



## COUNCIL MEETING MINUTES

### **GARDINER CITY COUNCIL**

**WEDNESDAY, April 5, 2023**

**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: Councilor West, Councilor Cusick, Councilor Berry, Councilor Frey, Councilor Greenleaf, Councilor Brown- City Council Absent:

Also present: Andy Carlton, City Manager; Denise Brown, Finance Manager; Kathy Cutler, City Clerk / Tax Collector; Michelle Snowden, Deputy City Clerk; Todd Pilsbury, Gardiner Police Chief; Dawn Thistle, Gardiner Library Director; Melissa Lindley, Economic Development Director; Jessica Lowell, Kennebec Journal; Brandi Kennerson, Roland Kennerson, Debby Willis, Carolyn Carl

#### **2) PUBLIC COMMENT**

- Citizens Carolyn Carl and Zach Wanberg expressed concerns regarding the lack of trash cans Downtown.
- Carolyn mentioned that she is also concerned about the speeding on Northern Avenue and Highland Avenue.
- Cameron Fisher stated that discussions are occurring right now regarding the Merrymeeting Bay Trail, which could connect to the Rail Trail. This would merge the two trail systems from Augusta to Brunswick. DOT is accepting public comment online right now, or in person next month.

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

- a) Public Hearing regarding recreational cannabis manufacturing license renewal for The Choclit Factory

**Mayor Hart opened the public hearing at 6:11 p.m., there being no comment, closed the hearing at 6:11p.m.**

- b) Public Hearing regarding a change to the Land Use Ordinance and the City Code: Change all instances of the word “marijuana” to the word “cannabis” **Mayor Hart opened the public hearing at 6:12 p.m., there being no comment, closed the public hearing at 6:12 p.m.**

- c) Public Hearing regarding changes to the L.U.O in section 8.4.2.2. – changing “Or” to “And”

**Mayor Hart opened the public hearing at 6:12 p.m., there being no comments, closed the public hearing at 6:12 p.m.**

d) Public Hearing regarding a Zoning Change on Cobbossee Avenue City Tax Map 022, Lots 023, 023A, 025, 026, 027, 028, 028A, 029, 031 High Density Residential to Planned Development. **Mayor Hart opened the public hearing at 6:13 p.m., there being no comments, closed the public hearing at 6:13 p.m.**

**4) NEW BUSINESS –**

a) Mayoral Proclamation for the Gardiner Area High School Girls Basketball Team

Mayor Hart acknowledged the Gardiner Area High School Girls Basketball Team for an undefeated season (18-0) and declared Monday, April 10, 2023 as Gardiner Girls Basketball day throughout the City. Congratulations were also extended to senior Lizzy Gruber for achieving 1000 points during her high school career, and being named Miss Maine Basketball. Coach Mike Gray was also acknowledged for his 19 year coaching career.

**Councilor Greenleaf moved to accept the proclamation for the GAHS 2022/2023 Girls Basketball team, Councilor Frey seconded the motion. All those in favor. 7-0**

b) Approval of Council Minutes

**Councilor Cusick moved to approve the March 15, 2023 City Council meeting minutes as presented, and Councilor Brown seconded the motion. All those in favor. 7-0**

c) FY22 Audit Presentation by RHR Smith

**Mr. Smith reviewed the 2022 financial and compliance audit, which came back clean and was well done. Ron stated that Gardiner is lucky to have a finance director who understands the business and he appreciates the work that Denise Brown does.**

d) Advise and Consent to the Hiring of Todd Pilsbury as the Chief of Police for the City of Gardiner.

Manager Carlton stated that Todd has been working for the City of Gardiner for 24 years, and he is excited to recommend him for the position of Chief. Todd has brought a fresh perspective and great ideas during his time as interim chief.

**Councilor Greenleaf moved to approve the hiring of Todd Pilsbury as Chief of Gardiner Police, Councilor Frey seconded the motion. All those in favor. 7-0**

e) Advise and Consent to the Hiring of Dawn Thistle as Gardiner Public Library Director

Manager Carlton stated that Dawn has worked at the Library for 12 years as the assistant director and archivist, she is also close to obtaining her doctorate. She will continue to bring great ideas to the library.

**Councilor Brown moved to approve the hiring of Dawn Thistle as the Gardiner Public Library Director, Councilor West seconded the motion. All those in favor. 7-0**

f) Approval of a Renewal of a recreational cannabis license for The Choclit Factory

**Councilor West moved to approve the recreational cannabis license for The Choclit Factory, Councilor Cusick seconded the motion. All those in favor. 7-0**

g) Approval of a change to the Land Use Ordinance and the City Code: All instances of the word “marijuana” to “cannabis”.

