



COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
WEDNESDAY, June 2, 2021
7:00 PM Public Meeting

The meeting was called to order by Mayor Hart at 7:03 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: Acting City Manager Anne Davis, City Clerk Alisha Ballard, Police Chief James Toman, Finance Director Denise Brown, Wastewater Director Douglas Clark, Public Works Director Jerry Douglass, Code Enforcement Officer Kristopher McNeill, Economic Development Director Tracey Desjardins, Fire Chief Rick Sieberg, Patricia Welton, Eric McMaster and Debby Willis.

2. EXECUTIVE SESSION

a.) Pursuant to M.R.S. §405 (6) (D): Discussion of labor contracts, proposals and meetings between a public agency and its negotiators.

Gave city staff direction.

3. PUBLIC COMMENT

None

4. PETITIONS/PUBLIC HEARINGS

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a.) Public Hearing - FY22 budget

Mayor Hart opened the public hearing at 7:07 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 7:08 p.m.

b.) Public Hearing –An application from the Smith Wiley Post 4 American Legion – Liquor 51-100 seats

Mayor Hart opened the public hearing at 7:08 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 7:08 p.m.

c.) Public Hearing – A renewal application for a license for a retail recreation marijuana store (Herbal Pathways)

Mayor Hart opened the public hearing at 7:08 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 7:09 p.m.

d.) Public Hearing – A new application for a Marijuana Business Permit located at 15 Lions Way (Eric McMaster)

Mayor Hart opened the public hearing at 7:09 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 7:09 p.m.

e.) Public Hearing – Consideration of the approval of the proposed amendments to the Land Use Ordinance and Codes dealing with Marijuana Establishments

Mayor Hart opened the public hearing at 7:09 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 7:10 p.m.

5. NEW BUSINESS

a.) Discussion of FY22 Municipal Budget

Acting City Manager Anne Davis reviewed the FY22 slideshow.

Mayor Hart asked clarifying questions.

Councilor Berry asked what was the process of removing the revaluation funds.

Acting City Manager Davis stated the revaluation could be put off for a future savings or bond when the City decides to do the revaluation.

Councilor Berry asked if it has been past practice to bond the revaluation.

Acting City Manager Davis stated the last revaluation was bonded. Acting City Manager Davis continued her FY2 slideshow.

Fire Chief Rick Sieberg spoke briefly regarding for funding the Richmond coverage.

Mayor Hart stated Gardiner would pay for the first year and then the other towns would help out in following years.

Fire Chief Sieberg stated that is correct.

Mayor Hart stated that the hardest part is that Gardiner would pay 100% to start. Mayor Hart asked Fire Chief Sieberg if he would not mind starting this next fiscal year.

Fire Chief Sieberg stated that is up to Council. He stated the other towns have already set their budgets but this would get the ball rolling.

Councilor Rees reminded everyone that not long ago the city was looking to fund a \$600,000 increase in the budget to fully staff the Fire Department and this is a great opportunity.

Councilor Berry stated we need to walk into the proposal and that it needs to be communicated that Gardiner is not going to 100% fund this long term.

Fire Chief Sieberg stated that doing overtime is a low risk trail.

Councilor Cusick stated that the other towns thought this is a great idea; the budgets in other towns were already settled. Councilor Cusick stated his only concern is that there would be lots of overtime accrued.

Fire Chief Sieberg stated he spoke to the people in the union and they are on board with it.

Acting City Manager Davis stated that Richmond is a partner town of our services currently. Acting City Manager Davis asked Fire Chief Sieberg a clarifying question in regards to a structural fire in Richmond.

Fire Chief Sieberg stated they did need to empty the station, if there was a truck in Richmond they would have only sent two people down instead of the whole Gardiner team.

Mayor Hart asked if Richmond has a fire department.

Fire Chief Sieberg stated it was mutual aid.

Councilor Berry stated the city sacrifices its budget based on what the school budget does.

Councilor Frey thanked all the city staff that works on the budget.

Councilor Rees echoed Councilor Frey and supports the increase.

Councilor White stated the Richmond ambulance is important to her and the \$.30 increase includes this service. Councilor White suggested to keep the \$65,000 for the Richmond ambulance, take \$25,000 more from fund balance to cover and take the \$40,000, which would be a \$.11 increase.

Mayor Hart stated the amount of money the City is proposed to spend is not a flat amount.

Councilor Cusick stated we can not change the school budget and the city will take the brunt of the negative comments with the increase. Councilor Cusick stated he agrees with Councilor White's scenario.

Acting City Manager Davis asked clarifying questions.

Councilor Frey asked if this would preserve the ambulance and the paving in the budget.

Mayor Hart stated that is correct.

Acting City Manager Davis clarified we would be using \$475,000 of fund balance.

Finance Director Denise Brown stated she could get the increase to \$.11.

