



COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
Wednesday, February 24, 2021
6:00 PM

The meeting was called to order by Mayor Hart at 6:01 p.m.

1. ROLL CALL/PLEDGE OF ALLEGIANCE

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

City Council Absent: Councilor Sergeant

Also present: City Manager Christine Landes, City Clerk Alisha Ballard and Tax Collector Kathleen Cutler.

2. PUBLIC COMMENT

None

3. PETITIONS/PUBLIC HEARINGS

None

4. NEW BUSINESS

a) Confirm Commitment to Improve Water Street Sidewalks/ \$60,000 Federal Funds and a \$15,000 Local Commitment

City Manager Landes spoke briefly.

Councilor Berry asked if this is just for design and preparation.

Manager Landes answered, yes, it is a preliminary design. She also stated that the Mayor will ask the council to appoint a group work on ideas and on which side they will start. It will cost approximately \$750,000 to do one side of the sidewalk. Manager Landes stated

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she will be coming back to council in the fall to write another grant for the other side of the sidewalk.

Action: Councilor Cusick moved to authorize a local match of \$15,000 in the FY22 budget for the facility design and preliminary right-of-way on the Water Street Sidewalk Improvements- Phase I.

Councilor Berry seconded.

Mayor Hart asked for any discussion.

Mayor Hart asked if the sidewalk improvements could be done on one half of downtown so both sidewalks are done on one half and then the other half of downtown will be done later.

Manager Landes stated the preliminary cost. She also stated that when she spoke with Patrick this was for one side of the sidewalk. She also stated this does not mean we couldn't work with the state to do one half of downtown first.

Councilor Berry asked which side would be choose first.

All those in favor. Unanimous.

b) Review and Discuss Tax Acquired Property List

Tax Collector Cutler spoke briefly about tax acquire property's list.

Mayor Hart thanked Tax Collector Cutler for her services. She stated she remembers her bringing a list in 2019.

Tax Collector Cutler stated she is the president of the Maine Tax Collectors and Treasure Association; she also has access to what is happening in other towns. Tax Collector Cutler stated we are never going to not have a list of tax acquired properties, it is part of doing business.

Mayor Hart asked if the city owns the house, what is the liability if something goes wrong.

Tax Collector Cutler stated we add insurance once the building is vacant and we take possession. If they are still living in the home, they are considered a party in possession.

Councilor Rines asked Tax Collector Cutler to explain what the old policy was.

Tax Collector Cutler explained the old policy.

Councilor Berry thanked Tax Collector Cutler and stated this is money that belongs to the citizens to Gardiner and we have a reasonability to look after it. He asked if we were going to review the list in depth or just in general.

Tax Collector Cutler stated the council is talking just generally tonight and how to move forward. She stated the last five (5) people on the list are very resent foreclosures. She said typically once a property is foreclosed on she reaches out and gives them an opportunity to meet with the council in an executive session. She explained she has not been able to correspond with these people as of yet. Tax Collector Cutler stated there are other people on the list that were told they could make payments and were mailed payment agreements back in November of 2019.

The good news is that no one signed and returned the forms which means we are not in a contract with them.

Mayor Hart stated she gave Tax Collector Cutler the direction to talk about process wise this evening.

Tax Collector Cutler stated she would like to speak with people to make sure they were aware tonight's meeting happened. She explained there are a couple of people she would like to give the opportunity to come before council and follow the policy the city used to follow and there are people Tax Collector Cutler is prepared to move forward with.

Mayor Hart explained they would perhaps give her direction on the oldest Tax Acquired Properties and to follow the process with the most recent foreclosed. Tax Collector Cutler stated that as a tax payer, they have an understanding that they have taxes to pay but she would like to follow the process.

Councilor Berry asked if there is a standard practice when we have ownership of a property and there is someone living in the home. Councilor Berry asked if we put the home out to bid with them living there or bring them to court.

Tax Collector Cutler stated she has evicted two families. One went willingly and the other one took some time. She also stated if they did not vacate they would have had to bring them to court. She explained once they vacate the property the city needs to give them twenty-one (21) days to come back to collect any personal property they may have left behind. Tax Collector Cutler explained the steps the city takes after the twenty-one (21) days.

Councilor Berry asked if we have thought to do cash for keys and stated the council should sit down and discuss changes.

Tax Collector Cutler stated she is not familiar with cash for keys but is willing to talk with legal to discuss what our options are.

