



COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
Wednesday, February 17, 2021
6:00 PM

The meeting was called to order by Mayor Hart at 6:03 p.m.

1. ROLL CALL/PLEDGE OF ALLEGIANCE

City Council Present: Mayor Hart, Councilor Sergent, Councilor Cusick, Councilor White, Councilor Berry, Councilor Rees, Councilor Frey, and Councilor Rines.

City Council Absent: None.

Also present: City Manager Christine Landes, City Clerk Alisha Ballard, Economic Developer Director Tracey, Fire Chief Rick Sieberg, Tookie Gregoire, Julianna Montell, Gena Canning, Sara Rines, Sara Hasty, Dawna Gregoire, Ingrid Stanchfield, Peter Prescott, Debby Willis and Dorothy Washburne.

2. PUBLIC COMMENT

None

3. PETITIONS/PUBLIC HEARINGS

a) Capital Funding Request from Boys and Girls Club of Kennebec County

Mayor Hart opened the public hearing at 6:05 p.m. and asked for any comments from the public.

The following spoke on behalf of the Boys and Girls Club:

Tookie Gregoire

Julianna Montell

Gena Canning

Sara Rines

Sara Hasty

Dawna Gregoire

Ingrid Stanchfield

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Peter Prescott

City Manager Landes read aloud a letter from Barbara Estabrook.

Action: Mayor Hart closed the public hearing at 6:50 p.m.

b) Land Use Changes Dealing with Dogs and Kennels

Mayor Hart opened the public hearing at 6:50 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:51 p.m.

c) Gardiner City Code of Ordinances, Section 1762 Dealing with Dogs and Kennels

Mayor Hart opened the public hearing at 6:51 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:51 p.m.

d) Extension of Marijuana Moratorium/Adult Use Retail Marijuana and Medical Marijuana

Mayor Hart opened the public hearing at 6:51 p.m. and asked for any comments from the public.

Manager Landes read aloud a letter from Barbara Estabrook.

Mayor Hart closed the public hearing at 6:53 p.m.

e) Medical Marijuana Establishment: Sugar Bud Farms

Mayor Hart opened the public hearing at 6:53 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:54 p.m.

f) Medical Marijuana Establishment: Gardiner 4Twenty

Mayor Hart opened the public hearing at 6:54 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:54 p.m.

4. NEW BUSINESS

a) Consider Funding Request from Boys and Girls Club

Action: Councilor Rees moved to allow a capital-funding request in the amount of \$500,000 for the Boys and Girls Club of Kennebec County, to be included in the FY22 budget.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Councilor Sergent spoke in regards to the unhappy citizens.

Councilor Rees stated if you look at the benefits they provide to Gardiner it truly is amazing.

Councilor Cusick stated he is in support of this. Councilor Cusick also stated he is worried for the budget due to COVID and our own buildings need repair.

Manager Landes spoke in regards to the budget.

Councilor Rines thanked everyone who spoke. Councilor Rines said he agreed with Councilor Cusick but fully supported assisting the Boys & Girls club. He would like to see the City spread the amount out.

Councilor White stated she wanted to be creative with how to do this without impacting the residents.

Mayor Hart stated there is nothing that reads the council needed to make the decision tonight. Mayor Hart stated this is to come from fund balance and would not affect taxes.

Councilor Berry asked if they need to make this decision tonight or if they can push this out. Councilor Berry stated he is in support but would like to see us spread this out.

Councilor Rees pointed out that Ingrid said we could spread this over five (5) years.

Mayor Hart asked Manager Landes if they enter into an agreement if this would be locked in.

Manager Landes stated that is correct.

Councilor Frey said most of his thoughts has been expressed. Councilor Frey stated he is in support of this but wanted to make sure the city is are putting ourselves in the best possible position.

Councilor Berry asked if are allowed to use any of the TIF funds.

Manager Landes said yes we are.

Mayor Hart stated she hears lots of support for this. Mayor Hart herself is in support and feels like it is vital for the community and would like to support them as much as the City of Gardiner can.

Councilor Rees suggested that we ask Manager Landes and Finance Director to come up with ideas on how the City can make this gift without impacting the citizens.

Manager Landes stated that a bond does effect the mill rate and we do have to pay that back. Fund balance is a separate fund of money that does not affect the mill rate. Manager Landes asked the council to agree on an amount so we can work through creative ways to get this in the budget.

Ingrid asked to at least have the amount for funding and so they can get started in the spring. The Boys and Girls club is taking pledges up to five (5) years.

Action: Councilor Rees agreed to amend her motion. Councilor Frey withdrew his second.

Councilor Rees moved to allow a capital-funding request in the amount of \$500,000 for the Boys and Girls Club of Kennebec County, to be paid for in a manor yet to be determined, over the length of time of up to five (5) years.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Councilor Cusick asked how we would agree to pay this over a period of five (5) years.