Action: Councilor White motioned to amend the FY22 proposed budget updated on June 2, 2021 by incorporating our directive of modifying scenario two by putting in Richmond overtime back in and splitting the cost between the fund balance and a tax increase and move the FY22 first read to June 9, 2021. Councilor Cusick seconded. Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

b.) First Reading of a renewal application for a license for a Retail Recreation Marijuana store (Herbal Pathways).

Mayor Hart did findings and fact.

Action: Councilor Frey motioned to move this item to a Second Read on June 16, 2021 at 6PM via a publicly accessible Zoom meeting of the Gardiner City Council pending the delivery of the application to the state.

Councilor White seconded.

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

c.) First Reading of an application for a Tier 3 Medical Marijuana Cultivation facility (Eric McMaster).

Mayor Hart did findings and fact.

Action: Councilor Cusick motioned to move this item to a Second Read on June 16, 2021 at 6PM via a publicly accessible Zoom meeting of the Gardiner City Council with the following, fill out page four, correct address, fire protection issue and owner of other facilities.

Councilor White seconded.

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

d.) First Reading of the proposed amendments to the Land Use Ordinance and Codes dealing with marijuana establishments.

Planning Board Chair Debby Willis spoke briefly.

Action: Councilor Rines moved to move this item to a Second Read on June 16, 2021 at 6PM via a publicly accessible Zoom meeting of the Gardiner City Council.

Councilor Cucisk seconded.

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

e.) Discussion of rescinding a city manager's extension of sick leave due to COVID-19.

Acting City Manager Davis spoke briefly.

f.) Consideration of an addition to the City of Gardiner's COVID-19 Policy.

Acting City Manager Davis spoke briefly.

Action: Councilor Cusick moved to accept the attached draft version and to have it incorporated into Gardiner's COVID-19 Policy that was adopted on 12/09/20.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Councilor Rines asked if they are required to provide proof of vaccination.

Acting City Manager Davis stated at this time city staff does not need to provide proof.

All those in favor. Unanimous.

g.) Consideration of an application from the Smith Wiley Post 4 for renewal for Victular's License, Liquor License, Entertainment/ Special Amusement License and Outside Consumption.

Action: Councilor Rines moved renew a Victular's License, a Liquor License, an Entertainment/Special Amusement License and approve an Outside Consumption Permit.

Councilor Frey seconded.

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

h.) Consideration of approving the signing of the MSAD# 11 Warrant and Notice of Election.

Action: Councilor Cusick moved to accept the signatures approving MSAD#11's Warrant and Notice of Election.

Councilor Frey seconded.

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

6. CITY MANAGER REPORT

Acting City Manager Davis stated they have done a panel interview for the next assistant director position for the library.

Mayor Hart asked Acting City Manager Davis when Scott's last day is.

Acting City Manager Davis stated at the end of July 2021.

Acting City Manager Davis stated May 28 was a very busy day for city hall staff.

Acting City Manager Davis stated Election Day is June 8, 2021 from 8 am – 8 pm located in the high school gym.

Acting City Manager Davis thanked Gardiner Fire department.

Acting City Manager Davis stated a New Police Officer if starting this week.

Acting City Manager Davis wished Officer Allen Alexander a great goodbye, he is moving to the south.

Acting City Manager Davis stated the Wastewater Treatment project has begun.

Acting City Manager Davis thanked Public Works and the Buildings and Grounds employees as they work very hard around the city.

Mayor Hart 'hear' 'hear'

7. CITY COUNCIL REPORT

Councilor Cusick said there was confusion for a Memorial Day Parade.

Acting City Manager Davis stated the City did not receive a permit for a Memorial Day Parade.

Councilor Cusick thanked Acting City Manager Davis, Finance Director Brown, and all Department Heads and Council for going through the budget.

Councilor White echoed comments for the budget.

Councilor Berry echoed comments for the budget.

Councilor Rees echoed comments for the budget. Councilor Rees expressed a concern from a resident about a location across the street from Ainsley's.

Councilor Frey echoed comments for the budget.

Councilor Rines thanked everyone at city hall with the budget, with Covid and being extremely busy during the rush before the long weekend. Councilor Rines asked Acting City Manager Davis about Quimby Field.

Acting City Manager Davis stated they would add the discussion of Quimby Field to a future agenda.

Mayor Hart stated that there is a ground-breaking ceremony on Lot 15 in the business park on Tuesday, June 8th at 11:00 a.m.

Mayor Hart stated Mr Gerrish has accepted to assist the City with the city manager search; he will join us on June 16, 2021.

Mayor Hart stated there are many volunteers helping Building and Grounds and Public Works departments. Gardiners' Gardeners tend to the gardens and boxes. Gardiner Rotary has come down twice to lay the mulch down at the waterfront.

Mayor Hart thanked everyone for being respectful and civil interactions with the budget and everything that we do.

8. ADJOURN

Action: Councilor Rees 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 8:32 p.m.

Respectfully Submitted:



Alisha Ballard

City Clerk