



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

The meeting was called to order by Mayor Hart at 6:02 p.m.

1. ROLL CALL/PLEDGE OF ALLEGIANCE

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

City Council Absent: None.

Also present: Acting City Manager Anne Davis, City Clerk Alisha Ballard, Code Enforcement Officer Kris McNeil, Economic Development Director Tracey Desjardins, Kathy Brown, Scott Williams, Joel Greenwood, Mike Miclon, and Susan Bourget.

2. PUBLIC COMMENT

None

3. PROCLAMATIONS

a.) Mayor Proclamation honoring Scott Handville

Mayor Hart read aloud a Proclamation honoring Scott Handville.

Action: Councilor Rees moved to accept the proclamation for Scott Handville.

Councilor Greenleaf seconded.

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

4. PETITIONS/PUBLIC HEARINGS

a) Public Hearing to consider an amendment to extend the existing Credit Enhancement Agreement with Johnson Hall

Economic Development Director Tracey Desjardins spoke briefly.

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 6:07 p.m.

b.) Public Hearing to consider the proposed amendment to the Code of Ordinances of possible provisions regulating blasting

Code Enforcement Officer Kris McNeill spoke briefly.

Mayor Hart opened the public hearing at 6:07 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:08 p.m.

c.) Public Hearing to consider a renewal license for a renewal license application for a medical retail marijuana/dispensary – Bud Bar

Mayor Hart opened the public hearing at 6:08 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:09 p.m.

d.) Public Hearing of the proposed amendments to the Land Use Ordinance for the Notice of Planning Board Meetings

Mayor Hart opened the public hearing at 6:09 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:09 p.m.

e.) Public Hearing of the Land Use Ordinance dealing with Solar Electric Production Facilities

Mayor Hart opened the public hearing at 6:09 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:10 p.m.

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

Mayor Hart opened the public hearing at 6:10 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:10 p.m.

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

Mayor Hart opened the public hearing at 6:10 p.m. and asked for any comments from the public. Hearing none, Mayor Hart closed the public hearing at 6:10 p.m.

5. NEW BUSINESS

a.) Council election of an at-large councilor

Kathy Brown introduced herself to council and spoke briefly, on why she would like to become the at-large councilor.

Scott Williams spoke briefly.

Council voted by secret ballot. Kathy Brown won the secret ballot vote.

b.) First Read to extend a CEA with Johnson Hall

Action: Councilor Cusick moved to accept the request to extend a CEA agreement with Johnson Hall through June 2023.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Mike Miclon gave an update on Johnson Hall.

All those in favor. Unanimous.

c.) First Read of an amendment to the Code of Ordinances of possible revisions regulating blasting

Mayor Hart spoke briefly.

Action: Councilor Rees moved to send this amendment back to ordinance review.

Councilor Cusick seconded.

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

d.) Presentation from Kennebec Valley Chamber of Government (KVCOG)

Joel Greenwood gave a presentation.

Mayor Hart asked Joel what he would say to Public Works Department who might see them as a nuisance.

Joel stated he understands it is a lot more work on the ground but explains the benefits to having the trees.

Kathy Brown asked Joel if they work with University of Maine co-op extension.

Joel stated that he works for KVCOG and they do work with the universities.

e.) Consideration of accepting a plan for McKay Park

Economic Development Director Tracey Desjardins spoke briefly and read aloud an email from The Downtown Master plan consultant.

Mayor Hart asked who the consulting firm was.

Economic Development Director Tracey Desjardins stated, Dubois and King.

Mayor Hart stated Robert Abbey sent a nice email.

Councilor Frey stated after thinking about it, he asked what do they want it to be; a park or an access point and what do they need. Councilor Frey stated he does not think this is the right solution for this area to increase access up to the street. Councilor Frey stated he has been thinking about the arcade, last time they were talking about taking a couple of handicap parking spaces and they are currently in high demand. At this point, he does not think it is right to build the ramp. Councilor Frey stated an accessibility study done and said he is in favor of A.

Councilor Cusick stated he agrees with Councilor Frey. He talked briefly about what Councilor Frey had to say and mentioned the people he has heard from would choose option A.

Kathy Brown asked how much Gardiner needs to be ADA compliant.

Mayor Hart stated she does not know the answer but touched on grants and what would require the City to be ADA compliant.

Acting City Manager Anne Davis stated from the renovations from the library, anything new needs to be ADA compliant.

Mayor Hart asked Joel if he would know the answer to if they need to be ADA compliant.

Joel stated he is not sure if it was 100%, if the City paid for if it would need to be ADA.

Councilor Rines stated he was raised with a father with MS, ADA compliance was a part of this life. He stated he feels like this might be rushed and thinks they could hold off and see what other options there might be.

Councilor Rees stated she appreciates the comments made tonight and would like it to be a park. Councilor Rees asked Economic Development Director Desjardins if there is a time line.

Economic Development Director Desjardins stated there is a time line of next June but she was able to secure another grant to push the timeline further out.