Mayor Hart stated they would enter into a contract.

Councilor Cusick stated that \$500,000 is a lot of money and he is unsure if he is going to support this. Councilor Cusick said there is a lot of unknowns ahead.

Councilor Berry said he is painting themselves into a corner. Councilor Berry said he would not be able to support this, \$500,000 over five (5) years is a lot of money and Gardiner is not the richest town in Maine.

Manager Landes stated Finance Director Brown messaged her that, \$500,000 over five (5) years would be \$115,000 a year, or about \$48 on an average home; .32 on the mil rate.

Mayor Hart asked if that is the numbers if we add it to the budget.

Manager Landes stated yes spanning it out over five (5) years into a bond.

Manager Landes stated that an average home is assessed at \$165,000.

Mayor Hart stated that we have a motion of \$500,000 with method to be determined and time frame to be five (5) years.

Councilor Sargent said we do not know what the future will hold and we can not put a price on the future for our children

Councilor Rines said he has been trying to think of other ideas. He questioned if there is a way we can pass a motion that we are going to do some type of investment over a time period yet to be determined.

Mayor Hart said we could task Manager Landes and Finance Director Brown to discuss different scenarios. Mayor Hart asked Councilor Cusick and Councilor Berry if this would answer their questions and meet their needs if we had more information.

Councilor Cusick said that we need to know where the money is going to come from.

Mayor Hart stated that is the question, if we put up perimeters and ask Manager Landes and Finance Director Brown to come back with information that would include the amount and what the impacts would be. Would that meet the needs?

Councilor Cusick stated that makes him feel better.

Councilor Rines said he does not want to lock into a \$500,000 commitment, but does want to show support.

Councilor Rees said she agrees with this and she is willing to withdraw her motion.

Councilor White said she agrees with both Councilor Cusick and Councilor Rees.

Action: Councilor Rees and Councilor Frey withdrew their motions.

Mayor Hart went over different avenues to discuss.

Manager Landes said this would work.

Ingrid stated the March 17th meeting would work best. She stated that the sooner we have a number the better it is to figure out what the remaining amount of money the club need to raise.

Action: Councilor Rines moved to make a general support to the Boys & Girls club capital campaign.
Councilor White seconded.
Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

Action: Mayor Hart called a break at 7:33 p.m.
Mayor Hart called the meeting to order at 7:38 p.m.

b) First Read of Land Use Changes Dealing with Dogs and Kennels

Planning Board Chair Debby Willis spoke briefly.
Councilor Sergent asked, “how many people this would affect?”
Chair Willis said if the fence is already erected then they would be grandfathered.

Action: Councilor White moved to send the proposed changes to the Land Use Ordinance for Dealing with Dogs and Kennels to a second read on March 3, 2021.
Councilor Cusick seconded.
Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

c) First Read of Gardiner City Code of Ordinances Section 1762 Changes Dealing with Dogs and Kennels

Planning Board Chair Willis spoke briefly.

Action: Councilor Cusick moved to send the proposed changes to the Gardiner City Code of Ordinances Section 1762 dealing with dogs and kennels to a second read on March 3, 2021.
Councilor Berry seconded.
Mayor Hart asked for any discussion.
Councilor Sergent said she is not sure why we care about dogs barking.
All those in favor. 7 – Yes 1 – No (Councilor Sergent)

d) Possible Approval of the Extension of Marijuana Moratorium/Adult Use Retail Marijuana and Medical Marijuana

Planning Board Chair Willis spoke briefly.
Councilor Sergent asked if we have any retail location that are recreational?
Code Enforcement Officer McNeill said no.
Councilor Frey asked about the 180 days.
Manager Landes stated the state statute allows an extension of up to 180 days by the legislative body.

Action: Councilor Frey moved to extend the Moratorium Ordinance/ Adult Use Retail Marijuana and Medical Marijuana Retail for an additional 180 days. The reason for this extension is that reasonable progress has been made to alleviate the problem giving rise to the moratorium, however a problem still exists and more time is needed.

Councilor White seconded.

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

e) Findings of Fact and Consider Approval of a Medical Marijuana Establishment: Sugar Bud Farms

Planning Board Chair Willis spoke briefly.

Mayor Hart asked some clarifying questions.

Manager Landes explained the dates on the caregivers license.

Action: Councilor Rees moved to approve the Medical Marijuana 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 one year so long as a valid state caregiver's license is maintained.

Councilor Cusick seconded.

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

f) Findings of Fact and Consider Approval of a Medical Marijuana Establishment: Gardiner 4Twenty

Planning Board Chair Willis spoke briefly.

Action: Councilor Cusick moved to approve the Medical Marijuana Establishment License for Gardiner 4Twenty, 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 caregiver's state license is maintained.

