



COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
WEDNESDAY, May 19, 2021
6:00 PM

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

- **ROLL CALL/PLEDGE OF ALLEGIANCE**

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

City Council Absent: Councilor Sergent and Councilor White.

Also present: Acting City Manager Anne Davis, City Clerk Alisha Ballard, Economic Development Director Tracey Desjardins, Planning Board Debby Willis, Finance Director Denise Brown, and Code Enforcement Officer Kristopher McNeill.

- **PUBLIC COMMENT**

None.

- **PETITIONS/PUBLIC HEARINGS**

None.

- **NEW BUSINESS**

- a) **Consider Sending Proposed Marijuana Ordinance/Code Changes to a Public Hearing**

Chair Debby Willis spoke briefly.

Councilor Berry asked if there are restrictions of selling alcohol in close proximity to schools?

Code Enforcement Officer Kris McNeill stated there is no local level ordinances prohibiting the sale of alcohol near schools, there might be a state law but no local.

Councilor Berry stated that we have two different altering substances and we are treating them differently.

Action: Councilor Cusick motioned to send the proposed changes to the Land Use Ordinance and City of Gardiner Code to a Public Hearing, First and Second Reads on June 2, 2021 and June 16, 2021 respectfully.

Councilor Berry seconded.

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

b) Second Read of Proposed Amendment to Codes Chapter 3 Section 1135 Addressing Cemetery Rules

Chair Debby Willis spoke briefly.

Action: Councilor Rines motioned to accept the above amendments to Codes Chapter 3 Section 1135 addressing cemetery rules as presented.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Councilor Berry thanked Debby Willis for all of her volunteer work on the committee.

Chair Debby Willis thanked Rusty Greenleaf for all of his help.

Mayor Hart stated 'Hear' 'Hear'

All those in favor. Unanimous.

c) Second Read of Proposed Amendments to the Land Use Code/Addressing the Treatment of Tiny Homes

Chair Debby Willis spoke briefly.

Action: Councilor Frey moved to accept the above amendments to the Land Use Code/addressing the treatment of tiny homes.

Councilor Cusick seconded.

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

d) Consider sending Tree Harvesting in HDR to the Ordinance Review Committee

Code Enforcement Officer Kris McNeill spoke briefly.

Chair Debby Willis spoke briefly.

Councilor Berry stated he hopes there is a distinction to create a subdivision and it is very difficult to build houses and garages when there are trees in the way.

Action: Councilor Cusick moved to send the topic of tree harvesting in HDR zones to our Ordinance Review Board.

Councilor Frey seconded.

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

e) Continued Discussion of the FY22 Budget workshop

Acting City Manager Anne Davis spoke briefly and reviewed the FY22 Budget workshop.

Finance Director Denise Brown reviewed a PowerPoint on the FY22 Intergovernmental.

Acting City Manager Davis stated there will be an increase for the MSAD#11.

Councilor Rees stated she saw an article that said the county budget is going down due to federal money coming in.

Finance Director Brown stated she pulled her information from the counties website on May 13, 2021.

Acting City Manager Davis continued to review the FY22 Budget.

Mayor Hart asked for the membership dues line is the same they fund every year.

Acting City Manager Davis stated that is correct and continued to review the FY22 Budget.

Mayor Hart asked why the general assistance budget has changed over the years.

Finance Director Brown stated that with the budget the timing could offset these numbers.

Mayor Hart asked if the City is going to receive more back from the homestead exemption.

Finance Director Brown stated that was calculated in. She mentioned there is a new line for solar, which was provided to her by Curt Lebel the Assessor.

Acting City Manager Davis continued her overview of the FY22 budget.

Mayor Hart asked Councilor Berry if First Park changed their fees.

Councilor Berry stated not they he was aware of. Councilor Berry asked what the charge was for cable TV and who sets the rate.

Acting City Manager Davis stated this comes from our original agreement.

Councilor Berry asked if this is something we should bring up to the Legislature office due to them not bargaining in good faith.

Acting City Manager Davis stated that would not hurt to do but this is statewide.

Mayor Hart stated this would be a good follow up subject.

Finance Director Brown explained other revenue.

Finance Director Brown continued the FY22 TIF budget presentation.

