

GARDINER CITY COUNCIL MEETING
Wednesday, January 17, 2018
Gardiner City Hall

Mayor Thom Harnett called the regular Council Meeting to order at 6:14 p.m.

Roll Call:

Mayor Thom Harnett; Councilors Terry Berry, Tim Cusick, Marc Rines, Maryann White and Patricia Hart; Councilor Jon Ault had not arrived yet and Councilor Shawn Dolley was absent. Also present were Interim City Manager Anne Davis and City Clerk Lisa Gilliam.

PETITIONS, PUBLIC HEARINGS (Public comment for anything not on agenda):

Mayor Thom Harnett opened the meeting up for public comment; hearing none, Mayor Harnett closed this portion of the meeting.

Consent Agenda:

Final Report on Storm Water Study:

Hoyle, Tanner & Associates, Inc. presented a final report for the storm water study that included recommendations. Engineer Dan Marks & Rachel Gibson from Hoyle, Tanner & Associates were present and reviewed the presentation for the City Council. The discussion involved street analysis and their findings to resolve storm water issues within the City. Discussion followed.

Councilor Jon Ault arrived at 6:40 p.m.

Motion by Councilor Hart to accept the storm water report as presented by Hoyle, Tanner & Associates, Inc.; motion seconded by Councilor Rines. Motion carried by unanimous vote 7-0.

FY17 Annual Financial Report Presentation:

Hank Farrah from Runyon Kersteen Ouellette gave a presentation on the FY17 Annual Financial Report; Finance Director Denise Brown was also present. Mr. Farrah's presentation was very positive for the City and he also noted that Ms. Brown does an excellent job as the City's Finance Director. A brief discussion followed.

No action was taken or necessary by the City Council on this item.

Cobbossee Trail Committee Design Update:

The Cobbossee Trail Committee gave a report on design considerations as a follow-up to a public meeting held in August of 2017. The report focused on three areas that were specifically noted during the public meeting; the areas addressed were the section of the trail adjacent to the Hannaford parking lot, along the arcade in the vicinity of the former Dennis' Pizza, and the "Western Trailhead" where the trail loops back around to Water street between Maple and Elm Streets; parking issues were also a big concern. Gardiner Main Street Director Patrick Wright suggested a comprehensive study on parking, that might be the best way to utilize parking in the downtown area. Interim Manager Davis said that communication should be opened with Camden National due to their ownership of so much property in the downtown area with reserved parking for their employees. Mayor Harnett suggested this discussion be brought forward to a future Council Meeting. A brief discussion followed. Business owners John Callinan and Janet Slade spoke separately with their concerns regarding the loss of parking spaces, which they said are valuable to the downtown businesses not only for customer parking, but also for tenants who rent apartments on the upper floors of the downtown businesses. Discussion continued.

Motion by Councilor Hart to approve the current design recommendations of the Cobbossee Trail Steering Committee; motion seconded by Councilor Berry. A brief discussion followed. Councilor Ault said he would support a comprehensive review being conducted on parking. Councilor White agreed with Councilor Ault and asked Ms. Slade and Mr. Callinan about their parking suggestions; Ms. Slade said that it can be a struggle to ask clients and tenants to park at a great distance and Mr. Callinan was in agreement with those comments. Motion carried by unanimous vote 7-0.

Council took a brief break at 8:35 p.m.

Council went back into session at 8:40 p.m.

Right of Way Request from Maine Department of Transportation:

During the Cobbossee Trail Project, MDOT will need construction right of ways to build the trail. After the trail has been completed, the ROW reverts back to the City. Though entities may request compensation for this action, this document obligates the City to donate the ROW to MDOT. A brief discussion followed.

Motion by Councilor Ault to instruct the Interim City Manager to sign the Donation and Release of Agency Obligation for the Maine Department of Transportation's project numbered 018736.10; motion seconded by Councilor Berry. A brief discussion followed. Motion carried by unanimous vote 7-0.