**Councilor Cusick moved to approve the change to the LUO and City Code – “marijuana” to “cannabis”, Councilor West seconded the motion. All those in favor. 7-0**

h) Approval of change to Land Use Ordinance in section 8.4.2.2. – changing “Or” to “And”

**Councilor West moved to approve the change to the Land Use Ordinance, Councilor Greenleaf seconded the motion. All those in favor. 7-0**

i) First read of a Zoning Change on Cobbossee Avenue City Tax Map 022, Lots 023, 023A, 025, 026, 027, 028, 028A, 029, 031 from High Density Residential to Planned Development

**Councilor Greenleaf moved to approve the first read of the zoning change, Councilor Cusick seconded the motion. All those in favor. 7-0**

j) Approval of a weekly “Large” event at the Waterfront – Classic Cruise-In on Thursdays beginning in May from 3:00 p.m. – 7:00 p.m.

**Councilor Berry moved to approve the weekly large event, Classic Cruise In, May through September. Councilor Frey seconded the motion. All those in favor. 7-0**

k) Approval of a “Large” event on the Common, October 7, 2023 – Gardiner Parent Teacher Association – Octoberfest

**Manager Carlton stated that this is the same weekend as Swine and Stein; Clerk Cutler left a message for the Gardiner PTO. This agenda item is tabled until April 19.**

l) Approval of the Annual Report for tax year April 1, 2022 – March 31, 2023 for the Summer Street Affordable Housing Development District

**Councilor Cusick moved to approve the report as presented. Councilor Greenleaf seconded the motion. All those in favor. 7-0**

m) Advise and Consent to writing a letter of support for the Maine Trails Bond Initiative

Manager Carlton stated that the Natural Resources Council of Maine reached out regarding LD1156, which would create 30 miles of trails across the State. The Cobbossee Trail Committee supports writing a letter.

**Councilor Berry moved to instruct Manager Carlton to send a letter in support of the Maine Trails Bond Initiative. Councilor Cusick seconded the motion. All those in favor. 7-0**

n) Appointment of a Gardiner Resident to fill a vacancy in District 4 of the Gardiner City Council

**Manager Carlton announced that he had two applications, one withdrew and the other could not be in attendance tonight. Council agrees to re-advertise and table this agenda item until April 19, 2023.**

o) Appointment of a Gardiner Resident to fill a vacancy on the M.S.A.D. 11 School Board

Manager Carlton announced that there were two interested parties, but only one could be in attendance. Colin McGuff spoke about his desire to serve. He filled in on the Board previously and as a big supporter of public education and being fiscally aware, he thinks that he would be a good

option. Colin has two children within the district and would also be interested in running for the full term in June.

**Councilor Berry nominated Colin McGuff to fill the vacancy on the M.S.A.D.11 School Board. Councilor Cusick seconded the nomination. All those in favor. 7-0 TB**

p) Advise and Consent to raise the fee for a Spring Clean-up permit from \$25 to \$30  
Manager Carlton reported that tipping fees are increasing at Hatch Hill and the City averages 45 tons of waste from clean-up. Also, brush will be accepted during this clean-up. Only homes with displayed, paid permits will have materials picked up.

**Councilor Greenleaf moved to approve increasing the fee from \$25 to \$30. Councilor Brown seconded the motion. All those in favor. 7-0**

q) Discussion regarding the use of City Property for Profit Businesses  
Manager Carlton recommended continuing with the permitting procedure and not charging a fee for downtown businesses to use sidewalk space. Council agreed. Mayor Hart stated that if a business is using City water or electricity, that would need to be addressed.

## **5) CITY MANAGER REPORT**

·Manager Carlton reminded all that Chief Pilsbury will be sworn in on Thursday, April 6 at 11:00 a.m. Monday, April 10 at 1:00 p.m. will be a reception for Dawn Thistle at the Gardiner Public Library.

Manager Andy Carlton stated that he should have a demolition plan from the engineer for 235 Water Street by the end of the week. He will give property owners a copy of the plan.

## **6) CITY COUNCIL REPORT**

§ Councilor Greenleaf thanked Chief Sieberg for allowing the Region 10 students to come in and work with the Rescue teams. He thinks we should promote opportunities like this.

§ Mayor Hart thanked all those who attended the recent business meetings, great discussions were held.

§ Lastly, Mayor Hart announced that two new downtown businesses will have ribbon cuttings on April 21, Indie Stage Music (Niche) and Pistil & Page.

## **7) EXECUTIVE SESSION**

**a.** Enter into Executive Session pursuant to M.R.S.A. §405(6)(C) - Discussion of the Acquisition or Disposition of Real Property

**Councilor Frey moved to enter into executive session at 6:55 p.m., Councilor Berry seconded the motion. All in favor. 7-0**

**Motion by Councilor Berry: “I move to instruct the City Manager to enter into a Purchase and Sales Agreement on Lot 27 in the Libby Hill Business Park with the following changes to the proposed agreement: A 10 business day closing date from the date of signature, and a change from**

**a Warranty Deed to a Municipal Quit Claim Deed.” Councilor Cusick seconded the motion. All those in favor. 7-0.**

**8) ADJOURN**

**Councilor Berry moved to adjourn, Councilor West seconded the motion. All those in favor. 7-0.**

**City Council was adjourned at 7:43 p.m.**

Respectfully Submitted:

Michelle Snowden, Deputy Clerk