Councilor Berry stated he is still in favor of plan A and appreciates everyone's comments.

Mayor Hart asked if the American Rescue package money, could that be used for studies.

Economic Development Director Desjardins stated she would need to research.

Acting City Manager Anne Davis stated they would not be able to do a study until next year and she believes it is very important.

Action: Councilor Cusick moved to accept design A for the rehabilitation of McKay Park.

Councilor Greenleaf seconded.

Mayor Hart asked for any discussion. None. All those in favor. 6 in favor 1 apposed.

f.) Consideration of accepting CDBG Funds - McKay Park

Economic Development Director Desjardins spoke briefly.

Action: Councilor Berry moved to accept the additional \$75,000 CDBG funds for the McKay Park Improvement Project and Authorize the Acting City Manager to sign the amended agreement.

Councilor Cusick seconded.

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

g.) Consideration of a Victualer's license for Goldfinch Creamery

Action: Councilor Greenleaf moved to approve a Victualer's license to Goldfinch Creamery located at 316/317 Water St.

Councilor Cusick seconded.

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

h.) Consideration of a renewing a marijuana business license for the Bud Bar

Action: Councilor Cusick moved to approve the renewal application from the Bud Bar, a medical retail marijuana/dispensary.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Susan Bourget spoke briefly. She asked how many votes it takes to stop this law.

Mayor Hart explained the history of the legalization of marijuana.

All those in favor. Unanimous.

i.) Consideration of Gardiner City Council meeting minutes of 09/09/2021, 09/13/2021, and 09/15/2021

Action: Councilor Rees moved to approve the City Council meeting minutes of 9/9/2021, 9/13/2021 and 9/15/2021.

Councilor Rines seconded.

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

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

Action: Councilor Cusick moved to adopt the proposed amendment to the Land Use Ordinance (Planning Board Notice Requirements).

Councilor Frey seconded.

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

k.) Second Read of the Land Use Ordinance dealing with Solar Electric Production Facilities

Action: Councilor Cusick moved to adopt the proposed amendment to LUO dealing with Solar Electric Production Facilities.

Councilor Berry seconded.

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

l.) Second Read for the Land Use Ordinance of permit requirements for fences

Action: Councilor Frey moved to adopt the proposed amendment to Ordinance Codes regarding permitting fences.

Councilor Greenleaf seconded.

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

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

Action: Councilor Cusick moved to adopt this proposed amendment to Land Use Ordinance for Medical Marijuana Cultivation Tiers I & II.

Councilor Berry seconded.

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

n.) Advice and consent of Gardiner City Council to approve the Mayor's appointment of Brenda Harvey to the Historic Preservation Commission.

Action: Councilor Rines moved to motion to give our advice and consent to the Mayor to appoint Brenda Harvey to the Historic Preservation Commission.

Councilor Greenleaf seconded.

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

6. CITY MANAGER REPORT

Acting City Manager Davis explained to Kathy Brown what to expect.

Acting City Manager Davis stated that City Clerk Ballard advised her that Absentee Ballots are now available, 91 ballots have been mailed out and 4 people have voted in person as of today.

Acting City Manager Davis mentioned now is the time for brown tail moths; you should be taking action now to stop the spread next year.

Acting City Manager Davis stated we were not successful with obtaining the AFG Grant to purchase a new ambulance.

Acting City Manager Davis stated next meeting we would be introducing two new employees.

Acting City Manager Davis stated they have received one quote of \$10,000 dollars to clean out one of the properties. Staff will need direction for the next steps.

Acting City Manager Davis stated that she, Chief Sieberg, and Mayor Hart sat down to discuss about staffing going into the new fiscal year. They have an upcoming workshop to discuss this with the public on November 8, 2021 in the children's room at 6:00 p.m.

7. CITY COUNCIL REPORT

Councilor Rees mentioned the water district owns a building by New Mills Falls with many windows that are broken out. She stated she is concerned with this building. Councilor Rees stated it would be great if the Historic Preservation Committee could work with them to make sure the building is weather tight.

Mayor Hart wanted to thank everyone for the civil and thoughtful discussion on McKay Park.

Mayor Hart welcomed Kathy Brown to the at-large Council seat.

Mayor Hart congratulated Scott Handville in his 40 years at the City of Gardiner Library.

Mayor Hart stated that Swein and Stein is still looking for volunteers.

8. EXECUTIVE SESSION:

Action: Councilor Cusick motioned to move into executive session for Executive session: For a personnel matter MRSA 405 6 a.

Councilor Berry seconded.

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

The City Council moved into executive session at 7:39 p.m.

a) Executive session: For a personnel matter MRSA 405 6 a

Nothing to report

9. ADJOURN

Action: Councilor Cusick motioned to exit executive session adjourn the meeting at 7:54 p.m.

Councilor Greenleaf seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council adjourned the meeting at 7:54 p.m.

Respectfully Submitted:



Alisha Ballard
City Clerk