



**COUNCIL MEETING MINUTES**  
**GARDINER CITY COUNCIL**  
**WEDNESDAY, April 7, 2021**  
**6:00 PM**

Mayor Hart called the meeting to order at 6:00 p.m.

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

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

City Council Absent: Councilor Sergent and Councilor Rines.

Also present: Acting City Manager Anne Davis, City Clerk Alisha Ballard, Logan Johnston, Planning Board Chair Debby Willis, Economic Development Director Tracey Desjardins, Tax Collector Kathleen Cutler, Police Chief James Toman, Waste Water Director Douglas Clark, Public Works Director Jerry Douglass, Fire Chief Rick Sieberg and Finance Director Denise Brown.

**2. PUBLIC COMMENT**

Phil Garwood asked to speak; stated he has been on the Board of Supervisors for the Kennebec River Rail Trail for many years. Chair Andy Hendrickson retired from the board and Phil has taken the role of Chair of the Board of Supervisors of the Rail Trail.

**3. PETITIONS/PUBLIC HEARINGS**

**a) Public Hearing for a New Liquor ( 51-100 Seats) License from El Oso Taqueria & Giftshop LLC**

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

#### 4. NEW BUSINESS

Mayor Hart asked the Council if they would take item 4.k and make it 4.a so our invited guest will be able to share his information.

Council approved of this action.

##### a) Consider Approval to Apply for Congressional Community Project Funding (CPF)

Mayor Hart spoke briefly.

Logan Johnston spoke about Congressional Community Project Funding.

Councilor Berry thanked whoever took the “bull by the horn” and got this going. He asked Logan Johnston if there will be ten awarded in the state or the second district.

Logan stated ten projects would be forwarded to Washington from Congressman Golden’s district and ten projects will be forwarded to Washington from Congresswoman Pingree district. The process after this gets into the various committees. This is a long process and anything out of the House will need to be voted on by the Senate.

Councilor Berry asked Logan if there is a deadline date.

Logan stated yes; they are all for federal fiscal year 2022.

**Action:** Councilor Cusick motioned to apply for the Congressional Community Project Funding.

Councilor White seconded

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

##### b) Consider Setting a Public Hearing for a Land Use Amendment/Tiny Homes

Planning Board Chair Debby Willis spoke briefly.

**Action:** Councilor White motioned to send the proposed changes to the Land Use Ordinance and City of Gardiner Code to Public Hearings and First and Second Reads on April 21, 2021 and May 5, 2021 respectfully.

Councilor Frey seconded.

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

##### c) Consider Setting a Public Hearing for a Proposed Cemetery Rules Ordinance/Code Changes

Planning Board Chair Debby Willis spoke briefly.

**Action:** Councilor Frey moved to send the proposed changes to the City of Gardiner Code to Public Hearings and First and Second Reads on April 21, 2021 and May 5, 2021 respectfully.

Councilor Cusick seconded.

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

**d) Consider Approval of the discontinuance of a Section of Commerce Street – Final Step**

Economic Development Director Tracey Desjardins spoke briefly

**Action:** Councilor Berry moved to discontinue a section of Commerce Drive (aka Enterprise Avenue).

Councilor White seconded.

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

**e) Consider a Request From a Resident for a Refund of Interest Paid on Real Estate Taxes**

Acting City Manager Anne Davis spoke briefly.

Councilor Berry stated he has dealt with real estate taxes but has never had an issue with Gardiner.

Councilor Rees mentioned that the Tax Collector does not need to mail out a bill; it is up to the tax payers to pay their taxes.

Acting City Manager Anne Davis stated, "That is correct."

**Action:** Councilor Berry moved to not waive the interest paid in the amount of \$38.53.

Councilor Cusick seconded.

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

**f) Update of Tax Acquired Property**

Tax Collector Kathleen Cutler spoke briefly.

Mayor Hart confirmed the two properties, had been removed from the list- 504 Water Street and 9 River Ave.

Mayor Hart asked Tax Collector Cutler if they have been asked to leave the home.

Tax Collector Cutler stated, yes, they have been legally serviced notice that we are asking them to vacate the premises and that they have 45 days to do so.



Councilor White thanked Tax Collector Cutler and asked about the four notice to quit process.

Tax Collector Cutler explained the notice to quit process.

Acting City Manager Anne Davis spoke briefly.

Mayor Hart thanked Tax Collector Cutler for this update and her work.

Councilor White; 'Hear' 'Hear'

**g) Consider Approval of Bids for Tax Acquired Property (3 properties)**

Acting City Manager Anne Davis spoke briefly.

Councilor Rees asked if 0 Harley Rd was just land.

Tax Collector Cutler stated, "Yes."

**Action:** Councilor Berry moved to authorize city staff to put 0 Harley Rd for \$3,500.00, 28 Spring St for \$6,000.00 and 56 Marks Lane for \$6669.42 as minimum bids.

Councilor Cusick seconded.

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

**h) Consider Approval of a new Liquor License for El Oso Taqueria & Giftshop LLC**

**Action:** Councilor Frey moved to approve a new liquor license for El Oso Taqueria & Giftshop LLC.

Councilor White seconded.

