



**COUNCIL MEETING MINUTES**  
**GARDINER CITY COUNCIL**  
**WEDNESDAY, August 3, 2022**  
**6:00 PM**

The meeting was called to order by Mayor Hart at 6:01 p.m.

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

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

City Council Absent: None.

Also present: City Manager Andrew Carlton, City Clerk Alisha Ballard, Economic Development Director Tracey Desjardins, Public Works Director Jerry Douglass, Simon West, Jessica Lowell, Finance Director Denise Brown, Jason Pica, Andy Hyland, Debby Willis, Gardiner Area High School Softball team and family.

**2) PUBLIC COMMENT**

None.

**3) PETITIONS/PUBLIC HEARINGS/PUBLIC PRESENTATIONS**

**a. Public Hearing to consider the approval of proposed amendments to the City Code**

Mayor Hart opened the public hearing at 6:08 p.m. and asked for any comments from the public. Mayor Hart closed the public hearing at 6:10 p.m.

#### **4) NEW BUSINESS**

##### **a) Special Recognition of the Gardiner Area High School Softball Team**

Mayor Hart read aloud the proclamation.

**Action:** Councilor Cusick moved to approve the proclamation presented for the Gardiner Area High School Softball Team.

Councilor Berry seconded.

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

##### **b) Discussion regarding MMA Election**

**Action:** Councilor Greenleaf moved to nominate City Manager Andrew Carlton to cast the official vote for the MMA Election.

Councilor Brown seconded.

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

##### **c) Presentations from respondents to the RFP for Facility Studies**

Jason Pica and Andy Hyland from Port City Architecture gave a presentation.

##### **d) Consideration of Approval of Ambulance service agreement between The City of Gardiner Ambulance Service and The City of Gardiner**

City Manager Andrew Carlton spoke briefly.

Councilor Berry asked if there was any change from the other towns.

City Manager Andrew Carlton stated just the cost.

**Action:** Councilor Greenleaf moved to approve the Ambulance service agreement as presented.

Councilor Frey seconded.

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

**e) Appointment of the interim City Clerk/Registrar of Voters**

City Manager Andrew Carlton spoke briefly.

**Action:** Councilor Berry moved to appoint Kathleen Cutler as the Interim City Clerk and Registrar of Voters as of August 8, 2022.

Councilor Greenleaf seconded.

Mayor Hart asked for any discussion.

Mayor Hart extended her thanks and appreciation to City Clerk Alisha Ballard and to Tax Collector Kathleen Cutler for stepping up and filling in.

All those in favor. Unanimous.

**f) Consideration of approval of a victualers license for Goldfinch Creamery**

**Action:** Councilor Brown moved to approve the victualers license for Goldfinch Creamery.

Councilor Frey seconded.

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

**g) Consideration of approval of a food truck license for Kabayan Philippine Foods**

**Action:** Councilor Rines moved to approve the food truck license for Kabayan Philippine Foods.

Councilor Cusick seconded.

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

**h) Appointment of members to the following committees: Age Friendly, Cobbossee Trail, Solid Waste and Recycling.**

**Action:** Councilor Cusick moved to appoint Dorothy Washburne for the Age Friendly Committee.

Councilor Greenleaf seconded.

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

**Action:** Councilor Cusick moved to appoint Simon West, Meghan Jellison and Terry Berry for the Solid Waste and Recycling Committee.

Councilor Greenleaf seconded.

Mayor Hart asked for any discussion. None. 7 yes, 1 abstention. Unanimous.

**Action:** Councilor Cusick moved to reappoint the members listed.

Councilor Frey seconded.

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

**i) Consideration of Participating in the Community Resilience Partnership Grant Program**

Economic Development Director Tracey Desjardins spoke briefly.

Councilor Brown asked if the city would do this with someone else or by ourselves.

Economic Development Director Desjardins stated if we were to do it with another town it would need to benefit them both.

**Action:** Councilor Berry moved to direct City Manager to write a letter of support.

Councilor Greenleaf seconded.

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

**j) First Read of Amendments to the City Code**

City Manager Andrew Carlton spoke briefly.

**Action:** Councilor Cusick moved to send these ORC amendments to the City Code to a Second and final Read on August 17, 2022.

Councilor Brown seconded.

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

**k) Consideration of the removal of the sidewalk on School Street between Dennis and Pleasant Streets.**

Public Works Director Jerry Douglass spoke briefly.

**Action:** Councilor Frey moved to approve the removal of the sidewalks on School Street between Dennis and Pleasant Streets.

Councilor Cusick seconded.

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

**l) Consideration of using \$7000.00 in ARPA funds for the parking lot beneath McKay Park**

**Action:** Councilor Brown moved to approve the use of \$7000.00 in ARPA funding to repair the small parking area at the bottom of McKay Park.

Councilor Greenleaf seconded.

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

**m) Consideration of the acceptance of a donation of Banners from Gardiner Main Street**

City Manager Andrew Carlton spoke briefly.

**Action:** Councilor Cusick moved to accept the donation of banners from Gardiner Main Street and direct the City Manager to determine placement on the downtown light polls.

Councilor Brown seconded.