Councilor Berry asked if in the FY21 \$46,965 ending FUND balance, have we used that in this year's budget?

Finance Director Brown stated we have not, that is where we are projecting that Fund will be.

Councilor Berry asked if there is an area in the current budget that we could use this Fund balance to reduce any increase in the budget.

Finance Director Brown stated in the current year we have done well and does not think the city will be putting money back to the Fund balance but does not think the city will go over either. If council chooses to, they could do a transfer back to the General Fund.

Councilor Berry asked if that is restrictive as to what we could use it for or can we just transfer is back to the General Fund.

•

Finance Director Brown stated they normally do a transfer back to the General Fund and will need to provide the auditor a spreadsheet that shows what the transfer covers.

Councilor Berry stated we could use the money to help with the upcoming budget.

Finance Director Brown stated no, if you are looking at the FY22 column, you can see that the expenditures are higher than the revenue. If we transfer back, \$46,000 this year that positive would actually be a negative.

Councilor Berry thanked Finance Director Brown.

Mayor Hart stated on the Cobbossee Trail Committee phase 2 won't happen until FY23 due to design work happening during FY22, could we look into pushing a portion of the fund into a future budget year?

Finance Director Brown stated she is not current with Phase 2, this budget does not have Phase 2.

Acting City Manager stated that Phase 1 of the Cobbossee Trail is in the FY22 budget.

Finance Director Brown continued the FY22 TIF budget presentation.

Councilor Rees stated they could leave it in the TIF fund or move it back to the General Fund. Councilor Rees stated she believes there are some advantages to having it in the General Fund, once it is in the General Fund you can use it in more ways.

Finance Director Brown stated the transfer back to the General Fund offsets, we have to have TIF eligible expenses, which we always do.

Councilor Rees stated once the money is put into the General Fund it would be unrestricted on what it is spent on.

Finance Director Brown stated no, it would be used to offset the current years TIF eligible expenses.

Mayor Hart stated there is a list of things it could be used for.

Acting City Manager Davis stated it would be just a push through to balance out the budget for that fiscal year.

Finance Director Brown stated instead of transferring the money she could pay for Johnson Hall and Gardiner Maine Street directly from this account.

Councilor Berry stated the City could use this money for the sidewalk improvements.

Finance Director Brown stated that is correct. Finance Director Brown continued the FY22 TIF budget presentation.

Chief Rick Sieberg reviewed the FY22 Ambulance budget presentation.

Councilor Berry asked is the loss of revenue from the member committees, is that passed onto them?

Chief Sieberg stated that is correct, the debt that is collected goes back to the committee.

Councilor Berry asked what the uncollected debt percentage is for Gardiner.

Chief Sieberg stated that is varies; currently we are billing communities six months worth of uncollected debt. Gardiner has a higher percentage of uncollected debt than neighboring towns due to repeat callers that do not pay.

Councilor Berry asked if you have a call over on 295 that happens to be in a different jurisdiction, who is billed?

Chief Sieberg stated that is does go to that town. Chief Sieberg continued the FY22 Ambulance budget presentation.

Mayor Hart stated there is lots of funding coming into Maine including committee health workers; did you see anything about this covering para-medicine?

Chief Sieberg stated this has been a popular subject but he has not seen this paying for para-medicine. Chief Sieberg continued the FY22 Ambulance budget presentation.

Councilor Berry asked if this could be purchased with the American Rescue Plan.

Chief Sieberg said that is a great question, Chief Sieberg stated maybe not the whole amount but he is looking further into it.

Wastewater Director Douglass Clark reviewed the sewer rate comparison.

Mayor Hart asked Wastewater Director Clark to give a breakdown of the sewer rate comparison.

Wastewater Director Clark provided a breakdown of the sewer rate comparison.

Mayor Hart asked is the breakdown was for monthly charges or quarterly.

Wastewater Director Clark stated quarterly.

Councilor Rees stated this would be easier to understand if this was broken down in a spreadsheet.

Wastewater Director Douglass Clark reviewed the FY22 Wastewater budget presentation.

Mayor Hart asked why the cell phones went up again.

Acting City Manager Davis stated they would look into the cost to make sure this is correct.

