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

1. **ROLL CALL/PLEDGE OF ALLEGIANCE**

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

Also in attendance: Christine Landes, City Manager; Alisha Ballard, City Clerk; Dan Marks; Douglas Clark Wastewater Director ; Denise Brown, Finance Director ; Tracey Desjardins Economic Development Director ; Patrick Adams; Shenna Bellows; Thomas Harnett; Tina wood; Jerry Douglas ; Melissa Lindly; Debby Willis, Planning Board Chair; Kris McNeill, Code Enforcement Officer; Charlie Langton.

1. **PUBLIC COMMENT** (anything not on the Agenda)

Cutis Ayotte asked to speak within the Q&A. Curtis stated the mask task is not on the agenda tonight even after spending a great deal of time in the last meeting discussing it. He states that many questions were not answered. He feels like we are not looking for what is best for Gardiner but we are doing what our neighbors are doing.

Mayor Hart spoke and stated that it was unfortunate timing when they launched the task force. The day after they met the Governor placed orders and placed us in Stage 4, which included the mandatory wearing of masks.

Curtis stated that we had no clear direction and that we followed what was trending. He encourages that going forward that we look to see if this is what Gardiner needs.

Mayor Hart stated that our Representatives would like to hear from you, Senator Bellows and Harnett.

1. **PETITIONS/PUBLIC HEARINGS**
2. 2020 Wastewater Treatment Plant Upgrade/General Obligation Bond Anticipation Note (BAN) and General Obligation Bond

Manager Landes spoke briefly.

Mayor Hart opened the public hearing at 6:10 pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:12 pm.

1. Retail Adult Use Marijuana Establishment/Manufacturing Facility: Wellness Connection

Charlie Langston asked to speak briefly.

Mayor Hart opened the public hearing at 6:12 pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:16 pm.

1. **NEW BUSINESS**
2. Discussion with Patrick Adams, Active Regional Transportation Planner at Maine Department of Transportation Regarding the Cobbossee Trail Project

Manager Landes spoke briefly.

Tina Wood from upstream spoke in regards to upstream holding meetings for the last two years in the hopes for fish passage for the three downtown dams.

Senator Bellows thanked Patrick for coming back for this meeting. The community collaboration and it has real momentum. With Covid she would like to push this to May 2021 and is willing to write a letter of support.

Representative Harnett thanked Patrick for coming back. He stated the Cobbossee Corridor is Gardiner, it is what fueled the mills and the development of our City. He supports the request from the City to extend the deadline to May 2021 and he pledges to work as hard as I can for the City to make sure this project, which is critical, can move forward.

Patrick Adams spoke briefly about the trail. He stated the May date is currently when the Bridge project should be wrapping up. He is feeling comfortable as long as there is municipal leadership support. Maine DOT wants to be assured there is a commitment to move this forward. What would be helpful is if we moved forward with the design, which will incur cost for the department and the city.

Councilor Ault asked Manager Landes is there an appropriation in the current budget for continued work on this project.

Manager Landes stated in 2016 to expend $418,410 that was about $333,000 towards the project its self and about $85,400 in interest.

Councilor Ault moved City council is committed to continuing its full support in the development of the Cobbossee Trail Project and direct City Manager Landes to draft a letter MEDOT explaining the Councils commitment to convening a task force to develop a revised plan for the completion of phase 2 By May 31st 2021.

Councilor Rees seconded.

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

Councilor Rees wanted to thank Senator Bellow, Harnett and Patrick for joining.

Hear,Hear from Councilor White.

1. Findings of Fact and Consider Approval of Retail Adult Use Marijuana Establishment/Manufacturing Facility: Wellness Connection

The Land Use Code Addresses Marijuana Establishments:

It states-

10.28.5 An applicant that has received a conditional license from the State of Maine for a marijuana establishment may apply for City approval of that category of establishment. Any approval or license based upon a conditional state license shall be conditioned on the applicant receiving an active license from the state within one hundred eighty (180) days of the date of the City’s approval. If the applicant fails to obtain an active license within that period, all City approvals, licenses and permits are void.

Wellness Connection, managed by Charlie Langston, and located at 31 Maine Venue, has been granted a state adult use marijuana program that expires 07/16/2021. This business has received approval from the Planning Board.

