to a one-year contract with a 3% pay raise. The General Unit includes council approved wage scale adjustments for

Building and Grounds and Library employees. The Firefighters Union also had a schedule change to 42 hours per week.

Councilor Cusick moved to ratify all the union contracts and allow the City Manager to sign. Councilor Frey seconded.

Councilor Berry commented that he hoped it would have been at least a two year contract to allow everyone to get through this difficult time.  
Councilor White commented here here.

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

h) Approve and Sign MSAD #11 Warrant

This document requires City Council approval and signature.

Councilor Rees moved to sign the Warrant and Notice of Election for MSAD#11.

Councilor Cusick seconded.

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

i) Consider Ordinance Review Committees Recommendations Regarding Amendments to the Marijuana Establishment Licensing Ordinance/Set Public Hearing and First and Second Read

Per the City Council's request the Marijuana Establishment Licensing Ordinance was sent back to the ORC to review the fees that were originally included in the ordinance.

It was agreed to the following:

- \* remove the fees from the ordinance and require that a fee be paid based on the City Council adopted fee schedule
- \*recommend that the fees as adopted in the licensing ordinance be included in the fee schedule
- \* add a provision in the fee schedule that caps the fees paid for multiple facilities on the same lot at \$2,500

Debby Willis, Chair of ORC, gave a brief overview of the amendment proposal.

Councilor Rees asked if any feedback has been received.

Willis replied that there has been no feedback.

EDD Desjardins also replied that there has been no feedback.

Councilor White moved to set a Public Hearing on proposed amendments to the Marijuana Establishment Licensing Ordinance on July 22, 2020 and August 5, 2020, and to conduct first and second reads respectively on those dates also.

Councilor Ault seconded.

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

j) Review and Accept Meeting Minutes from June 10, 2020

Councilor Rines moved to approve the minutes of June 10, 2020 as presented.

Councilor Cusick seconded.

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

## 5. CITY MANAGER REPORT

- Absentee ballots are available and absentee voting is highly encourage. In person voting is also available.
- Nice to see everyone.

## 6. CITY COUNCIL REPORT

Councilor Rines

- Welcome everyone to a wonderful summer in Maine

Councilor Frey

- Here here

Councilor Rees

- All set

Councilor Berry

- All set

Councilor White

- Councilor White asked about a timeframe for returning to City Hall for meetings. Interim City Manager Davis replied that we are still under the Governor's orders. As a result, we still do not have enough square footage to meet in the Council Room.

Councilor Cusick

- Glad to hear that City Manager Landes had a successful surgery and wish her a speedy recovery.

Councilor Ault

- All set

Mayor Hart

- Ribbon Cutting: Dominos had a grand re-opening
- New sidewalk in front of Dingley Block
- New committee/group see how Gardiner can build on the current call for addressing racism in our communities.
- Thanked all the boards and committees who are meeting on zoom on behalf of the City. It is not easy to meet in this way.

## 7. EXECUTIVE SESSION

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

Councilor Cusick moved to enter into executive session Pursuant to M.R.S.A § 405 (6)(E) Economic Development at Central Maine Crossing.

Councilor Ault seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 7:14pm.



Councilor Ault moved to exit out of executive session Pursuant to M.R.S.A § 405 (6)(E) Economic Development at Central Maine Crossing.

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. 8:19pm.

Councilor White moved to ask the City Council to reconsider the proposal made regarding the CEA on Central Maine Crossing.

Councilor Frey seconded.

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

Councilor Ault moved to approve the attached CEA for Central Maine Crossing, LLC.

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. 7-1. Councilor Rines opposed.

## 8. ADJOURN

Councilor Berry moved to adjourn.

Councilor Rees seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 8:25pm.

*This document was reviewed and approved during the August 05, 2020 City Council Meeting.*