



**COUNCIL MEETING MINUTES**  
**GARDINER CITY COUNCIL**  
**WEDNESDAY, May 26, 2020**  
**6:00 PM**

The meeting was called to order by Mayor Hart at 6:09 p.m.

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

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

City Council Absent: Councilor Rees, and Councilor Sergeant.

Also present: Acting City Manager Anne Davis, City Clerk Alisha Ballard, Tax Collector Kathleen Cutler, and Economic Development Director Tracey Desjardins.

**2. PUBLIC COMMENT**

None

**3. PETITIONS/PUBLIC HEARINGS**

**a.) Public Hearing on a Credit Enhancement Agreement between the City of Gardiner, Maine and AUG Commerce Distr.**

Mayor Hart opened the public hearing at 6:12 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:13 p.m.

**4. NEW BUSINESS**

**a) Consideration of RFPs for consultant service to conduct a city manager search**

Mayor Hart spoke briefly.

Councilor Cusick stated it took a long time last time and this helps with having someone steer us in the right direction.

Councilor Frey stated the proposals were appreciated and were good. Councilor Frey stated his choice is split between two. Councilor Frey stated he likes the timeline presented by Eaton Peabody and coming into the meeting he was leaning towards Norman Hanson.

Mayor Hart asked what was appealing to him for Norman Hanson.

Councilor Frey stated he felt they were competitive and wasn't being sold on an outcome also, it stated what they were going to do and they had the best price point of the three.

Councilor White asked Councilor Frey if Norman Hanson was the hourly rate verse just fixed rate.

Councilor Frey stated yes, the hourly with the cap.

Councilor White stated she did not see the capped rate.

Councilor Berry asked what we spent for the last City Manager Search.

Mayor Hart stated the cost was about \$4,500 or \$6,000.

Acting City Manager Davis stated they do not need to make a decision tonight. The Council may asked them to come in for an interview.

Mayor Hart stated that is a good idea.

Councilor White stated she was going to ask that but did not want to add more time to the city manager search.

Mayor Hart stated that some of the council know these people already but it would be good for the rest of the Council to learn more about each one. Mayor Hart asked if Council wants to have all three come in via zoom to do interviews.

Councilor Berry stated that he would be more in favor of hiring tonight and moving forward with Eaton Peabody, they have a great reputation.

Mayor Hart pointed out that Mr. Gerrish approached one of our former City Managers and sought him to South Portland.

Councilor Rines stated it would be appropriate to Zoom and meet all three applicants. Councilor Rines stated he also supports making a decision tonight.

Mayor Hart reminded council they have budget meetings June 2, 9, and 16 then only one meeting in July.

Councilor White stated she could be swayed to make a decision if needed tonight.

Councilor Frey stated he liked the proposal with Eaton Peabody however it is valuable to bring them in to meet with them.

Acting City Manager Davis stated to not feel pressure to hire someone ASAP. Acting City Manager Davis stated she is not going anywhere until the seat has been filled.

Councilor Cusick stated he agrees with Councilor Berry, with our schedule and upcoming meetings. Councilor Cusick stated that we wouldn't be able to meet until September. Councilor Cusick thanked Acting City Manager Davis for her kind words but this is a long process and feel like we need to get moving on it now.

**Action:** Councilor Berry moved to engaged Eaton Peabody, Donald H. Gerrish to start a search for us for a new City Manager price not to exceed \$6,000.

Councilor Cusick seconded.

Mayor Hart asked for any discussion.

Councilor Frey stated he believes the price of \$6,000 was a flat fee and incidental cost could be incurred above that.

Mayor Hart asked if the incidental costs would be for mileage, printing and advertising.

Councilor Frey stated yes.

Councilor Berry amended his motion to include the incidental cost.

All those in favor. Unanimous.

**b) Consideration of setting minimum bids for 4 Tax Acquired Properties (TAPs)**

Tax Collector Kathleen Cutler provided a brief overview of the current TAPs.

Councilor White asked if they need to enter the property to price the houses.

Tax Collector Cutler stated at that point it would be listed at what the City has it assessed at, they would look at it from the outside of the property. Tax Collector Cutler stated that as long as we are airing on the side of caution and doing our best diligence to get the full market value we won't be held harmful for it. Tax Collector Cutler stated she is looking for the City to be made whole, she states she is not a realtor. The money that comes in



over and above what is owed to the City will go to them and help them set up somewhere else, this protects them and us.