The licensee acknowledges and affirms all information is true and complete and then will require local authorization. As part of the Marijuana Business License Application for the City of Gardiner, approvals must be given by Code Enforcement, Economic Development, City Manager, Gardiner Fire Department, Gardiner Police Department, Public Works, and City Council.

The City Council shall make findings of facts as to the application's conformance with the standards of approval. The Council may grant a conditional approval of a license for a period of less than one year.

Councilor Berry asked about the moratorium.

Mayor Hart explain this application was received before the moratorium was in place.

Councilor Ault moved to approve the Retail adult Use Marijuana Establishment/Manufacturing Facility as all approval standards have been met as noted in City of Gardiner Code Chapter 11, Section 5.2 for a term of one year so long as a valid state license is maintained.

Councilor Cusick seconded.

Mayor Hart asked for any discussion.

Councilor Berry asked if they were planning to do both.

Charlie Langston stated it is illegal to run both in the same facility and they are going to transition to Retail Adult use.

Councilor Ault wanted to say thank you for being a good corporate citizen of Gardiner.

All those in favor. Unanimous.

Mayor Hart reminded the councilors to go into City Hall to sign the paperwork.

1. Consideration of First Read for a General Obligation Bond Anticipation Note (BAN) and a General Obligation Bond for the Wastewater Treatment Plant Upgrade

Dan Marks spoke briefly.

The General Obligation Bond Anticipation Note (BAN) will be in the amount of $3,532,000 and will be used during the construction phase of the project. The final funding will require a General Obligation Bond in the amount of $3,032,000, issued to the United State Department of Agriculture, acting through its Rural Utilities Service, and will be distributed in conjunction with a $500,000 grant from USDA.

These bonds will be used to finance the city's 2020 Wastewater Treatment Plant Upgrades and will be for a term of thirty (30) years. The City Council approved this project on June 24, 2020.

Councilor Berry moved to send the acquisition of the General Obligation Bond Anticipation Note (BAN) and General Obligation Bond - Order number 2020-04 for the Wastewater Treatment Plant Upgrades to a second reading on November 18, 2020.

Councilor Rines seconded.

Mayor Hart asked for any discussion.

Councilor Rees asked Denise Brown about the issuance.

Denise Brown the final bond amount through our will be $3 million. As they have given us a $500,000 grant, But the interim financing we will be doing it for $3,532,000. It will be a very short interim finance. Hopefully the project will be done within a year give or take a little.

Councilor Rees asked if we get all the money first then after the project is done they give us the grant?

Finance Director states that we are required to spend the loan money and that is it similar to a construction loan.

Councilor Berry spoke stated that we need to spend the money in order to receive the money. This money is coming from an enterprise account and this will not affect the tax payers.

Mayor Hart asked if we were going to accept the bids on November 18th or does this process take a little while longer.

Dan marks replied and stated they will be opening bids that afternoon but we will go through a due diligence process.

All those in favor. Unanimous.

1. Set Steering Committee for Coastal Communities Grant/Downtown Master Plan

EDD Desjardins spoke briefly about how City Manager Landes spoke with Dorothy Washborn earlier today who would like to be appointed as well. She wanted to let the council that the RFP’s have gone out. Our goal is to come back to the November meeting with a new downtown masterplan.

Councilor Rees asked that the E on her last name be taken off.

Please see the following names of people interested in volunteering on the Downtown Master Plan Steering Committee.

Carrie Arsenault

Tamara Whitmore

Janet Slade

Jean Cleaveau

Jacob Coan

Faustine Reny

John Bobrowiecki

Melissa Lindley - GMS

Amy Rees - Council Rep

Tracey Desjardins - City Rep

Councilor Berry moved to approve the proposed Steering Committee list of volunteers to work on the Downtown Master Plan and would like to add Dorothy Washborn.

Councilor White seconded.

Mayor Hart asked for any discussion.

Mayor Hart would like to thank everyone.

All those in favor. Unanimous.

1. Gardiner Gateway Sign Options

EDD Desjardins spoke briefly.

Melissa Lindley spoke briefly. She states she brought this up to the street scape. Some of the discussion was about how the tag line that currently stands is not the best and that it should mention heart and soul or if there is not a good tag line to not use one at all. Some people thought that using a sturgeon would be a good symbol.

