



COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
WEDNESDAY, May 5, 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 (Arrived 6:02 p.m.), Councilor Berry, Councilor Rees, Councilor Sergeant, Councilor Rines and Councilor Frey.

City Council Absent: None.

Also present: Acting City Manager Anne Davis, City Clerk Alisha Ballard, Chad Kempton, Jason Everett, Economic Development Director Tracey Desjardins, Planning Board Debby Willis, and Finance Director Denise Brown.

2. PUBLIC COMMENT

None.

3. PETITIONS/PUBLIC HEARINGS

a.) Public Hearing on Proposed Amendments to the Land Use Code/Addressing the Treatment of Tiny Homes

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 6:06 p.m.

b.) Public Hearing on Proposed Amendments to the Land Use Code/Addressing Cemeteries

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

Office of the Mayor & City Council | 6 Church Street | Gardiner, ME 04345
207-582-4200 | 207-582-6895 (fax)
www.GardinerMaine.com

4. NEW BUSINESS

a.) Proclamation for Gardiner Area High School Girls' Basketball Team

Mayor Hart spoke briefly.

Action: Councilor Cusick motioned to accept the proclamation congratulating our Gardiner Area High School Girl's Basketball Team.

Councilor White seconded

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

b.) Consideration of a Special Events Application from Gardiner Area High School for a Graduation Event

Mayor Hart spoke briefly.

Acting City Manager Anne Davis spoke briefly.

Action: Councilor Cusick motioned to accept the Special Events Application from Gardiner Area High School for a Graduation Event.

Councilor Sergent seconded.

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

c.) Consideration of a Special Events Application for Gardiner Waterfront Park Classic Cruisin'

Action: Councilor Berry moved to accept the Special Events Application for Gardiner Waterfront Park Classic Cruisin'.

Councilor Rines seconded.

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

d.) Consideration of a Special Events Application for Johnson Hall Free Waterfront Concert Series

Acting City Manager Anne Davis stated that all Special Event Applicants are aware that they need to carry-in and carryout all trash.

Action: Councilor Frey moved to accept the Special Events Application for Johnson Hall Free Waterfront Concert Series subject to the discussion of the porta-potties.

Councilor Sergent seconded.

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

Mayor Hart stated she spoke with Mike about the event and he mentioned he spoke with someone about having porta-potties down at the waterfront.

City Clerk Alisha Ballard stated she and Mike spoke about the porta-potties. She mentioned to Mike to bring this question before Council.

Mayor Hart asked if Johnston Hall would pay for the cost.

City Clerk Ballard stated she believes they would be paying for the cost.

Mayor Hart stated they have done this in the past; it is hard for some people to get to the bathrooms that are down at the waterfront.

Acting City Manager Davis stated last year, they were left up for the summer time. Acting City Manager Davis stated she would work with Mike to get this nailed down.

Councilor Berry asked what happens if the applicants do not remove the trash after the event is over.

Acting City Manager Davis stated we would remind the applicants that they are there based on approval and if they cannot manage, their garbage we tell them not to come back.

e.) Consideration of a Victualer's License Renewal Application from Jokers and Rogues Brewery

Action: Councilor Cusick moved to accept the Victualer's License Renewal Application from Jokers and Rogues Brewery.
Councilor Frey seconded.
Mayor Hart asked for any discussion.

Councilor Berry stated they have loan in for a time period and would like to receive an update.

Acting City Manager Anne Davis stated we could pull this together for next meeting.

All those in favor. Unanimous.

f.) Consideration of Recommendations from the Economic Development Committee

Economic Development Director Tracey Desjardins spoke briefly.

Mayor Hart provided a background of the Economic Development Committee.

Economic Development Director Tracey Desjardins spoke about tasking the committee.

Councilor Berry stated we create these committees but do not give them tasks or direction.

Economic Development Director Tracey Desjardins sent the red line document to Council.

