



COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
WEDNESDAY, November 10, 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 Rees, Councilor Greenleaf, Councilor Berry, Councilor Frey, Councilor Brown and Councilor Rines.

City Council Absent: None.

Also present: Acting City Manager Anne Davis, City Clerk Alisha Ballard, Hank Farrah, Tammy Pierce, Dave Phifea, Dave, Public Works Director Jerry Douglass, Melissa Lindley, David Flaherty, Code Enforcement Officer Kris McNeil, and Police Chief James Toman.

2. PUBLIC COMMENT

None.

3. PETITIONS/PUBLIC HEARINGS

a) Public hearing on a medical marijuana license renewal for MEDCO

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 6:03 p.m.

b) Public hearing on a liquor license renewal for A1- Diner

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.

c) Public hearing on a liquor license renewal for The Blind Pig Tavern

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.

d) Public hearing on the Credit Enhancement Agreement between City of Gardiner, Maine and ACES Properties, LLC

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 6:04 p.m.

4. NEW BUSINESS

a.) Financial reports overview

Hank Farrah gave a presentation on the financial overview.

Mayor Hart asked about the school services.

Hank Farrah stated he needed to research the answer and send the answer over to Acting City Manager Anne Davis.

Action: Councilor Frey moved to accept the City of Gardiner financial reports as they have been presented.

Councilor Greenleaf seconded.

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

b.) Consideration of CMP's request to leave power cable spanning the Cobbossee Stream

Tammy Pierce spoke briefly.

Dave Phifea spoke briefly and explained the plan for CMP's power feed.

Mayor Hart thanked everyone for coming out to give the presentation.

Councilor Berry asked why this topic has come before council today.

Dave stated the original agreement has been changed and the permits have not been pulled.

Councilor Berry asked if this is being brought up around Jerry Douglass.

Jerry Douglass stated that he drafted an email stating that he is not in favor of cutting down the trees down the Cobbossee Stream.

Acting City Manager Davis stated that she felt like Council should be the ones to make the decision.

Councilor Rees asked if there is a different in opinion.

Mayor Hart stated that the City in 2014 stated they tried to make sure there was no wires across Arcade parking lot. Mayor Hart asked around town and people would like to see more trees.

Councilor Greenleaf asked if they leave the contract the way it is, the trees would stay.

Tammy stated that is correct.

Mayor Hart asked if the pole that has no wires could be removed.

Councilor Rines asked if there is a third or fourth option about coming from the other side of the parking lot.

Dave stated any other way would be further away and would require more trees to be removed and more wires.

Action: Councilor Cusick moved to adjust the original contract and allow Central Maine Power to leave the temporary line crossing over the Cobbossee Stream and make it the permanent power feed to the north side of the Stream.

Councilor Brown seconded.

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

c.) Consideration of a request to extend the build out time for 38 Partridge Drive

David Flaherty spoke briefly.

Acting City Manager Davis stated she spoke with Assessor Curt Lebel, Assessor Lebel stated it would be assessed around \$145,000.

Councilor Brown asked why this was not built and why it would be built next year.

David Flaherty stated he represents the buyer of the property and does not know why the current owners have not built on the land.

Councilor Berry asked if the home was going to be a modular home.

Tai Choo spoke briefly stated this is a modular home.

Councilor Berry asked if the house has been ordered as of yet.

Tai Choo stated they are waiting to order with the decision of Council.

Councilor Berry stated this lot has been a thorn for the City Council for the last eight years. Councilor Berry stated this lot has been taken from two other people due to not being able to adhere to the guidelines in place. Councilor Berry asked what type of insurance does the City have that this will be done.

Councilor Rees stated the City has someone who wants to buy this lot and have a home on the lot with the six month extension. Councilor Rees stated she is in favor of the extension.

Councilor Greenleaf states that he agrees with Councilor Rees.

Mayor Hart asked how confident they are to have this done before the deadline.

Tai Choo stated the modular home company stated the home will be down by July but they are asking for December in case of any hiccups.

Councilor Berry stated he would all be favor if come April 1, 2022 the city would tax the owner for amount of \$150,00 and have the home to be built to be assed for that certain amount.

Mayor Hart stated this would be a condition to the approval. Mayor Hart asked Councilor Berry why she picked April.

Councilor Berry stated that April is the month when tax is levied.

Mayor Hart stated they could talk with Assessor Lebel in regarding taxing it for the next year.

Councilor Berry stated they would do the same thing as they do in the business park, they would look at tax value not the building.

Action: Councilor Cusick moved to allow an extension of the Quitclaim agreement that a house will be onsite and finished by December 2022.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Councilor Berry stated that he will not vote in favor of this motion.

All those in favor. 7 yes, Councilor Berry opposed.

d.) Consideration of accepting the CEA with ACES Properties, LLC

Mayor Hart spoke briefly.

Action: Councilor Rees moved to approve and authorize the Acting City Manager to enter into a Credit Enhancement Agreement between the City of Gardiner, Maine and ACES Properties, LLC.

Councilor Brown seconded.

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

e.) Consideration of a police department sign-on bonus proposal

Police Chief James Toman spoke briefly of the current sign on bonus being offered. The Gardiner Police Department has lost five police officers. Since February, they have only received six applicants.

Mayor Hart asked Police Chief Toman to explain the sign on bonus.

Police Chief Toman explained the previous sign on bonuses.

Councilor Rees thanked Police Chief Toman for coming and asked about the over-time. Councilor Rees stated a fully staffed department is going to still be less expensive to run than doing it with over time.