Councilor Rees asked if Melissa knew if the business friendly designation still a thing.

Melissa stated she does not a lot about that but Tracey may.

EDD Desjardins states they were looking at doing a revamp and doing it a little bit differently. The person in charge of that has now moved on to a new position and now Covid hit and this hasn’t been a priority. With Heather Johnson the new commissioner has been so busy with other things.

Councilor Ault states he is agnostic on the business friendly labeling and we did go through the process. With business collaborative and the senior care we got an extra point in our scoring for being business friendly and made a difference in our funding.

EDD Desjardins states Councilor Ault is correct.

The city's gateway is the welcome center for all visitors. When they see the welcome sign, what is the image the City Council wants to portray for Gardiner? The current gateway signs are outdated and are in need of much repair.

Gardiner Maine Street and EDD Desjardins are pleased to present the following options for consideration. These drafts have been presented to the Gardiner Main Street Streetscape Committee for comment and GMS Director Melissa Lindley will be present to share their thoughts.

The city will replace four (4) gateway signs and has a sign account set aside to cover the cost of replacing the signs.

Councilor Ault moved to accept the first presented Gardiner Gateway Sign as presented.

Councilor Berry seconded.

Mayor Hart asked for any discussion.

Councilor White states she was trying to tell Councilor Ault number two. I like number two better because of the explanation point.

Councilor Ault states he is anti- explanation points.

Councilor Rees states what she likes about the first one is how the gazebo is presented. It is a little bit bigger and easier to see.

Councilor Frey asked the Mayor is she described the first one being green.

Mayor Hart states it’s blue with a little bit of green shading behind. He states he likes the arch in the first one but does like the explanation point in the second one.

Mayor Hart wanted to thank Melissa and states she does like the first one and she is not a fan of explanation points. She states she is in favor of the tag line stating something like Heart and Soul City but she would be happy with no tag lines too. She has been partial to Where history and progress meet. She asked Council if they wanted to discuss the tag line.

Melissa Lindley states the committee only comment was to use the year the City was founded.

EDD Desjardins states “Gardiner Welcomes You, Founded in --- “

Mayor Hart states that is perfect. She notes all heads were nodding.

All those in favor. Unanimous.

1. Set Public Hearing Date for November/Amendment to EJP TIF/Libby Hill TIF

EDD Desjardins spoke briefly.

Councilor Berry asked if there is a cost to change the TIF.

EDD Desjardins stated the cost is being board by Prescott.

Councilor Berry asked if we knew what the cost is.

EDD Desjardins states that working with legal the cap was set up to $10,000.

The City Council is being asked to set a Public Hearing Date for a possible amendment to the EJP and Libby Hill TIF.

The purposes of these proposed amendments are to:

(1) alter the boundaries of the districts resulting from new parcel boundaries due to ownership changes and a new development project, and

2) add new project costs as permissible uses of TIF revenues by the City

No credit enhancement agreements are being proposed with these amendments.

The amendments are meant to better facilitate the City’s economic development goals.

Councilor Frey moved to set November 18th as a Public Hearing for a possible amendment to the EJP and Libby Hill TIF.

Councilor White seconded.

Mayor Hart asked for any discussion.

Councilor Berry asked if there was other changes.

EDD Desjardins answered.

All those in favor. Unanimous.

1. Consideration to Allow ORC Review of Allowed Uses in the PD Zone/Marijuana Cultivation and Manufacturing

Chair Willis spoke briefly.

Mayor Hart asked Chair Willis if this is a good use of the ORC time given all the other things that we need to look at to revisit now.

Chair Willis states the thing is she certainly doesn’t mind but the reason is she wants to look at the fact they allowed this in mixed use. She states that if we were to change the motion that can look at all the zones and not just one singular zone.

As the current marijuana ordinance was drafted, marijuana cultivation was allowed in most zones heading out Brunswick Avenue, but not in the Planned Development (PD) Zone.

Attached are letters from the city's CEO McNeill, Commercial Broke Dennis Wheelock and two marijuana business people.

The request before the City Council is to consider allowing the Ordinance Review Committee to review, as they review the current marijuana ordinance, possible allowed uses in the Planned Development Zone on Brunswick Avenue.

Councilor Rees moved direct the ORC to review possible allowed uses in Gardiner specifically marijuana cultivation and manufacturing, as part of the marijuana ordinance review.