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

**n) Consideration of asking ORC to Review Marijuana Land Use & Code Ordinances**

Code Enforcement Officer Kris McNeil spoke briefly.

Councilor Berry asked what the logic to deviate the one year.

Code Enforcement Officer Kris McNeil explained the last change to the ordinance, they are revisiting this to see if ORC and the council would like to have a time limit.

Councilor Berry asked a clarifying question about changing the time limit and stated it is not fair.

Code Enforcement Officer Kris McNeil stated this is a council decision.

Councilor Berry expressed his concern about this change.

Mayor Hart stated this agenda item is to see if this should be sent to the ordinance committee and council will be able to debate this topic in the future.

Councilor Berry stated if they are going to send this item to ORC than they should send all businesses.

Code Enforcement Officer McNeill stated they are not changing the non-conformance ordinance, they are looking at the marijuana licensing ordinance. When they close their business they cannot re-open unless it is allowed in that zone.

Councilor Berry stated this is the same outcome just different wording.

Code Enforcement Officer McNeill stated this would just affect the marijuana code.

**Action:** Councilor Rines moved to have ORC discuss and review adding language limiting how long a marijuana business can be closed or have an expired license and be allowed to reopen.

Councilor Brown seconded.

Mayor Hart asked for any discussion. None. 7 Yes, 1 No (Councilor Berry).

**o) Consideration of asking the Planning Board to Review Accessory Structure in the Land Use Ordinance**

Code Enforcement Officer Kris McNeill spoke briefly.

**Action:** Councilor Frey moved to send Accessory Structure in the Land Use the Planning Board for review.

Councilor Cusick seconded.

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

**p) Consideration of asking the Planning Board to change the term Marijuana to be replaced by the term Cannabis in the Land Use & Codes Ordinances to meet the new State statute**

Code Enforcement Officer Kris McNeill spoke briefly.

**Action:** Councilor Cusick moved to send Marijuana in the Land Use & Codes Ordinances to the Planning Board for the purpose of changing the term Marijuana to be replaced with the term Cannabis.

Councilor Greenleaf seconded.

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

**q) Approval of Council Minutes**

**Action:** Councilor Rines moved to approve the attached meeting minutes.

Councilor Greenleaf seconded.

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

**r) Consideration to accept a resolution for Johnson hall**

**Action:** Councilor Berry moved to direct the mayor to write a letter of support.

Councilor Cusick seconded.

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

**5) CITY MANAGER REPORT**

Economic Development Director Tracey Desjardins presented to council a check in the amount of \$500,000 from Browns field.

City Manager Andrew Carlton thanked Economic Development Director Tracey Desjardins for her work with Browns field.

City Manager Andrew Carlton stated they had a meeting with Cobbossee Trail, they are waiting on the results of the Federal Earmark that was written.

City Manager Carlton stated there was a conversation about the sidewalks, DOT is starting the study. They will be doing both sides of the street.

City Manager Andrew Carlton stated the solid waste committee has met.

City Manager Andrew Carlton thanked Sherry Emmons, City Clerk Alisha Ballard, and Public Works Director Jerry Douglas.

City Manager Andrew Carlton mentioned the budget 22.20 which is below projected.

## **6) CITY COUNCIL REPORT**

Councilor Cusick congratulated Tracey Desjardins. He wished City Staff well on their new adventures.

Councilor Berry thanked Tracey Desjardins. He wished City Staff well on their new adventures. Councilor Berry stated he and Tracey were at a KRDA meeting, he gave an update.

Councilor Frey thanked the parting city staff and thanked Tracey Desjardins.

Councilor Rines thanked Sherry Emmons, Alisha Ballard and Jerry Douglas for their service. He thanked Tracey Desjardins for her hard work. Councilor Rines reminded people about fire safety and remind people about the no smoking law.

Councilor Greenleaf wished City Staff well on their new adventures. Councilor Greenleaf thanked Economic Development Director Desjardins for her work. He mentioned the great loss of Mr. Shaw.

Councilor Brown thanked city staff and Tracey Desjardins for her hard work.



Mayor Hart thanked City Staff who are leaving. She mentioned the new police officers starting. Mayor Hart thanked Economic Development Director Desjardins for her hard work.

Mayor Hart mentioned there was over 2000 athletes who was a part of the major event Ironman.

Mayor Hart spoke about John Shaw, she gave a brief background of his history with Gardiner.

**Action:** Councilor Rines motioned to move into executive session Per 1 M.R.S.A. § 405(6)A- Personnel Matter.

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 7:35 p.m.

## **7) EXECUTIVE SESSION:**

### **a) Pursuant to 1 M.R.S.A. § 405(6)A- Personnel Matter**

City Council gave City Manager Andrew Carlton and Finance Director Denise Brown direction.

City Manager Carlton shared that he would serve as Interim Public Works Director after Jerry Douglas leaves the city.

## **8) ADJOURN**

**Action:** Councilor Greenleaf motioned to adjourn the meeting.

Councilor Brown seconded.

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

The City Council adjourned the meeting at 8:05 p.m.

Respectfully Submitted:

A handwritten signature in black ink that reads "Alisha Ballard". The script is cursive and fluid, with the first name "Alisha" and last name "Ballard" clearly distinguishable.

Alisha Ballard

City Clerk