Wastewater Director Douglass Clark continued the FY22 Wastewater budget presentation.

Councilor Berry asked if there is any programs that the City has to promote email billing.

Wastewater Director Clark stated not that he is aware of.

Acting City Manager Davis stated the current software system does not have that function.

Councilor Berry asked if this is something that may come to council.

Acting City Manager Davis stated no.

Wastewater Director Douglass Clark continued the FY22 Wastewater budget presentation.

Mayor Hart asked about the wastewater fees, 11.66%, she thought Gardiner went up 4%.

Wastewater Director Clark stated only Gardiner went up 4%, it's the other towns that went up more.

Finance Director Brown stated that when they review the revenue, they look at what has been used in the last four quarters and add 4% to that.

Wastewater Director Douglass Clark continued the FY22 Wastewater budget presentation.

Councilor Berry stated this is an enterprise account, so it will not affect the tax rates.

Finance Director Brown stated that is correct.

Councilor Berry asked how this compares with the CPI over the last couple of year.

Mayor Hart stated that Finance Director Brown provided them with that information a couple weeks ago.

Finance Director Brown stated she would need to get back to them with that information. Finance Director Brown stated \$125,650 increase, if you look at the big items, they are the big drivers for the increase.

Mayor Hart thanked Wastewater Director Clark and moved to the grant sheet.

Acting City Manager stated the city staff is good at finding money that is not tax-leveraged money; this is not including the library's grant money.

Mayor Hart stated 'Hear' 'Hear' and stated the council needs to give direction to Acting City Manager Davis and Finance Director Brown going forward with the budget discussion.

Mayor Hart called a 5-minute break at 8:14 p.m.

Mayor Hart called the meeting back to order at 8:21 p.m.

Mayor Hart stated the City Council needs to discuss the process.

Councilor Rees asked if this would include putting money aside for paving. Councilor Rees mentioned having the information put into a spreadsheet.

Acting City Manager Davis apologized for not having the CPI grading for this budget.

Finance Director Brown stated in the budget books you will find a quick overview that is over or under \$2,000.

Mayor Hart asked if Finance Director Brown could rank the capital improvement projects that would be helpful. Mayor Hart asked if the re-evaluation is in the special project fund.

Finance Director Brown stated, yes it is. The re-evaluation is \$60,000 for 5 years; Council can decide to push this out.

Mayor Hart stated in the last budget years the way Council has approached this was to not go line by line but to give general direction in areas.

Councilor Cusick asked what the mil rate would be if everything is approved.

Finance Director Brown stated she is looking at around \$1.25 increase.

Councilor Cusick stated he is not sure if the residents are ready for this type of increase.

Finance Director Brown stated the budget that does not include the plan for paving.

Councilor Rees reminded everyone that the City has not had a significant increase in the last three years she has been on council.

Acting City Manager Davis asked if the Council could come to a conclusion for paving.

Finance Director Brown stated in the budget book City Council would find a page, which shows the mil rate from previous years.

Mayor Hart asked Finance Director Brown if we would have the revenue sharing appropriations before the end of June.

Acting City Manager Davis asked if Mayor Hart was asking if they could amend the budget once it has been approved.

Mayor Hart asked what the options are.

Finance Director Brown stated it is all about timing, she is not sure if she is able to send out an amended tax bill but any extra revenue that comes in would fall to the Fund Balance and then that Fund Balance could be used in the next year to help reduce the mil rate.

Mayor Hart wondered if the City could set the budget and the mil rate then when we get the money could the City then vote to use that amount for paving?

Councilor Rees proposed to try and get our share down to \$.50 instead of \$.60 and either bond paving or say that if the 5% comes through we pay for the paving that way.

Councilor Frey stated he strongly feels like the City of Gardiner needs to get back the paving plan, setting that money aside. Councilor Frey stated he does not see them adding the \$300,000 on top of the current listed out budget. Councilor Frey stated the current increase is high and he would like to see the number come down, the budget is very thoughtful.

Acting City Manager Davis stated we couldn't bring it down to a flat budget but to please consider that the municipal budget is a lean budget in comparison to the School and county budgets, which the City has no control over. Acting City Manager Davis stated to Councilor Berry that the budget is not a wish list but essentials for the City.