Mayor Hart reviewed the red line document. Mayor Hart stated the committee will receive their task orders from council.

Councilor Berry stated we need a mechanism to guide the council on the few loans that we still have.

Action: Councilor Berry moved to accept the discussed recommendations of the Economic Development Committee.

Councilor Cusick seconded.

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

Mayor Hart spoke briefly.

Councilor Berry asked if we are giving membership approval to Gardiner Main Street and to the Gardiner Board of Trade as to who they propose or do they still come before Council?

Mayor Hart stated they will put forward names and then they would come before Council.

Action: Councilor Berry moved to allow the following member of the Gardiner Board of Trade and Gardiner Main Street to become voting members of the Economic Development Committee; Debby Willis and Melissa Lindley.

Councilor Cusick seconded.

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

g.) First Read of Proposed Amendments to the Land Use Code/Addressing the Treatment of Tiny Homes

Planning Board Debby Willis spoke briefly.

Councilor Berry asked if this mirrors what the state is doing.

Planning Board Willis stated that it does.

Councilor Berry stated they would be close to what other communities are doing.

Planning Board Willis stated that is correct.

Action: Councilor Rines moved to approve the First Reading and to send the proposed amendments to the Land Use Code/addressing the Treatment of Tiny Homes to a Second Reading.
Councilor Rees seconded.
Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

h.) First Read of Proposed Amendments to the Land Use Code/Addressing Cemeteries

Planning Board Debby Willis spoke briefly.

Action: Councilor Cusick moved to approve the First Reading and to send the proposed amendment to Codes Chapter 3 Section 1135 addressing Cemetery Rules to a Second Reading.
Councilor White seconded.
Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

Action: Mayor Hart called a five-minute break at 6:50 p.m.

i.) FY22 Budget workshop

Acting City Manager Anne Davis reviewed the FY22 Budget slideshow.

Mayor Hart asked if we are positive about receiving the lot sale in FY22.

Acting City Manager Davis stated she spoke with Finance Director Brown and Economic Development Director Desjardins and verified. We all feel very confident.

Councilor Berry asked Acting City Manager Davis about the use of Fund Balance. How much does that leave us above the upper recommended percentage?

Finance Director Brown explained the Fund balance and stated this will leave us at 18.34%; above the audit recommended percentage.

Mayor Hart asked if the auditors have a range.

Finance Director Brown stated yes, 8.3% (one month) to 16.7% (two months).

Councilor White asked if the 18.34% is the percentage that we would use after the purposed \$250,000.

Finance Director Brown stated, yes.

Councilor White asked where we were last year.

Finance Director Brown stated we were slightly above the high range.

Councilor Berry asked what the revenue sharing would be in this budget.

Finance Director Brown stated they went conservative this budget year.

Councilor Berry asked if there was a time frame.

Finance Director Brown stated she does not.

Acting City Manager Davis continued reviewing the FY22 slideshow.

Councilor Berry asked if there was an assessing formula, the State of Maine requires that if you drop below actual sale prices, you need a reevaluation or every ten years.

Acting City Manager Davis stated that is correct.

Councilor Berry asked if we know what the cost will be to the City to do the reevaluation.

Acting City Manager Davis stated the last revaluation cost \$250,000.

Councilor Berry asked if we did a reevaluation would it affect and reduce our mil rate.

Acting City Manager Davis stated yes.

Councilor Berry stated he would like to review this further and asked if Assessor Curt Lebel would be available to join a future Council meeting.

Acting City Manager Davis stated the reevaluations are very stressful on the residents.

Mayor Hart stated we would bring this to Council after we vote on the budget.

Acting City Manager Davis continued the FY22 Budget review.

Finance Director Brown explained the General Government FY22 Budget.

Councilor White asked what the decrease was for the life insurance line.

Finance Director Brown stated in the prior City Manager's agreement there was an agreement to pay for her life insurance.