Councilor Berry stated they have broker price options, it is extremely rare you are let inside the house.

Mayor Hart thanked Councilor Berry and Tax Collector Cutler. Mayor Hart asked if we enlisted this out to realtor, we would put it out to bid correct?

Tax Collector Cutler stated we would recoup the fees of the realtor, we would build that into what is owed to the City as well as legal fees and staff time.

Councilor Berry stated he is full agreement with what Tax Collector Cutler has to say, it is open and honest and represents what we supposed to do for the citizens of Gardiner. Councilor Berry asked that only one realtor handles all four properties.

**Action:** Councilor Berry moved to authorize the city staff to create a RFP to hire a Maine Licensed Real-estate agent to give the City a proposal to sell the four above mentioned properties to include there estimate of value and commission schedule. Councilor Cusick seconded. Mayor Hart asked for any discussion.

Councilor White asked if Tax Collector Cutler will still be enlisting the services of the Sherriff at the same time.

Tax Collector Cutler stated that is correct, both processes will be happening at the same time.

All those in favor. Unanimous.

**c) Summer Street Affordable Housing TIF Annual Report**

Economic Development Director Tracey Desjardins spoke briefly.

**Action:** Councilor Cusick moved a motion to accept the Summer Street Affordable Housig TIF annual report as presented. Councilor Rines seconded. Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

**d) Consideration of approving a Credit Enhancement Agreement between the City of Gardiner, Maine and AUG Commerce Distr. LLC.**

Economic Development Director Tracey Desjardins spoke briefly.

Councilor Berry asked if we closed on the lot yet.

Economic Development Director Desjardins stated yes we have.

**Action:** Councilor Cusick moved to approve a Credit Enhancement Agreement between the City of Gardiner, Maine and AUG Commerce Distr. LLC.

Councilor White seconded.

Mayor Hart asked for any discussion. None. All those in favor. Five votes affirmative, 1 abstained.

## **5. CITY MANAGER REPORT**

Acting City Manager Davis stated they are continuing and almost done with the South Gardiner playground.

Acting City Manager Davis stated the Brown tail moth are very bad in the City, they have been treated.

Acting City Manager Davis stated they are still dealing with a disposable issue down at the water front park. The containers are being filled within the hour of being emptied. They had a meeting and are going pull the containers during the week and put them out starting on a Friday and pulling them out on a Monday. Acting City Manager Davis stated if this does not work then they will need to move to Carry-In / Carry-Out but then the container for animal waste becomes the container for all waste.

Mayor Hart asked if we could put out more containers, she mentioned she believes there are fewer containers what have gone out than in past years at the waterfront.

Acting City Manager Davis stated she will talk with Public Works Director Jerry Douglass.

Councilor Berry stated he fights this constantly at his buildings.

## **6. CITY COUNCIL REPORT**

Councilor White stated she hopes everyone is staying healthy.

Councilor Berry mentioned they should discuss getting back into council chambers.

Mayor Hart stated the EOC met and they spoke about these things. As for meetings we continue to discussing this.

Acting City Manager Davis stated they need to figure out the technology piece of things if we are to meet in the fire bays unless we hire someone to broadcast the meeting.

Councilor Rines thanked Acting City Manager for being focused the South Gardiner playground and kudos to Public Works Director Jerry Douglass and his staff.

Mayor Hart stated Healthy Community of the Capital Area are going to be putting pride flags in the flower planters on the street. There will be a big paving project on the corner of Church and Water street in June. Mayor Hart extended her thanks to Buildings and Grounds and Public Works, the City is looking very good. Mayor Hart wanted to remind everyone Monday is Memorial Day, even though there is no parade please stop at the cemeteries to take a moment who lost their lives who fought for our country.

## 7. EXECUTIVE SESSION:

**Action:** Councilor Berry motioned to move into executive session at 6:59 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 7:05 p.m.

### a.) Pursuant to 1 MRSA section 405(6)(C): Discussion or consideration of the condition, acquisition or the use of real or personal property.

No action

### b.) Pursuant to 1 M.R.S.A. § 405(6)(A): Discussion or Consideration of Employment

No action

## 8. ADJOURN

**Action:** Councilor Berry motioned to exit executive session adjourn the meeting at 7:50 p.m.  
Councilor Frey seconded.  
Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous.  
The City Council adjourned the meeting at 7:51 p.m.

Respectfully Submitted:

A handwritten signature in black ink that reads "Alisha Ballard". The script is cursive and fluid.

Alisha Ballard

City Clerk