Discussion of Heating Issues at the PW Facility and the City Hall Complex:

The City has 4 pellet boilers, 2 each at City Hall and Public works. The City had several issues with the boilers over the past 3 years. The company that sold the units sold out to another company 3 years ago; the new company sold out this past fall. The City found another vendor for repair work but they only have one technician that works on pellet boilers and his availability is extremely limited. The City attempted to get other technicians but there is a distance issue. Loosing heat in our buildings has become a constant problem and creates a major safety concern for the FD. Interim City Manager Davis would like to look into supplemental heat options and or total replacement.

Mayor Harnett said this would be a non-action item and would be discussion only. Public Works Director Tony LaPlante briefed the Council on the boiler situation. Fire Chief Al Nelson also spoke and addressed his concerns with medications and fluids that are stored in the ambulances, which can't go below a certain temperature and if they do those medications/fluids are not usable for treatment of patients. Mayor Harnett said the Council understood this is an issue that needs to be addressed as soon as possible and Mr. LaPlante said he would look into options to resolve this and the projected costs to the city. Discussion continued. Council supported the idea of moving forward and looking into ways to resolve the heating issues.

Naming Public Streets:

The City has received a request from Auburn Asphalt, Inc. to change the name of First Right Road to Irving's Way. First Right Road is located in the Libby Hill Business Park. Additionally, it has come to our attention that the public way near Cobbossee Stream by the Arcade lot has never officially been named. It has been suggested that it be called Front Street. A brief discussion followed.

Motion by Councilor Hart to approve the road name request of Irving's Way; motion seconded by Councilor Cusick. Motion carried by unanimous vote 7-0.

Motion by Councilor Ault to change the public way near Cobbossee Stream to Arcade Way; motion seconded Councilor Cusick. A brief discussion followed. Motion carried by unanimous vote 7-0.

Acceptance of a deed from the General Services Administration (federal) for the conveyance of a communications tower, buildings, equipment and property located at 78 Libby Hill Road, Gardiner, ME:

For more than a year, Chief Al Nelson has been working with the GSA to obtain ownership of this tower from them. After meeting with members from the GSA, the FAA and our congressional delegates, the

government has determined that they will convey the deed to Gardiner for \$1.00 as long as it is used for the public good (emergency services) and will never be used by a for profit entity. Discussion followed.

Motion by Councilor Berry to authorize the Interim City Manager to accept and execute the deed to the communications tower located at 78 Libby Hill Road from the General Services Administration (GSA) for \$1.00; motion seconded by Councilor White. Mayor Harnett expressed his thank you to those who helped bring this to completion. Motion carried by unanimous vote 7-0. Interim City Manager Davis thanked Fire Chief Nelson, Lieutenant Rick Sieberg and all of the staff who worked on this project.

Councilor Cusick asked the Fire Chief about the ice dam on the Kennebec River and any issues it may impose on Gardiner. Fire Chief Nelson said he had been working with State officials on this issue for most of the day. He said the concern is a potential rise in temperatures that could affect the jam and bring it into Gardiner. There has been a request to have the Coast Guard cutters come up through and break up the ice. Chief Nelson said he would keep the City Manager and Council updated on any action taken.

Consideration of Board & Committee Appointments:

Attached you will find three Committee Request Forms.

- The first application is from Alecander Davis-Caire, who has listed several boards of interest. After talking with him about the various Committees, he expressed interest in being appointed to the Housing Committee.
- The next application is from Jeannine L'Heureux who would like to be appointed to the Parks & Recreation Committee.
- The final application is from Geri Doyle who has requested an appointment to the Gardiner Water District Trustees.

A brief discussion followed; the Council decided to wait on appointing Geri Doyle to a board/committee. Motion by Councilor Hart to appoint Alecander Davis-Caire to the Housing Committee and Jeannine L'Heureux to the Parks & Recreation Committee; motion seconded by Councilor Berry. Motion carried by unanimous vote 7-0.

Consideration of Pawn License Renewal - Gardiner Trade Pawn:

This is a renewal of a Pawn License for Gardiner Trade Pawn. Timothy Polley is the owner of the business which is located at 205 Water Street in Gardiner. There are no changes requested with this renewal.

