

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; Marc Rines, District 4; Maryann White, At large; Jon Ault, At large; Interim City Manager, Anne Davis, Patrick Adams, Economic Development Director, Tracey Desjardins; Debby Willis
Absent: Councilor Amy Rees, District 2

2. PUBLIC COMMENT (anything not on the Agenda)

None

3. PETITIONS/PUBLIC HEARINGS

None

4. NEW BUSINESS

a) Confirmation of Public Works Director Jerry Douglass

Councilor Cusick moved to confirm the appointment of Jerry Douglass as Public Works Director.

Councilor White seconded.

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

b) Accept Resignation of Fire Chief Al Nelson

The Council is being asked to accept the resignation of Fire Chief Al Nelson, effective August 14, 2020.

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

Councilor Berry seconded.

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

c) Discussion with Patrick Adams, Active Regional Transportation Planner at Maine Department of Transportation, Regarding Possible Downtown Sidewalk Funding and Cobbossee Trail Project

Recently, the City Manager became aware of a couple of items regarding funding opportunities from the State of Maine for downtown sidewalks and the Cobbossee Trail.

Cobbossee Trail Project: It is estimated that taking the trail from Bridge Street to Summer Street would cost about \$900k. The repair of the railroad trestle is expected to cost approximately \$1M. The City of Gardiner has been awarded funds to help cover some of this project, however, since they have not been used, nor even a design for the project has

been started, the State of Maine is on a time crunch to remove the funding for this expansion (October time frame).

Patrick Adams gave a brief overview of the project.

There was discussion between Patrick Adams and the City Council.

Downtown Sidewalks: In speaking with Mr. Adams it was estimated that it would cost about \$750k per side of Water Street to redo the sidewalks. Of that amount approximately \$400k might possibly be able to be funded by the State of Maine (approximately three (3) years out; 2023) and \$350k would be on the city.

Patrick Adams gave a brief overview of the project.

There was discussion between Patrick Adams and the City Council.

Mayor Hart stated that it will be placed on a future agenda for public comment.

d) Consideration of Name Adoption for Road/Serenity Valley Way

Code Enforcement Officer McNeill received a request to name a private road off from Capen Road. The Map and Lot is 017-031.

According to Chapter 10 of the 911-Enhanced section of the City of Gardiner Code: “all public or private roads serving two or more addresses shall be named.”

The request complies with the criteria that “no two roads shall be given the same or similar-sounding (e.g. Beech and Peach, Pine Road and Pine Lane) names. Currently there are no other roads in the City of Gardiner with a similar name.

Mayor Hart asked if the e911 Committee has reviewed and approved the proposed name. City Manager Davis stated there is no mention of that.

Councilor White moved to approve the name of a private road, located off the current Capen Road, as Serenity Valley Way, with the condition the e911 Committee approves..

Councilor Frey seconded.

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

e) Council Reconsideration of Public Hearing/First and Second Read Dates of Proposed Amendments to the Marijuana Establishment Licensing Ordinance

At the June 24, 2020 City Council meeting, the City Council was asked to consider Public Hearing and First/Second Read dates for proposed amendments to the Marijuana Establishment Licensing Ordinance. (The extent of those proposed changes resulted in omitting the fees from the ordinance, adding proposed fees to a fee schedule, and combining some of the fees depending on tiers) The City Council approved the dates of 7/22/2020 and 8/5/2020.

Unfortunately, the requirement for advertising was overlooked by a couple of departments (busy with elections, planning board applications, etc.). This meant that without proper notification, the city is unable to comply with the original decision/vote of the City Council to follow through with those dates.

The City Council is being asked to reconsider the 6/24/2020 vote and change the Public Hearing/First and Second Read dates to 8/5/2020 (PH/First Read), and 9/2/2020 (PH/Second Read/Adoption).

Councilor Cusick moved to amend the previous set dates for Public Hearings and First/Second Reads of the Proposed Amendments to the Marijuana Establishment Licensing Ordinance to August 5, 2020 and September 2, 2020, respectively.

Councilor White seconded.

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

f) Request for City Council Approval to Send Direction to Ordinance Review Committee/Mayor's Request: Requiring Public Notice on Planning Board Workshops as well as Public Notice on Permits Issued for Various Land Uses

The City staff and Mayor have received input from residents and businesses that they would like to have all Planning Board Workshops use the same public notice requirements as site plan review applications.

The Mayor has received feedback from residents that they would like to know what permits have been issued to their neighbors or in the neighborhood at the time of issuance so they have adequate time to appeal the permit within the allotted 30 days.

Planning Board and Ordinance Review Committee Chair, Debby Willis was present and recommended the Council approve the request.

Councilor Berry moved to send a priority request to the Ordinance Review Committee to address the Planning Board Workshop public notice requirements and notice regarding permits issued.

Councilor White seconded.

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

g) Request for City Council Approval to Send Direction to Ordinance Review Committee/Buildings and Grounds Request: Cemetery Ordinance

The Buildings and Grounds crew have the responsibility of maintaining the majority of cemeteries in the City of Gardiner. This responsibility would include mowing, maintenance, upkeep, etc.

As they take pride in their work, it has been a frustration of this department that many grave sites have items that are broken, strewn around, and even dead flowers that have

been there way beyond when they should have been cleaned up. These items contribute to a piece of property that does not have a desirable appearance.