Councilor Berry stated he does know the Department Heads has been very diligent and what he keeps hearing is that Gardiner's mil rate is high.

Councilor Cusick stated he has heard the same thing; Gardiner's mil rate is high. Councilor Cusick stated he would like the increase to be closer to \$.30.

Councilor Rines stated he is listening to everyone speak and would hate to see a \$.60 increase. Councilor Rines stated that the increase would not be a big shock to the community and that people are expecting it after the pandemic.

Mayor Hart stated she agrees with Councilor Cusick, they can't raise taxes \$1.40. Mayor Hart stated they have done a great job holding the line for taxes and seems like this is the year to continue that. Mayor Hart stated with the increase it would make the City of Gardiner the highest mil rate in the county.

Councilor Berry stated the mil rate is not the reality; the reality is the budget the City sets.

Mayor Hart stated there is another way to look at it. Mayor Hart stated there is 6.4% increase in operating and a decrease in capital. The City's overall budget increase is 5% increase; if we compare this to the consumer price index it is higher. Mayor Hart reviewed the

Finance Director Brown stated on the capital projects would it be amendable if while department heads re-work the budget to make cuts that we look at the CPI items together to see which ones are more important to see which ones we should push out to the next fiscal year.

Mayor Hart stated the \$272,000 increase is 4.5%, which would be the City portion. Mayor Hart stated she would like the department heads to come back with a few different scenarios.

Finance Director Brown stated that wages and benefits equates to \$190,000 in that increase.

Mayor Hart asked if the city had more revenue sharing.

Finance Director Brown stated there is no increase.

Mayor Hart asked Council if they are okay with giving direction to Acting City Manager and Finance Director Brown to provide ranges.

Councilor Rees stated she is not sure how realistic it is to have them cut the budget due to \$190,000 being an increase in wages. Councilor Rees stated she is interested to see what are able to cut out to decrease the increase.

Mayor Hart stated she believes there are increase in wages without affecting the taxes.

Councilor Berry stated he is accepting the City Budget as it is because it is such a small portion of the increase. Councilor Berry stated he would like to discuss paving, he believes the City needs to move forward.

Mayor Hart stated she has to disagree; she would like to see the budget decreased.

Councilor Cusick stated he liked Councilor Rees statement the have staff come back with other scenarios.

Acting City Manager Davis stated they will bring the budget back to council with other scenarios.

Mayor Hart asked about adding a meeting on June 9, 2021.

All council members present confirmed.

- **CITY MANAGER REPORT**

Acting City Manager Davis stated for upcoming meeting, Mr. Barrett will be joining to provide updates to the union negotiations.

Acting City Manager Davis stated she was excited to be a part of the ground-breaking ceremony at the Boys and Girls Club this week.

Acting City Manager Davis stated starting next week, she will holding interviews for the Assistant Library Director interviews.

Acting City Manager Davis stated she was a part of the meeting for the McKay Park. She asked people to stand by and they will be impressed with the improvements.

Acting City Manager Davis stated the EOC is meeting on May 24, 2021.

Acting City Manager Davis stated she has removed the policy for offering 80 hours of sick time to employees who may be in contact with the disease.

Councilor Berry asked Acting City Manager Davis how she felt about giving a bonus to employees to get vaccinated.

Acting City Manager Davis stated she does not agree with it because many employees went out when they became available.

- **CITY COUNCIL REPORT**

Councilor Cusick thanked all presenters.

Councilor Berry thanked all presenters and asked for a separate conversation about having a re-evaluation of the City of Gardiner.

Councilor Rees thanked all presenters and all the work they have done with the budget. Mayor Hart stated 'Hear' 'Hear'

Councilor Frey thanked everyone on their work with the budget.

Councilor Rines thanked everyone for their hard work on the budget.

Mayor Hart thanked everyone for their work on the budget.

Mayor Hart stated they had a successful meeting in the fire bay last Monday night to receive community feedback.

Mayor Hart stated the Boys and Girls Club groundbreaking was wonderful.

Mayor Hart stated there is another survey for the downtown master plan.

- **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 9:25 p.m.

Respectfully Submitted:



Alisha Ballard

City Clerk