Councilor Berry asked if the \$60,000 was taken out of the budget for special projects how would that effect the increase: 5.66%.

Finance Director Brown stated she is not sure how it would affect the general government budget but \$60,000 equates to .50 cents on the mil rate.

Councilor Berry stated he is trying to keep his focus on department to department.

Finance Director Brown says that there is a reduction of 1.68%.

Director of Library and Information Service Davis explained the Technology FY22 Budget.

Mayor Hart asked with the TRIO updated would staff be able to work from home if needed.

Director of Library and Information Service Davis stated yes, they would need the computers to do the work.

Mayor Hart stated there is money coming from American Rescue Plan that could pay for public safety expenses.

Mayor Hart asked if the salary line is actual not projected.

Director of Library and Information Service Davis explained the salary line.

Finance Director Brown stated, as we know from past manager searches, they can take a while. Finance Director Brown stated the salary line will be increase when Anne Davis leaves.

Councilor Berry asked if there is any scenario that would benefit the City where we make a position or combine it with something else.

Acting City Manager Davis stated everyone is stretched to their limits.

Police Chief James Toman explained the Police FY22 budget.

Mayor Hart asked if there is extra training needed this year.

Chief Toman stated that use many online training tools. He was not able to send officers to last year's in-person classes.

Chief Toman continued his Police FY22 budget.

Councilor Rees asked Chief Toman to explain increase for the VOIP/Internet.

Acting City Manager Davis stated they we divide the internet costs across all departments.

Mayor Hart stated to Chief Toman the Economic Committee is tasked to find grants that could be out there.

Chief Toman continued his Police FY22 budget.

Councilor Rees asked when crowd control helmets and shields would be useful in Gardiner.

Chief Toman stated some of these items were placed in the budget due to last year's events.

Chief Toman continued his Police FY22 budget.

Mayor Hart asked if the cost truly went down for dispatch.

Chief Toman stated that is correct.

Mayor Hart asked is this would be a long-term commitment.

Chief Toman stated at this time yes.

Chief Toman continued his Police FY22 budget.

Mayor Hart asked for a breakdown of cost.

Chief Toman explained the break down.

Mayor Hart asked for clarification of purchasing all 5 in one year, does that mean you need to replace them all in one year?

Chief Toman explained the purchase process with the current cameras.

Councilor Rees stated she supports the cameras and that they are necessary. Councilor Rees mentioned that the speed signs is something she receives the most complaints about when dealing with speeders in town. Councilor Rees stated she would like to see all four signs in this year's budget.

Councilor Frey asked if the cameras came with additional coverage; data within the cloud; maintenance and replacement of broken ones are included with the purchase price.

Chief Toman stated that was correct.

Councilor Frey asked a clarifying question, "So we would not have the ongoing expense?"

Chief Toman stated that is correct.

Councilor Frey asked for how long.

Chief Toman stated for 5 years.

Acting City Manager Davis spoke in regards to the cloud storage.

Mayor Hart asked if the 5 year payment and asked if Motorola is leasing for Police Departments or are you thinking of bonding.

Chief Toman stated this would be funded how the City would like.

Councilor Sergent exited the meeting.

j.) Approval of 4/07/21 and 4/21/21 Council minutes

Action: Councilor Frey moved to accept the Gardiner City Council minutes of 4/07/21 and 4/21/21.

Councilor Rines seconded.

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

5. CITY MANAGER REPORT

Acting City Manager Davis thanked everyone for working together discussing the FY22 budget.

Acting City Manager Davis thanked the trustees of the Combs Trust Fund; they will be granting \$3,500 to the S. Gardiner playground, which will include new chips, swings and ground cloth. In addition to this award is a \$7,000 for the Palmer Foundation restoration project.

Acting City Manager Davis stated the docks are painted and installed much earlier than they ever have been. Thank you to Public Work Director Jerry Douglass and his crew for making this a project.