Motion by Councilor Cusick to approve the renewal of a Pawn License for Gardiner Trade Pawn which is located at 205 Water Street in Gardiner; motion seconded by Councilor White. Motion carried by unanimous vote 7-0.

Special Event Permit - Wile - O'Neill Wedding:

A Special Event Permit from Ari Wile was presented to the Council. Ms. Wile would like to have her wedding ceremony held in the park next to Johnson Hall. The wedding is scheduled for the afternoon of June 30, 2018 and the wedding ceremony will take place from 3:30 p.m. to 4:00 p.m.; they will also need a few hours prior to set up and decorate. They are expecting approximately 120 guests and following the ceremony they will have their wedding reception inside Johnson Hall. They have indicated on their application that they will have 2 port-a-pottys and a portable smoker that will be placed on Mechanic Street. Parking for the guests will be the parking lot on Mechanic Street and the Arcade Parking Lot.

The City Clerk had spoken with Joe Gould who owns the business Two Gramps Brewing, which is adjacent to Johnson Hall and the park area; he said he has spoken with Miss Wile and has no issues with them using the park. A brief discussion followed.

Motion by Councilor Ault to approve the Special Event Permit for the Wile & O'Neill Wedding, which is scheduled for June 30, 2018 at the park located next to Johnson Hall; motion seconded by Councilor White. A brief discussion followed. Motion carried by unanimous vote 7-0.

MANAGER'S REPORT:

- Thanked Public Works Director Tony LaPlante & Wastewater Director Doug Clark who worked all weekend dealing with flooding and drainage issues.
- The hiring of an Economic Development Director will be discussed at a future meeting.
- MMA is still advertising for the City Manager job opening.
- Department Heads are meeting tomorrow with newly elected Councilor Marc Rines for an orientation.
- Interim Manager Davis will be attending a Special Town Meeting in Dresden to discuss their payment of bill that is due to the City.

CITY COUNCIL UPDATE:

- Councilor Hart – Appreciated the storm water report. Thanks to all of the City folks dealing with severe weather issues and all of public safety workers for the hours they have put in as well.
- Councilor Ault – Thanked Councilor Cusick for bringing the flood question forward while Chief Nelson was present.
- Councilor White – Thanks to Denise Brown for a clean audit report. Thanks to Public Safety for their extra hours worked during the storm.
- Councilor Rines – Thanked Public Works and Staff for their participation with this evenings meeting. Thanks to Councilor Cusick for the flood question.
- Councilor Cusick – Thanks to public works and public safety for their efforts during the storm. Great presentation on the storm water study. Very sad to see that Patrick Wright is leaving Gardiner Main Street.
- Councilor Berry – Thanks to the Gardiner Fire and Police for their service.
- Mayor Harnett – Thanks to the City staff for their hard work. Patrick Wright will be missed and thanks to him for all that he does.

Executive Session discussion per 1 M.R.S. §405 (6)(c): Fourth Addendum Option Agreements - Former TW Dick property:

Motion by Councilor Cusick Per 1 M.R.S. §405 (6)(c) to begin Executive Session to discuss a real estate matter; motion seconded by Councilor White. Motion carried by unanimous vote 7-0.

Consideration of Fourth Addendum to Option Agreement with Developers' Collaborative:

Following the executive session, Councilor Cusick moved to accept the extension on the option agreement and the motion was seconded by Councilor White. Motion passed by unanimous vote 7-0.

Executive Session discussion per 1 M.R.S. §405 (6)(F) to discuss a lien dismissal:

Motion by Councilor Berry to begin executive session; motion seconded by Councilor Rines. Motion carried by unanimous vote 7-0.

Vote to approve the dismissal of a lien and lien charges on a certain property:

Following the executive session Councilor Berry made a motion to remove the late fees associated with a property lien; motion seconded by Councilor Rines. Motion carried by unanimous vote 7-0.

ADJOURN:

Meeting adjourned at 10:10 p.m.

Respectfully submitted by,
Lisa Gilliam, City Clerk

Minutes approved during 04/18/2018 meeting