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

**i) Consider Approval of a Victualer's License for The Bench**

**Action:** Councilor Berry moved to approve a Victualer's License for The Bench. Councilor Frey seconded.

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

**j) Review and Accept Monthly Reports from Department Heads/February 2021**

**Action:** Councilor Cusick moved to accept the February 2021 monthly reports from the City Manager and Department Heads.

Councilor Rees seconded.

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

**k) Review and Accept Meeting Minutes from March 3, 2021, March 10, 2021 March 17, 2021 and March 24, 2021.**

**Action:** Councilor Frey moved to accept the Gardiner City Council minutes of March 3, 2021, March 10, 2021, March 17, 2021 and March 24, 2021 as presented. Councilor Cusick seconded.  
Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

**5. EXECUTIVE SESSION** *(City Council will exit public meeting and enter into a separate Zoom meeting.)*

**Action:** Councilor Berry motioned to move into executive session at 7:20 p.m. Councilor Frey seconded.  
Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous.  
The City Council moved into executive session at 7:21 p.m.

**a) Pursuant to 1 M.R.S.A. § 405(6)(H): Consultations between municipal officers and a code enforcement officer representing the municipality**

No discussion.

**Action:** Councilor Berry motioned to exit executive session at 8:17 p.m. Councilor Frey seconded.  
Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous.

**6. CITY MANAGER REPORT**

Acting City Manager Anne Davis stated that she facilitated a meeting earlier this week with all interested parties regarding the building at 235 Water Street. She stated she would transcribe the notes from the meeting and make them available to anyone attending the meeting and to council.

Acting City Manager Davis drove around with Code Enforcement Officer Kris McNeill to look into dangerous buildings.

Acting City Manager Davis mentioned they are moving along with the union negotiations. The City has made appointments with all four unions and negotiations will begin next week.

Acting City Manager Davis was advised by Economic Development Director Tracey Desjardins that there will be added Executive Sessions to speak about CEAs for a few of the TIFs.

Acting City Manager Davis stated that the engineering contract was awarded to Wright Pierce in the amount of \$29,641 for the Brunswick Ave retaining wall project; the City will be happy to have this finished.

Acting City Manager Davis mentioned to the Council that budget season has begin. Finance Director Denise Brown will have the budget books ready for Council shortly.

Mayor Hart stated that we normally build in a step for the public early on. Mayor Hart also asked if the department heads were interested in giving a presentation on their budget. Mayor Hart asked about adding a council meeting on May 12, 2021.

Acting City Manager Davis stated she had already planned on the department heads giving their own presentations.

Mayor Hart asked if Economic Development Director Desjardins would be adding all Executive Sessions together or separately.

Economic Development Director Desjardins stated they are ready now.

Mayor Hart asked the Councilors if they were willing to add an Executive Session on April 28, 2021.

Councilor Berry asked Economic Development Director Desjardins if he could receive a copy of the proposal before the meeting.

Economic Development Director Desjardins stated, "absolutely."



## 7. CITY COUNCIL REPORT

Councilor Cusick thanked Tax Collector Kathleen Cutler for her very informative presentation tonight and City Clerk Alisha Ballard for putting the minutes together. Councilor Cusick stated he heard that people are sad about Gardiner Main Street canceling one celebration week.

Acting City Manager Anne Davis stated that there is a lot of planning that begins very early in the year. Gardiner Main Street stated they are working on something later in the year.

Councilor Cusick thanked Acting City Manager Anne Davis for her explanation.

Mayor Hart stated she serves on the board in an Ex-Officio capacity; the vendors need to be contacted months in advance. Johnson Hall is working hard to try and bring back the summer concerts.

Councilor White asked about the Thursday Night Antique Car Show.

Acting City Manager Anne Davis stated nothing official has been requested at this time.

Councilor White thanked Acting City Manager Anne Davis for her answer; thanks to Tax Collector Cutler and City Clerk Ballard. Councilor White stated a resident contacted her with an issue; Public Works Director Jerry Douglas was able to follow up right away.

Councilor Berry stated that it was nice to see Reed & Reed delivering equipment and supplies down town.

Mayor Hart stated there are several groups in town that are starting to think about spring and spring cleanup. Mayor Hart stated there would be a spring cleanup event this Saturday, April 10 with Rotary Interact Club. Mayor Hart stated Upstream and others are leading clean up events downtown and on the Stream / River on April 17 in honor of Earth Day. More details can be found on Gardiner Main Street's Facebook page. Mayor Hart stated she has been serving on two committees with the United Way; Southern Kennebec Goal setting committee, with a focus to establish how all the non-profits want

to focus their efforts and what are the big goals. They are in the public outreach phase and have asked to do an in-person meeting in April or May. Mayor Hart asked the council if they would be willing to meet on a Sunday.

Councilor White stated that a Sunday would work for her schedule.

Mayor Hart stated she will ask around and see what dates would work best with everyone. Mayor Hart stated the McKay Park Committee and Age Friendly Committee are meeting and have approval to spend the state dollars they were awarded. Mayor Hart wanted to thank Public Works, Building and Grounds and Jerry Douglas for fixing the wall in Dearborn Park.

## **8. ADJOURN**

**Action:** Councilor Cusick motioned to adjourn the meeting.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council adjourned the meeting at 8:14 p.m.

Respectfully Submitted:



Alisha Ballard

City Clerk