Councilor Berry thanked Police Chief Toman and asked about the retainment.

Police Chief Toman stated retainment is something they need to speak upon later.

Councilor Frey thanked Police Chief Toman, asked about the other agencies, and asked if the incentive helps keeping people signed on.

Police Chief Toman explained the incentives they have offered, the officers are still employed at the City of Gardiner.

Councilor Frey asked Police Chief Toman about the pay offs for the incentives.

Police Chief Toman stated he has a valid point and he is willing to change the offer they has posted already.

Councilor Greenleaf asked if the officer they are losing a had received a sign on bonus.

Police Chief Toman stated, “No.”

Councilor Berry asked Police Chief what it costs to put a new recruit through the Police Academy.

Police Chief Toman explained the cost difference.

Councilor Berry asked if they offered a bonus, they are just moving a body from one agency to another. Councilor Berry stated that hiring new recruits would be better for the City of Gardiner.

Police Chief Toman stated they are trying to get new recruits through the door; everyone is having trouble getting people through the door.

Acting City Manager Davis spoke briefly, about how Gardiner worked with MMA with recruitment.

Councilor Cusick thanked Police Chief Toman and spoke briefly about the sign on bonuses and new recruits. Councilor Cusick asked Police Chief Toman about the pay for the officers.

Police Chief Toman stated they are average to below average for paying.

Councilor Cusick asked Police Chief Toman if they should change the terms to 3 years and offer \$15,000.

Police Chiifef Toman stated they could offer \$12,000 over 3 years with no applicants.

Action: Councilor Cusick moved to accept the recommendation to offer sign-on bonuses as an incentive to apply for a position at the Gardiner Police Department in addition, change the terms to 3 years and a \$15,000 sign on bonus over a three year period.

Councilor Greenleaf seconded.

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

f.) Consideration of approving a Gardiner Main Street major event

Acting City Manager Davis reminded Council they could waive the event fees.

Action: Councilor Berry moved to approve the application for a major event submitted by Gardiner Main Street to be held 12/4/2021 and waive the event fees. Councilor Rees seconded.

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

g.) Consideration of a Medical Marijuana License renewal for MEDCO

Action: Councilor Frey moved to renew a medical marijuana license for MEDCO.
Councilor Cusick seconded.

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

h.) Consideration of a Liquor License renewal for A1-Diner

Action: Councilor Brown moved to renew the liquor license for the A-1 Diner.
Councilor Greenleaf seconded.

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

i.) Consideration of a Liquor License renewal for The Blind Pig Tavern

Action: Councilor Frey moved to renew the liquor license for the Blind Pig Tavern.

Councilor Greenleaf seconded.

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

j.) Consideration of sending the City Owned Cemeteries Ordinance to the Ordinance Review Committee for a possible update

Code Enforcement Officer Kris McNeil spoke briefly.

Action: Councilor Greenleaf moved to make a motion to send the City Owned Cemeteries Ordinance to the Ordinance Review Committee for review and potential updates.

Councilor Cusick seconded.

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

k.) Consideration of sending the Sign Land Use and Code Ordinance in Planned Industrial Commercial (PIC) Zone to the Ordinance Review Committee for possible updates.

Code Enforcement Officer Kris McNeil spoke briefly.

Action: Councilor Cusick moved to make a motion to send the Sign Land Use and Code Ordinance in Planned Industrial Commercial (PIC) Zone for review and potential updates.

Councilor Greenleaf seconded.

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

l.) Accept Election results and thank the Election Staff

Action: Councilor Rees moved to accept the election results as presented. I would also like to thank the election staff and all the volunteers that helped to make this a well-run election.

Councilor Brown seconded.

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

m.) Discussion of September's reports from Department Heads

Mayor Hart spoke briefly and thanked the Department Heads.

5. CITY MANAGER REPORT

Acting City Manager Davis stated Justin Hoenke is starting on Monday November 29th.

Acting City Manager stated the search committee for the Finance Director is underway and hope to move along quickly.

Acting City Manager Davis stated bids would be here next week for the TAPs and listed the others.

Acting City Manager Davis stated as the IT director she is feeling confident that the email phishing is done.

Acting City Manager Davis stated the Executive Session on 11-17-2021 has 5 executive sessions and asks that everyone checks their emails beforehand.

Councilor Greenleaf thanked Acting City Manager Anne Davis for her time at the library.

Councilor Rees asked if the listing on Water Street is the same realtor.

Acting City Manager Davis stated, "Yes."

6. CITY COUNCIL REPORT

Councilor Berry appreciated Police Chief James Toman's presentation and expresses the need for new recruits rather than stealing from other departments.

Councilor Frey asked if there is a plan for the browntail moths.

Acting City Manager Davis stated this is the time that you would invest in removing the nests.

Councilor Greenleaf agreed with Councilor Berry's statement and looking forward to Police Chief's retention plan.

Councilor Brown echoed Councilor Berry's statement.

Mayor Hart stated the turf is laid down on Hoke Field and the school had a ribbon cutting

Mayor Hart mentioned there was a beam signing at the Boys and Girls Club.

Mayor Hart stated there was a ribbon cutting for Goldfinch Creamery and they are doing very well.

Mayor Hart stated there is a meeting at the Co-Op currently that she will attend.

Acting City Manager explained the new Councilor books before them.

Mayor Hart asked if there would be an executive session tonight.

Acting City Manager Davis stated that she has not heard from the attorney and would suggest to table the executive.

7. ADJOURN

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

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council adjourned the meeting at 7:37 p.m.

Respectfully Submitted:

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

Alisha Ballard

City Clerk