Councilor White seconded.

Mayor Hart asked for any discussion.

Councilor Sergent asked how many medical marijuana businesses are currently open.

Code Enforcement Officer McNeill stated he believes there are five (5) currently.

All those in favor. Unanimous. Councilor Berry abstained.

g) Consideration of Road Name Change: First Left Road to Innovation Way

Economic Development Director Tracey Desjardins spoke briefly.

Action: Councilor Rines moved to approve changing the street name of First Left Road to Innovation Way.

Councilor Berry seconded.

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

h) Request from Dorothy Washburne to Apply for Project Canopy Grant

Dorothy Washburne spoke briefly.

Action: Councilor Rines moved to allow Dorothy Washburne to apply for a Project Canopy Grant in the amount of \$4,000.00.

Councilor Sergent seconded.

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

i) Consider Approval of COVID-19 Declination Form

Chief Sieberg spoke briefly.

Councilor White asked if someone was to decline the vaccine and they had to quarantine would they get paid or do they need to use their sick time?

Chief Sieberg stated that Manager Landes updated the policy.

Manager Landes said that everyone gets eighty (80) hours of time related to COVID.

Councilor White asked if everyone was on the same page even if they decline the vaccine.

Councilor Rees pointed out that some of the statements repeat.

Manager Landes explained the bullet points.

Councilor White said this is very repetitive.

Councilor Rines asked Chief Sieberg if anyone refused to initial are they still able to receive or decline the vaccine.

Manager Landes stated we do not have an honest answer. Manager Landes reminded council that this form is only going to staff who have been offered the vaccine.

Action: Councilor Frey moved to adopt the COVID-19 declination form as presented with review from council input.

Councilor Sergent seconded.

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

j) Discontinuance of Portion of Commerce Drive (aka Enterprise Avenue) in Libby Hill Business Park

Economic Development Director Desjardins spoke briefly.

Action: Councilor Cusick moved that there will be no damages to property owners that abut the discontinued section of the road as a result of the discontinuance and he moved to initiate the discontinuance process.

Councilor Frey seconded.

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

k) Review and Accept Meeting Minutes from January 20, 2021 and February 3, 2021

Mayor Hart asked for a change to the 1/20/2021 minutes on page 3; SAFER grant to be in all caps.

Action: Councilor Sergent moved to approve the minutes of January 20, 2021 and February 3, 2021 as presented with the minor changes stated.
Councilor Rines seconded.
Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

I) Advise and Consent to the Mayors Appointment(s): Matthew Drost to Gardiner Water District

Action: Councilor White moved to advise and consent to the Mayor the appointment of Matthew Drost to the Gardiner Water District.
Councilor Frey seconded.
Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

5. CITY MANAGER REPORT

Manager Landes reminded the city councilor about the added upcoming meeting on February 24th. Manager Landes mentioned some of the lights are out and they believe it is due to snow removal.

Reminder the council needs to come in to sign the marijuana licenses.

Manager Landes gave an update on the total cost for the cruiser. The city is receiving \$18,000 from insurance towards the \$45,000. The City also had \$18,000 in revenue from fiscal year 2020 covid expenses. After these, this will put us at about \$36,000. Chief Toman agreed to use approximately \$9,000 from special revenue, AKA drug money. That would put the total to around \$45,000. The plan is to use some equipment off of the old cruiser.

Public Works is cleaning snow from downtown tonight.

The update from Clerk Ballard on the special election is that she has sent out 211 absentee ballots and 75 ballots have been returned.

Manager Landes read aloud a letter from MSAD #11.

Mayor Hart asked Manager Landes if there were still time to get the word out for the special election.

Manager Landes stated Clerk Ballard was diligently working on different avenues to make sure the word gets out.

Councilor White stated she reached out to Clerk Ballard as well.

6. CITY COUNCIL REPORT

Councilor Cusick asked Manager Landes how the police officer is. Manager Landes stated Officer Alexander did not miss a beat. Officer Alexander is on light duty but he is doing very well. Councilor Cusick wanted to shout out to public works for the snow clean up.

Councilor White echoed Councilor Cusick's comment to public works. Councilor White asked about the red house. Mayor Hart asked Manager Landes to have Code Enforcement Officer McNeill bring an update to council.

Mayor Hart wanted to thank public works for the roads being clear. Mayor Hart wants to connect to go over the list is correct to make sure everyone is invited. Manager Landes stated she figured she would send the invites to everyone on the list, and others especially if people are currently not on a committee they would want to volunteer again. She thanked everyone for working together through the Boys and Girls club agenda.

7. ADJOURN

Action: Councilor Frey motioned to adjourn the meeting.

Councilor Sergent seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council adjourned the meeting at 8:57 p.m.

Respectfully Submitted:



Alisha Ballard

City Clerk