Councilor Cusick seconded.

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

1. Consideration of Road Name Change: Irving Way to Troiano Way

Manager Landes spoke briefly about the request.

Kris McNeill, CEO, is asking the City Council to consider a road name change. This road, Irving Way and located in Libby Hill Industrial Park, was named by the first property owners.

Since that time, Troiano Waste Services Inc has also purchased land along this road. It appears that the first piece of property is now up for sale so Troiano is asking if the City Council would consider a road name change to Troiano Way.

The E911 Addressing Committee has reviewed this change and there were no noted concerns.

Councilor Berry moved to approve a changing the street name of Irving Way to Troiano Way.

Councilor Cusick seconded.

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

1. Consideration of Surplus Items Being Sent to Bid: Retaining Wall Blocks and Cement Slabs

Manager Landes spoke briefly.

Councilor Berry asked if we will ever need to use these in the future.

Manager Landes states that we do not have future use for them.

PWD Douglas states they came out of Mckay park. It is such a nice pit and resource. When they start to dump debris and get into the habit. He does not think they are worth a whole lot and they are not hurting anything being there but he’s afraid it will turn into a dumping ground.

Councilor Berry said there is a new committee that is doing a new design for Mckay Park is it out of the realm that the blocks won’t be put back?

Manager Landes said we can put this aside until the committee is done with the design or we can wait till spring when people are seeking these items out.

Councilor Berry states he would hate to sell something for .10 cents and turn around in a year and half to spend $1.20.

Councilor Cusick agrees with PWD that the pits a mess and needs to be cleaned up. Reusing the material isn’t always good because it never goes back together the way that it should. If we are getting a grant, we are not going to want to use old blocks.

Mayor Hart asked if we accept it now and it doesn’t preclude until spring.

Manager Landes asked that the motion include putting it to bid in spring 2021

Councilor White asked what we would do if no one took them

PWD Douglas explained we would need to remove them ourselves.

Councilor White agrees with Councilor Cusick to clean up the pit.

Public Works Director Douglass is working on cleaning up the pit.

He has prepared a couple of bids sheets for items that he would like to see disposed of.

The first item is retaining wall blocks and the second item is 4'x4'x4" cement slabs.

Councilor Cusick moved to send the proposed items out to bid in the most economical manner and in the best interest of the city process by May 2021.

Councilor Frey seconded.

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

1. Appoint Election Workers for 2020 General Election

Manager Landes spoke briefly.

Councilor White asked if it is supposed to be 50/50 between the parties.

Manager Landes states they do need to be 50/50 working the polls but they can proceed the party by one should you need to. Alisha will make sure the parties are equal during the election.

Mayor Hart states she was in the council chambers earlier and they were busy at work counting the absentee’s.

With the November 3, 2020 election fast approaching, and the outbreak of COVID-19, many municipalities are working to secure election workers to work the polls and perform all the requirements of a successful election.

The City Clerk has prepared a list of election clerks that are willing to serve the City of Gardiner at least through the end of the year.

Normally this appointment is performed by City Council by May 1st of each year, however, due to the extenuating circumstances the City Council is being asked to consider this list of clerks. The City Clerk is also asking that these appointments also be until the 31st of December 2020. At that point, the political parties can prepare possible nominees for the position.

Councilor Rines moved to appoint the list of election clerks as presented in order to facilitate/staff the November 3, 2020 election. This appointment will expire on 12/31/2020.

Councilor Berry seconded.

Mayor Hart asked for any discussion.

Councilor Frey asked how the list compares in numbers to the list we normally see.

Manager Landes states that some people are very hesitant to working the polls with the pandemic.

All those in favor. Unanimous.

1. Consider Request to Close City Hall for Christmas Eve and New Year’s Eve

Manager Landes wanted to clarify this if for all City employees.

It has been past practice in state government, that the Governor has allowed employees to have Christmas Eve and New Years Eve off as a state office shutdown has usually occurred.

The City Manager, after surveying several municipalities and finding they are doing the same, is asking the City Council to consider closing city hall on Christmas Eve and New Years Eve.

These two days off would be classified as employee appreciation days, especially for all of them serving this past year during the state of emergency while in the midst of the pandemic. One could say that the New Years Eve holiday would be a recognition of bidding farewell to this year.

