



COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
WEDNESDAY, September 22, 2021
6:00 PM

The meeting was called to order by Mayor Hart at 6:00 p.m.

1. ROLL CALL/PLEDGE OF ALLEGIANCE

City Council Present: Mayor Hart, Councilor Cusick, Councilor White, Councilor Rees (joined at 6:27 p.m.), Councilor Berry, Councilor Frey, and Councilor Rines.

City Council Absent:

Also present: Acting City Manager Anne Davis, City Clerk Alisha Ballard, Finance Director Denise Brown, Jeff Preble, Kristen Poremby, Wastewater Director Douglas Clark, Tom Reeves, Chair Debby Willis, Executive Assistant Sherry Emmons, Economic Development Director Tracey Desjardins, Code Enforcement Officer Kris McNeil, Public Works Director Jerry Douglass.

2. PUBLIC COMMENT

None

3. PETITIONS/PUBLIC HEARINGS

a.) Public Hearing of the proposed changes to the City's General Assistance Ordinance based on changes made by the State of Maine.

Mayor Hart opened the public hearing at 6:00 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:01 p.m.

b.) Public Hearing for the consideration of the Liquor License Renewal for The Bench located at 418 Water Street.

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

Mayor Hart opened the public hearing at 6:01 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:01 p.m.

c.) Public Hearing on the Land Use Ordinance for notice of Planning Board meetings

Planning Board Chair Debby Willis spoke briefly.

Mayor Hart opened the public hearing at 6:02 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:02 p.m.

d.) Public Hearing on the Land Use Ordinance dealing with Solar Electric Production Facilities

Mayor Hart opened the public hearing at 6:03 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:03 p.m.

e.) Public Hearing for the Land Use Ordinance of permit requirements for fences

Mayor Hart opened the public hearing at 6:04 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:04 p.m.

f.) Public Hearing for the Land Use Ordinance for medical marijuana cultivation in the MUV (Mixed Use Village) zone

Mayor Hart opened the public hearing at 6:04 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:04 p.m.

4. NEW BUSINESS

a.) Presentation from Wright Pierce engineer Jeff Preble on the Brunswick Hill project

Jeff Preble gave a presentation.

Mayor Hart asked a clarifying question.

Councilor Rines asked if Brunswick Ave would be closed completely or down to one lane.

Jeff Preble stated it would likely be down to one lane.

b.) Consideration on the recommendations for McKay Park design

Acting City Manager Anne Davis spoke briefly.

Economic Development Director Tracey Desjardins gave a brief update for McKay Park design.

Councilor Rees thanked Economic Development Director and the committee. Councilor Rees stated there is a lack of handicap parking on Water St. She mentioned that Plan B would be the design that would work.

Economic Development Director Tracey Desjardins stated they looked into what would be the maximum use of the park.

Kristen Poremby is a part of the committee and spoke briefly regarding to the McKay Park designs presented. Kristen stated the majority of people choose option A because of more space.

Mayor Hart spoke briefly.

Councilor Berry asked if down near the Arcade entrance that could be turned into ramp.

Economic Development Director Tracey Desjardins stated that we lease that area.

Councilor Berry stated there have been improvements.

Economic Development Director Tracey Desjardins stated why it could not be turned into a ramp but we have not looked into this possibility.

Councilor Berry asked if Council needs to make a decision tonight.

Economic Development Director Desjardins stated she has a good idea of what she needs to raise for money.

Councilor Berry stated he likes the second plan better but thinks that handicap accessibility is very important.

Economic Development Director Desjardins stated they need to make sure the plan they come up with is ADA compliant required when using Federal dollars and both plans presented are ADA compliant.

Councilor Berry asked if they voted for design A they would lose the funding.

Economic Development Director Desjardins stated as part of using CDBG funds you need to be in compliance with ADA. Both designs presented are ADA compliant.

Councilor Greenleaf stated the plans show different space available. Councilor Greenleaf asked if there is plan for the extra space.

Economic Development Director Desjardins stated the space would be available for extra activities.

Councilor Greenleaf asked what the plan would be for maintaining the park; there are lots of grass and plants. Buildings and Grounds is already struggling with the work they have currently.

Economic Development Director Desjardins stated the City could reach out to the businesses and ask someone to adopt the park maintenance. When the landscape architect was looking into designs, he spoke with Public Works Director Jerry Douglass that would have low maintenance.

Public Works Director Jerry Douglass stated that he shares the same concern but the department will do what they need to do. Public Works Director Douglass stated they would do their best and put it in the schedule and do the best they can.

Mayor Hart mentioned the design with the ramp and asked if that would require maintenance all year round.

Public Works Director Douglass stated that both designs would require year round maintenance.

Councilor Rees stated the committee keeps mentioning they would like access from the arcade park and to make sure there is handicap accessibility.

Acting City Manager Anne Davis stated having someone in her home that needs ADA complaint places, she suggests the City do a whole downtown study of being ADA complaint.

Mayor Hart asked Council if they would like to table this agenda item until next meeting.

c.) Request of a resident for his property on 38 Partridge Drive

Mayor Hart spoke briefly.

Acting City Manager Anne Davis stated the Mr. Duplisea could not make it tonight.

Councilor Berry spoke briefly.

Action: Councilor Berry moved to stay with the current agreement and if they do not follow the original terms the City would take the property back.

Councilor Cusick seconded.

Mayor Hart asked for any discussion.

Councilor Rees asked when Mr. Duplisea purchase the lot.

Mayor Hart stated the 17th of June 2020.

Councilor Rees stated it was during Covid when he purchased the lot and was aware of the pandemic.

All those in favor. Unanimous.

d.) Consideration of the proposed changes to the City's General Assistance Ordinance based on changes made by the State of Maine.