Acting City Manager Davis stated the waterfront bathrooms are now open.

Acting City Manager Davis informed councilors that we are looking at garbage disposal. Should the waterfront have reciprocals. Should water street be carry-in/carryout?

Acting City Manager Davis welcomed new Fire Department employee Connor Osborne.

Acting City Manager Davis talked about the two seasonal job openings in Buildings and Grounds department, Police department has two vacancies and public works has a vacancy. Acting City Manager Davis stated she has been on the search for an Assistant Library Director and soon will begin the search for a new Library Director.

6. CITY COUNCIL REPORT

Councilor Cusick thanked Finance Director Brown, Acting City Manager Davis and Chief Toman for their budget presentations.

Councilor White thanked Finance Director Brown, Acting City Manager Davis and Chief Toman for their budget presentations. Welcomed the new Firefighter Conner. Councilor White asked if there was an attendance policy for council and if there is not she proposes there should be one.

Councilor Berry thanked Finance Director Brown, Acting City Manager Davis and Chief Toman for their budget presentation, they were very thorough. Thanked everyone for the support for the Economic and Development Committee gave us plenty of direction.

Councilor Berry asked if staff could add the discussion of TAPs to the May 12, 2021 Council meeting.

Acting City Manager Davis stated they can do that.

Councilor Rees thanked Finance Director Brown, Acting City Manager Davis and Chief Toman for their budget presentations.

Councilor Frey thanked Finance Director Brown, Acting City Manager Davis and Chief Toman for their budget presentations. Councilor Frey mentioned he has heard many concerns in regards to the clear cut by Mattson Heights.

Mayor Hart states she has not seen this herself but has heard about it. She mentions we can task the Ordinance Review Committee with looking into the clearcutting.

Councilor Frey stated he would absolutely ask the Ordinance Review Committee.

Mayor Hart asked Council if they would like to hold a discussion or task the Ordinance Review Committee to look this over.

Acting City Manager Davis stated she would suggest they put this on an upcoming agenda so Code Enforcement Officer Kris McNeil can gather more information.

Councilor Rines thanked Finance Director Brown, Acting City Manager Davis and Chief Toman for their budget presentations. Councilor Rines thanked Councilor Frey for bringing this topic up and Mayor Hart for stepping up and making some intelligent next steps on how to move forward with this topic.

Mayor Hart mentioned it is wonderful to be back to approving and reviewing applications for celebrations in Gardiner. Thanked Public Works and Building and Grounds for all the work they have been doing. Mayor Hart spoke about Combs Trust Fund.

Mayor Hart mentioned if you would like to donate money to the fountain restoration, you could bring your donations to the City Hall. Monday night May 10, 2021 at 6:00 p.m. at the Fire Station hosted by United Way of Southern Kennebec Valley.

Mayor Hart stated Rotary is holding a spring cleanup down at the Waterfront Saturday morning if anyone would like to join, bring gloves and a rake. Mayor Hart thanked everyone who has been working on the budget.

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

Action: Councilor Frey motioned to move into executive session at 9:10 p.m.
Councilor Cusick seconded.
Mayor Hart asked for any discussion. Seeing none, a roll call was conducted.
Unanimous.
The City Council moved into executive session at 9:09 p.m.

City Council Absent: Councilor Sergeant

a.) **Pursuant to 1 M.R.S.A. § 405(6)(C): Economic Development - Credit Enhancement Agreement**

Action: Councilor Rees motioned to exit executive session and instruct Acting City Manager Anne Davis to execute Option 1 as a CEA with the developer at 10:07p.m.
Councilor Cusick seconded.
Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. 6 voted yes, Councilor Berry voted no.

8. **ADJOURN**

Action: Councilor Berry motioned to adjourn the meeting.
Councilor Cusick seconded.
Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous.
The City Council adjourned the meeting at 10:08 p.m.

Respectfully Submitted:



Alisha Ballard
City Clerk