The City Council is being asked to send direction to the Ordinance Review to look at the possibility of a Cemetery Ordinance. This ordinance would address how to deal with the clean-up of items in and around headstones, fence lines, and the general cemetery.

Ordinance Review Committee Chair, Debby Willis

City Manager Davis stated that it would only apply to the City maintained Cemeteries

Councilor Berry moved to send direction to the Ordinance Review Committee to consider the development of a Cemetery Ordinance.

Councilor Cusick seconded.

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

h) Discontinuance of Portion of Commerce Street in Libby Hill Business Park/Set Public Hearing Date

Ben Philbrook is purchasing Lot 15 in the Libby Hill Business Park. As part of the approval process for his business, the Planning Board asked for a small portion of the hammerhead piece on Commerce Drive (aka Enterprise Avenue) be discontinued so that appropriate controls can be completed on Lot 15.

EDD Desjardins stated that the closing is next week.

Debby Willis commented that it is a revision to a subdivision plan.

Councilor Frey moved to set a Public Hearing on August 5, 2020 for the proposed discontinuance of a small portion of Commerce Drive.

Councilor White seconded.

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

i) Mobile Food Vending Units Ordinance Changes/Set Public Hearing and First and Second Read

Previously the City Council adopted proposed amendments to Chapter 12 Mobile Food Vending Units of the City's Code of Ordinances. Unfortunately, the wrong amendment copy was approved. The City Council is being asked to set a Public Hearing and First/Second Reads as noted below.

Councilor Frey moved to set a Public Hearing and First Read on August 5, 2020 and a Second Read with possible approval on September 2, 2020.

Councilor White seconded.

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

j) Consideration of Multiple Annual Victualer Licenses

Councilor Ault moved to approve the list of Victualers licenses as presented.

Councilor Cusick seconded.

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

k) Acceptance of July 14, 2020 Election Results

Councilor Cusick moved to accept the July 14, 2020 Election Results as presented and give many thanks to all the individuals that made this election a success especially during these trying times.

Councilor Frey seconded.

Mayor Hart thanked all the volunteers who helped on Election Day and to the High School for graciously allowing the City to use the Gym for the Election polling place.

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

l) Election Ballot for Maine Municipal Association's Legislative Policy Committee

The City Council is being asked to cast a ballot for individuals willing to serve as District 14 representatives on the Legislative Policy Committee.

Councilor Cusick moved to cast a vote for Linda C Cohen and Diana Scully as representatives for District 14 on Maine Municipals Legislative Policy Committee.

Councilor Frey seconded.

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

m) Consider Request from Fire Chief to Perform Training on Marks Lane Mobile Home

The Fire Chief is asking the City Council for permission to conduct some training on the mobile home on Marks Lane. Tax Collector Cutler informed the Fire Chief that in the past the bid required the building to be moved and the site cleaned up. Training would include cutting holes in the roof.

Councilor Frey moved to allow the Fire Department to conduct live training on the mobile home located at Marks Lane.

Councilor White seconded.

Councilor Berry asked how many years the City has owned the property.

City Manager Davis replied that she is unsure although it has gone out to bid a couple times with no bids.

Councilor Berry commented that the City sits on property way too long.

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

5. EXECUTIVE SESSION

None

6. CITY MANAGER REPORT

- Library should be able to open the Main floor next week and the archive room by appointment only.
- It has been my pleasure to work with all of you again. City Manager Landes will be returning August 3, 2020.
- The resignation of Fire Chief Al Nelson is a huge blow to the City. He will be missed.

7. CITY COUNCIL REPORT

Councilor Ault

- Thank Al Nelson for his years of service.

Councilor Cusick

- Great working with Chief Nelson. It will be a great loss to the City. I wish him the best.
- As far as paving, they did some shimming earlier in the year. When are they coming back?
- Anne Davis will check on that.

Councilor White

- Wished Al Nelson well. He will be missed.
- Welcome Public Works Director Jerry Douglass.
- Kudos to Kendall for stepping in as acting Director. He did a great job.
- Kudos to Kelly for a well-run election, especially in these times and all the absentee ballots processed.

Councilor Berry

- Thank Al Nelson for his years of service. He spoke from his heart. Tremendous job. Very Compassionate.
- Welcome new PW Director Jerry Douglass.
- Thank Kendall for his help during the vacancy.
- Would it be possible to conduct Council meetings in Johnson hall?
Mayor replied that we will work on that possibility.
Councilor Berry commented that we have a responsibility for citizenship.

Councilor Frey

- Thanks Al Nelson. Wished he could have worked with him longer.
- Year 2020 has had people wearing multiple hats. Thanks to the staff for all you do.

Councilor Rines

- Thank Al Nelson his for service.
- Welcome PW Jerry Douglass.
- Thanked staff for everything.

Mayor Hart

- Al Nelson has accomplished so much. Thank you. Has been a great leader and Head of COVID communications. I have great respect for him.
- Welcome PW Jerry Douglass.
- Planning Board meeting 6pm in fire bay on Thursday, July 23, 2020. No more than 50 in person. Listen from home. Masks are required.
- Backside of Arcade parking lot will be limited due to the bridge project.



**CITY COUNCIL MEETING MINUTES
WEDNESDAY, JULY 22, 2020
6:00 PM**

- Nomination papers are available for Mayor, three at-large Councilor seats and two MSAD#11 Board members.

8. ADJOURN

Councilor Cusick moved to adjourn.

Councilor Ault seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 7:50pm.

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