Councilor Cusick thanked Tax Collector Cutler. Councilor Cusick said he is in favor with the Tax Collector trying to work with the newest five (5) people on the list. He also stated the other people on the list have not even tried. Some of the people on the list have come before council with the promise to pay and still have not. Councilor Cusick explained it is time to get these properties back on the books; it is not fair to the rest of the tax payers.

Councilor White thanked Tax Collector Cutler. Councilor White asked if the city is the owner when we foreclosure. She also asked, In your experience what do you do if they state they are going to pay and never hear from them again?

Tax Collector Cutler stated the city is not the owner until we take possession. She stated that the city brings the information before council and ask to auction the property off. Tax Collector Cutler explained the tax bill timeline.

Mayor Hart stated that one of the names is Councilor Penny Sergeant. She swore an oath to follow the laws of the state and the city and come to find out she has not paid taxes since 2014 and her sewer since 2013. Mayor Hart stated Councilor Sergeant will not be a part of any of the discussions, she will be given the choice recuse herself from sitting on any decisions. Mayor Hart stated if Councilor Sergeant does not recuse herself then the council will then have the opportunity to vote the establish if it is believed that she will have a conflict of interest. The

council is all very surprised and disappointed to see a fellow councilors name on the list.

Councilor Rees read aloud some remarks; She is deeply disappointment in seeing Penny Sergents name on the list. Her decision to run for council without telling the taxpayers she doesn't pay her tax or sewer bills is very dishonest, and without this knowledge the voters elected her. Councilor Rees stated she has a hard time believing the voters would have elected Councilor Sergent if they would have known that she lives in Gardiner in a house that the city has foreclosed on due to nonpayment of taxes and sewer bills. She and her family receive all the same services that tax payers and rent paying citizens do; street plowed and swept. If she calls the police or rescue they come. Her son went to school at Gardiner school. She has access to our library and more. Yet her and her family pay nothing. Councilor Rees cannot speak to Councilor Sergent's motivation for running for council, however in the light of deceit which has been perpetrated when she ran for office without disclosing her situation to Gardiner tax payers. Councilor Rees called on Councilor Sergent to resign her position on city council, in her option it is the only honorable thing for her to do.

Councilor White stated she whole heartily supports Councilor Rees statement. Councilor Cusick agrees with Councilor Rees. He wished that this information was brought to their attention before the election. Councilor Cusick stated he agrees that Councilor Sergent should resign her seat on the council. 'Hear' 'Hear' to Council Rees suggestion.

Councilor Rines stated he fully backs Councilor Rees' statement and strongly feels the same way.

Councilor Frey stated he fully agrees and 'Hear' 'Hear'.

Mayor Hart states she fully agrees as well and thanked Councilor Rees for her remarks.

Tax Collector Cutler stated the city staff work hard to help people when they can and Gardiner offers more than most towns. The city offers a sewer discount program, property tax relief, and people are encouraged to use the food bank. The city goes above and beyond to try and find help for everyone that needs it. The city does not want to take people's homes, but at some point people need to help themselves.

Mayor Hart acknowledged the city's staff for their hard work to help the citizens.

Action: Councilor Berry moved to direct the City Tax Collector to proceed with 596 Water St, 25 Mt Vernon and 47 Cannard St.

Councilor Cusick seconded.

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

c) Review and Accept Monthly Reports from City Manager and Department Heads/January 2021

Manager Landes spoke briefly.

Action: Councilor Frey moved to accept the January 2021 monthly reports from the City Manager and Department Heads.

Councilor Rines seconded.

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

d) Board and Committees Update from Mayor and City Councilors

Mayor Hart gave an update on the New Mills Dam Committee is wanting to present their report for options of fish passage. The working communities challenge will find out Friday if they get the funding.

5. CITY MANAGER REPORT

Clerk Ballard informed the City Manager that she has send out three hundred and twenty-three (323) absentee ballots and have received one hundred and sixty two (162) back.

Manager Landes states there has been an email from a concerned citizen regarding the McDonald's traffic issue. Manager Landes, Chief Toman, Public Works Director Douglass, Economic Development Director Desjardins and Code Enforcement Officer McNeill met yesterday internally trying to come to a resolution and reached out to the owners. They have agreed to meet onsite to discuss how to fix the traffic issue. If we cannot come up with a plan, Public Work Director Douglass has contacts at ME DOT that would be willing to help fix the issue.

6. CITY COUNCIL REPORT

Mayor Hart thanked the councilors for working through these tough issues and appreciate their professionalism.

7. ADJOURN

Action: Councilor Berry motioned to adjourn the meeting.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council adjourned the meeting at 7:10 p.m.

Respectfully Submitted:



Alisha Ballard

City Clerk