

Mayor Hart called the meeting to order at 6:02 pm.

**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 Jon Ault, At large.

Also in attendance: Christine Landes, City Manager; City Clerk, Alisha Ballard; Debby Willis. Rick Sieberg, Interim Fire Chief; Officer, Sam Quintana; Tobacco Prevention Coordinator, April Hughes

**2. PUBLIC COMMENT** (anything not on the Agenda) (ALL PUBLIC COMMENT MUST BE SENT VIA EMAIL TO CLANDES@GARDINERMAINE.COM, REGULAR MAIL: 6 CHURCH STREET GARDINER ME 04345 OR CALL 207-582-4200 DURING REGULAR BUSINESS HOURS)

None

**3. PETITIONS/PUBLIC HEARINGS**

**a) Proposed Amendments to the City Code: Title 17 Chapter 5 Property Maintenance**

Mayor Hart opened the public hearing at 6:05 pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:06 pm.

**b) Proposed Amendments to the Land Use Code: Multifamily Density for the Shoreland (SL) District**

Mayor Hart opened the public hearing at 6:06pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:06 pm.

**c) Proposed Amendments to the General Assistance Ordinance**

Mayor Hart opened the public hearing at 6:06pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:07 pm.

**d) Proposed Moratorium: Adult Use Retail Marijuana and Medical Use Retail Marijuana**

Mayor Hart opened the public hearing at 6:07pm and asked for any comments from the public. Alex McMahan from MEDCo spoke briefly. Debby Willis spoke briefly. Councilor White received a letter from Sarah, Manager Landes read the letter aloud. Mayor Hart closed the public hearing at 6:16pm.

**e) Medical Retail Marijuana/Dispensary: The Bud Bar**

Mayor Hart opened the public hearing at 6:16 pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:16 pm.

**f) Retail Adult Use Marijuana Establishment: Sugar Bud Farms**

Mayor Hart opened the public hearing at 6:16 pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:17 pm.

**4. NEW BUSINESS**

- a)** Presentation from Healthy Maine Communities Tobacco Prevention Coordinator April Hughes/Gardiner Police Officer Quintano - Regarding Alcohol and Marijuana Effects

Officer Quintana and April Hughes gave a presentation.

Councilor Berry asked Officer Quintana and April if the numbers have gone up. Patricia Welton spoke briefly and did not have the numbers but was willing to provide them. Councilor Berry asked a more of a general question about numbers. Patricia explained studies are done every other year.

Mayor Hart asked April to speak more about vaping. April spoke briefly.

Councilor White thanked Officer Quintana and April for their information and time.

Mayor Hart thanked them for being a part of the meeting.

- b)** Accept Grant from Coastal Communities for Downtown Master Plan

Manager Landes spoke briefly.

Councilor Cusick moved to accept the Coastal Communities Grant in the amount of \$33,750, to work on the completion of a new Downtown Master Plan.

Councilor Frey seconded.

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

- c)** Discussion Surrounding Speed Limit Set for Marston Road

Manager Landes spoke briefly. Jennifer and Ward Boudreau spoke about speeding on their road and the concerns.

Chief Toman spoke briefly about traffic safety.

Mayor Hart asked about cost and Manager Landes advised that DOT would cover the cost.

Mike Blanche asked to speak about the concerns on dropping the speed limit.

Councilor Cusick moved to allow the City Manager to request from the Maine Department of Transportation a speed analysis on Marston Road.

Councilor White seconded.

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

- d)** Discussion Surrounding Small Burns/Campfires in the HDR District

Councilor Frey spoke about campfire concerns.

Interim Fire Chief Rick Sieberg spoke about the complaints and they are mostly neighbor dispute.

Chief Toman spoke briefly they support the fire staff when needed.

Manager Landes spoke about how City of Rockland is struggling with this as well.

Councilor Frey spoke briefly how he was interested in sending this to ordinance review. Chair Willis said to send this to them at the Ordinance Committee.

Councilor Rees asked Councilor Frey if this was from one complaint.

- e)** First Read of Proposed Amendments to the City Code: Title 17 Chapter 5 Property Maintenance

Chair Willis spoke briefly about the city code.

Councilor Berry asked how are they are going to be more restrictive than at a state level.

Manager Landes explained this would be for homeowners as well for property owners.

Chair Willis explained this Proposed Amendment would give the Code Enforcement officer more enforcement.

Councilor Berry asked about the cost. Chair Willis explained it would be a fee of \$25 dollars daily.

Chair Willis stated this is about the safe and sanitary conditions.

Councilor Rees expressed concern about the financial standpoint.

Councilor White spoke about her situation with her neighbor. The cost to her alone was about \$2000 dollars to get rid of the rats.

Moved to second read on October 14<sup>th</sup>.

**Mayor Hart called a break at 7:21pm.**

**Meening back in session at 7:28 pm.**

- f) First Read of Proposed Amendments to the Land Use Code: Multifamily Density for the Shoreland (SL) District**

Chair Willis spoke briefly about the proposed Amendments.

Moved to second read on October 14<sup>th</sup>.

- g) Consider Approval of the Proposed Amendments to the General Assistance Ordinance**

Manager Landes spoke briefly about the Proposed Amendments.

Mayor Hart asked the cost to the City.

Manager Landes explained the cost to the City.

Councilor Berry asked if the request for assistance is high due to COVID.

Manager Landes did not have the answer but did state GA has been very busy.