Action: Councilor Cusick moved to move to accept the 2021- 2022 general maximum changes to the City's General Assistance Ordinance.

Councilor Greenleaf seconded.

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

e.) First Read of the proposed amendments to the Land Use Ordinance for the Notice of Planning Board Meetings

Action: Councilor Frey moved to send the proposed amendment to the Land Use Ordinance (Planning Board Notice Requirements) to a Second Read scheduled for 10/6/2021.

Councilor Rines seconded.

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

f.) First Read of the Land Use Ordinance dealing with Solar Electric Production Facilities

Action: Councilor Berry moved to send the proposed amendment to LUO dealing with Solar Electric Production Facilities to a Second Read scheduled for October 6, 2021.

Councilor Greenleaf seconded.

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

g.) First Read for the Land Use Ordinance of permit requirements for fences

Action: Councilor Rees moved to send the proposed amendment to Ordinance Codes regarding permitting fences to a Second Read scheduled for 10/6/2021. Councilor Frey seconded.

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

h.) First Read Land Use Ordinance for medical marijuana cultivation in the MUV (Mixed Use Village) zone

Action: Councilor Cusick moved to send this proposed amendment to Land Use Ordinance for Medical Marijuana Cultivation Tiers I & II to a Second Read on October 6, 2021.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Chair Debby Willis spoke briefly.

All those in favor. Unanimous.

i.) Consideration of applying for Kennebec County ARPA funds for various projects

Acting City Manager Anne Davis spoke briefly.

Councilor Berry stated they would pick or choose what they approved and it would not hurt to add a wish list.

Acting City Manager Anne Davis stated you want to add what you need and they would pick what they would fund.

Mayor Hart asked if they should add the Fountain to the list.

Councilor Greenleaf stated the amount needed for the Fountain is \$100,000 dollars, when speaking with the engineers they mentioned we should double that amount.

Acting City Manager Anne Davis stated she would add the Fountain to the list.

j.) Consideration of sewer abatements

Action: Councilor Cusick moved to abate the sewer accounts from list "A" as recommended.

Councilor Greenleaf seconded.

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

k.) Liquor license – the Bench

Action: Councilor Greenleaf moved to approve the liquor license renewal for the Bench located at 418 Water Street.

Councilor Frey seconded.

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

l.) Renewal license – Bud Bar

Acting City Manager Davis stated they did not receive all of the information for this license.

Mayor Hart tabled this item.

m.) Discussion of the Department Head reports from July and August, 2021

Mayor Hart spoke briefly.

n.) Advice and consent of Gardiner City Council to approve the Acting City Manager's hire of a new library director

Acting City Manager Anne Davis spoke briefly; she read aloud a letter Justin wrote.

Action: Councilor Rees moved to make a motion to give our advice and consent to the Acting City Manager's recommendation to hire Justin Hoenke.

Councilor Rines seconded.

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

o.) Advice and consent of Gardiner City Council to approve the Mayor's appointment of Kristin Poremby to the Board of Appeals

Action: Councilor Cusick moved to give our advice and consent to the Mayor to appoint Kristin Poremby to the Board of Appeals

Councilor Greenleaf seconded.

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

p.) Consideration of a process to fill the vacant at-large council seat

Mayor Hart spoke briefly.

Action: Councilor Frey moved to accept letters of interest for the vacant at-large council seat until October 1, 2021 and will consider then on October 6, 2021. Councilor Greenleaf seconded. Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

5. CITY MANAGER REPORT

Acting City Manager Davis stated they are moving forward with the tax-acquired properties. She mentioned the City would need to hire a professional cleaning company for one of the homes. Any additional cost will be subtracted from the amount due back to the homeowner.

Councilor Berry stated the word “clean” is not the word to use it would be removal. The company will not clean the home, they will clean out. Councilor Berry stated he would not waste the money to clean out the property.

Acting City Manager Anne Davis wanted to thank Denise Brown for her tenure and her extra hard work to make sure her departure was a smooth one.

Acting City Manager Davis stated they received one bid for Brunswick Hill for \$25,000 dollars. She would like Council to know the project Mr. Preble was speaking about is due to start in July and the paving will be the last thing. The paving that is to be laid before winter will be torn up at the end of next year’s project.

Mayor Hart stated Council asked for this go out to bid, no decisions have been made.

Acting City Manager Davis stated she is going to wait to sign the bid until she receives word from Council.

Mayor Hart asked Council for their input and the community.

Councilor Cusick stated he is in favor of spending \$25,000 to smooth over Brunswick Hill.

Councilor Frey asked if they received a time period.

Acting City Manager Davis stated it would be done this season.

Councilor Frey stated he would like the public input.

Mayor Hart asked Acting City Manager Davis to add this item to the next meeting agenda.

6. CITY COUNCIL REPORT

Councilor Greenleaf stated there are homes not being utilized.

Acting City Manager Davis stated Tax Collector would start to look closer into these during the fall; she has been busy with the tax acquired properties.

Mayor Hart reminded Council there are two meetings next week. EJ Prescott has let the city use their office space.

Mayor Hart stated that the Johnson Hall Grateful Dead Tribute Concert was a great night.

7. EXECUTIVE SESSION:

Action: Councilor Cusick motioned to move into executive session and adjourn for Pursuant to 1 M.R.S. §405 (6) (c): Discussion or consideration of the condition, acquisition or the use of real or personal property.

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 7:45 p.m.

a.) 1 M.R.S. §405 (6) (c): Discussion or consideration of the condition, acquisition or the use of real or personal property

Any motion?

8. ADJOURN

Action: Councilor motioned to exit executive session adjourn the meeting at p.m.
Councilor seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted.

Unanimous.

The City Council adjourned the meeting at p.m.

Respectfully Submitted:

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

Alisha Ballard

City Clerk