For those individuals that are required to work on those days (possible PW and B&G (due to snow), Police and Fire) they would be alloted eight (8) hours of compensated time with no cash value.

Councilor Ault moved to allow the closure of City Hall on Christmas Eve and New Years Eve as a paid day off and for those required to work they would be allotted eight (8) hours of compensated time with no cash value.

Councilor Cusick seconded.

Mayor Hart asked for any discussion.

Councilor Berry asked what has been done in the past.

Manager Landes states in past practice we would close at noon time.

All those in favor. Unanimous.

1. Review and Accept Meeting Minutes from September 16th, September 23rd, and October 14, 2020

Councilor Cusick moved to approve the minutes of September 16, September 23, and October 14, 2020 as presented.

Councilor Rines seconded.

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

1. **CITY MANAGER REPORT**

* New Fire Chief Rick Sieberg – Would like to extend public Congratulations
  + Rick asked to speak about the simulcast being up and running. He states when Chief Nelson was on the council approved the purchase of a simulcast upgrade for the fire department. The new system is up and working very well, much safer.
* Did not receive the grant for a new Fire Truck or the Grant for new employees.
* First quarter Covid expenses from March to the end of June we submitted $24,500 in expenses but received $18,275 back in funding.
* If council would like to stop by City Hall masks are available.
* Candy from Reed & Reed did provide a bridge update; They are getting ready to slide the bridge piece over.

1. **CITY COUNCIL REPORT**

**Councilor Ault**

* Congratulations to Chief Sieberg
* Don’t forget to vote; I already voted early, easy and simple with very talented and great staff
* Support your local Business in down town Gardiner
* Asked Mayor Hart about the neighborhood discussion West Hill road solar project. Will this be a zoom call?
  + EDD Desjardins states the meeting will not be zoom. They are meeting on site.
  + Councilor Ault confirmed October 31st at 10am gathering at the south side of the school.
  + EDD Desjardins states the information is correct and that there has been some responses.

**Councilor Cusick**

* He asked for some clarification
  + Mayor Hart provided details
  + He asked where the site was
  + Mayor Hart explained
  + He states he would like to be made aware before complaints come in so they are aware of what is going on
* Congratulations to Chief Sieberg
* Thank you to Christine and PWD Douglas up to Marston road

**Councilor White**

* Congratulations to Chief Sieberg
* Does the school being shut down due to Covid impact the election
  + Manager Landes stated the election is still on. They are prepared to have the school cleaned prior to our arrival Monday to set up and polling Tuesday. The City has payed for a cleaner to go in after us to clean.
* A complaint about some of the new businesses that have opened. She is hoping the Ordinance Committee could consider an odor ordinance because there is some odor coming from those businesses on Water St.
  + Mayor Hart states she will pass things along to Chair Willis

**Councilor Berry**

* Congratulations to Chief Sieberg
* Asked if they get any feedback from the grants.
  + Manager Landes said it is a yes or no, they do not give explanations.
* Requesting a cost for sewer hole covering
  + Doug Clark said it is deep and our small excavators would not be able to do it. We had no choice but to contract this out.

**Councilor Rees**

* Happy Halloween
* Looking forward to election day. Hopefully everyone stays safe.

**Councilor Frey**

* Congratulations to Chief Sieberg and thank you.
* Thinking about technology and we are going to lose our technology director. Do we have a plan? What do we have in place now? How does it work?
  + Mayor Hart asked Manager Landes if there could be a task force to work with IT Director Davis
  + Manager Landes states Anne has a recession plan that she can send to the council.

**Councilor Rines**

* Congratulations to Chief Sieberg
* Offer or Say to the family’s to the people who are effected by Covid a speedy recovery
* Don’t forget to get out and vote before Tuesday or on Tuesday

**Mayor Hart**

* Congratulations to Chief Sieberg
* There were four ribbon cuttings, El Oso’s; Gardiner Hardware; Hair Lab; Ruby’s Place
* Big announcement funding opportunity to give out in two phases called the Communities Grant
* Some family’s within our communities who have been effected by Covid. Do send my best wishes and for a speedy recovery.

1. **ADJOURN**

Councilor Ault moved to adjourn.

Councilor Cusick seconded.

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

Approved during the December 9, 2020 City Council Meeting.