Councilor Rees move to approve the proposed amendments to the General Assistance Ordinance as presented and posted.

Councilor Berry seconded.

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

- h) First Read of Proposed Moratorium: Adult Use Retail Marijuana and Medical Use Retail Marijuana**

Moved to second read on October 14<sup>th</sup>.

Councilor Berry said he is removing himself from this due to conflict.

Councilor Rees received a letter from Robert Abby, he is not in favor and strongly believes it is not supporting a family friendly downtown.

- i) Findings of Fact and Consider Approval of Medical Retail Marijuana/Dispensary: The Bud Bar**

Councilor Cusick move to approve the Medical Retail Marijuana/Dispensary License for The Bud Bar as all approval standards have been met as noted in City of Gardiner Code Chapter 11, Section 5.2 for a term of 1 year with a condition they remain licensed.

Councilor Frey seconded.

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

- j) Findings of Fact and Consider Approval of Retail Adult Use Marijuana Establishment: Sugar Bud Farms**

Councilor Cusick move to approve the Retail Adult Use Establishment License for Sugar Bud Farms as all approval standards have been met as noted in City of Gardiner Code Chapter 11, Section 5.2 for a term of 1 year with the condition they remain licensed.

Councilor Rees seconded.

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

- k) Consider Request from Backyard Dogs Catering Hot Dog Cart/Use of Common and Waterfront Park**

Manager Landes spoke briefly.

Mayor Hart expressed concern about the hours and would like to limit them due to the community.

Councilor Ault joined 8:02 pm

Councilor White move to allow Backyard Dogs Catering to place a mobile hot dog cart on the Common as long as all site requirements are adhered to and meet all the terms of the condition of the hours being 7am to 7pm.

Councilor Berry seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous, Councilor Ault abstaining.

- l) Project Quote for City Hall Repair/Informational**

Manager Landes spoke briefly about this matter. Steve Magee came and provided a quote of approximately \$62,500 with an additional \$4,000 to relocate the generator.

Councilor Berry asked if there is a TIF budget to take from.

Councilor Cusick spoke about looking into the future and putting a plan together.

Councilor Rees is supportive and spoke briefly.

Councilor Ault is supportive and spoke briefly.

City Manager Landes will put together a financial break down and will be revisited in the October meeting.

- m) Review and Accept Meeting Minutes from August 26, 2020 & September 2, 2020**

Mayor Hart asked for the letterhead and meeting date be placed at the top of the page of the Executive meeting minutes.

Councilor White move to approve the minutes of August 26, 2020 and September 02, 2020 as presented with a small change with putting the letter head on the front page.

Councilor Cusick seconded.

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

## 5. CITY MANAGER REPORT

- Lrep \$5,000 below than budgeted in the current year budget but the workers comp rate is \$17,000 savings.
- Excise collection was down \$21,000 in fiscal year 20 compared to year 19. As of today are up to \$15,000. It will be above this year.
- Monday night about 30-34 people show up to the Gardiner Grows held at Bateau Brewing.

- We learned that Monday Bridge project shut down for 30 days starting October 21<sup>st</sup>.
- Peek behind Reny's, Public works has been preparing the area for paving and it looks amazing.
- This afternoon City Manager Landes, PWD Douglas, Buildings and Grounds Supervisor Dan Robideau met with business owners down to McKay park. Received a \$25,000 grant to upgrade the park however in the spring there was granite removed. Made a plan to stabilize the area to get through to spring. They will start this week.
- Received a phone call from Patrick Adams to extend the path price has changed from \$60,000 to \$300,000 for 200 feet. This project has come to a halt. Mayor Hart asked for the drive for the cost.

#### 6. CITY COUNCIL REPORT

Councilor Rines

- Thanks to Police Chief Toman for his quick response on the complaint for speeding. Kudos to Manager Landes facilitating and being a big part.

Councilor Frey

- None

Councilor Rees

- None

Councilor Berry

- Looks good they are working on Johnson hall. Inspiring.
- Very Big Bridge they are building. Maine Ave Bridge looks great.
- Question to Manager Landes, can we apply again for a Façade grant. Manger Landes will discuss this with EDD Desjardins and get back with more information. Thoughts and prayers go out to Farmington.

Councilor White

- Fall Clean up reminder starts October 5<sup>th</sup>.

Councilor Cusick

- Great to see a good crowd at Gardiner grows.
- Thank you to Manager Landes for the cleanup at Libby Hill.
- Question to Manager Landes about the Fire Chief position. Manager Landes said Friday is the dead line to apply for this position and as of today we have 6 applicants.

Councilor Ault

- Concluded a public meeting with the Co-Op. Good things are happening stop in and see why.

Mayor Hart

- Great to see everyone together at the Gardiner Grows it was nice to see all the business gather. Great collaboration.
- Community conversations is having a meeting Sunday at 6pm via zoom.

Councilor White asked if the Executive Meeting 9/23/2020 would be in person or via zoom.

Mayor Hart asked the Council if they would like to meet in person or stay via zoom. Council decided to stay via zoom.

Mayor Hart asked to change the meeting to 6:30 pm. All agreed.

Councilor Rines wanted to wish everyone a great week and wonderful happy weekend.

7. ADJOURN

Councilor Berry moved to adjourn.

Councilor White seconded.

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

This document was reviewed and approved during the October 28, 2020 City Council Meeting.