

GARDINER CITY COUNCIL MEETING
Wednesday, February 22, 2017
(Original Meeting, February 15, 2017 Postponed Due to Weather)
Gardiner City Hall

Mayor Thomas Harnett called the regular Council Meeting to order at 6:01 p.m.

Roll Call:

Mayor Thom Harnett; Councilors Terry Berry, Timothy Cusick, Shawn Dolley, Phil Hart, Maryann White, Jon Ault & Patricia Hart. Also present were City Manager Scott Morelli and City Clerk Lisa Gilliam.

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

Mayor Harnett opened the meeting to public discussion; hearing none the public discussion was closed.

Consent Agenda:

Mayor Harnett stated the discussion with David Barrett from MMA regarding the City Manager search has been removed from this evening's agenda.

Consideration of Eliminating Street Light on Beech Street (concluded):

Manager Morelli and Public Works Director Tony LaPlante gave an update on this item and the options they have to help address the issue. Manager Morelli said they recommend installing a shield on the light, which would resolve the request from the resident who asked for its removal due to light filtering into their bedroom window and it would still allow the light to remain in place for safety issues, which was a concern for the other residents in that neighborhood. A brief discussion followed. Motion by Councilor Ault to instruct the City Manager to have CMP install a light shield on the street light located on pole #4 on Beech Street and to work with the affected resident to see if this resolves her concern and to report back his findings to City Council as soon as possible; motion seconded by Councilor Cusick. A brief discussion followed. Motion carried by unanimous vote 8-0.

Discussion with AARP Regarding "Age Friendly Communities:"

Mayor Harnett introduced Patricia Oh from AARP who gave a brief presentation on this program. Ms. Oh said there is no cost to join this program. A brief discussion followed. No motions on this item were made.

Consideration of 2017 Goals & Meeting Guidelines:

City Manager Morelli reviewed this item with the Council. He said a summary of the meeting was presented to the Council and it would require their approval. Motion by Councilor Patricia Hart to approve the 2017 Council Goals and Meeting Guidelines, as written in the attached document; motion seconded by Councilor Ault. Discussion followed. Councilor Phil Hart asked to reword the line that refers to "refugees, asylum seekers" being welcomed into the community. Mayor Harnett said the City of Gardiner is a welcoming community to new residents and said he did not want to see the language changed. Councilor Patricia Hart said she supports the Mayor and the language in the document as presented. At this point, several residents requested to speak publicly on this issue:

- Louis Sigel said he supported the language as presented in the document.
- Camille Desoto said she was in agreement with Mr. Sigel, stating Gardiner is a welcoming community; but the City should not be naive to those who are welcomed into the community and then noted the issues with passports and green cards that are not legal. She also stated that aid/general assistance is being cut at the state level and this burden would fall on municipalities for those from foreign countries who were reliant on state aid.
- Eileen Hagerman, who recently purchased a home in Gardiner, spoke to this issue stating that she was pleased that Gardiner is a welcoming and diverse community and that more people moving into the community is a part of the city's revitalization.

- Kayla Leighton spoke on the community being open to all new residents who move to Gardiner. She said the city should make them feel welcomed and allow them to become involved in the community.
- Doug Birkfeld said he supports the language presented by the Mayor and that he supports the idea of new residents being welcomed into the Gardiner community.
- Terry Pulley also spoke in support of all ethnicity being welcomed into the community and that by doing so it would promote growth.
- Debby Willis briefly spoke of her time living in a muslim community while in the service and the importance of Gardiner being a community that is welcoming and supportive of all diversity.
- Keith Pulley said he appreciates what the Mayor and City Council are trying to do.
- Meaghan Carlson said she is fortunate to have a mixed race child in her family and the positive impact that a diverse culture brings to the city and the children within the community.
- George Trask spoke of his time working with refugees during the 1970's and that diversity brings a positive impact to the community.

A brief discussion followed. Councilor Dolley said he was pleased to see the community speak positively about this issue. Motion carried by unanimous vote 8-0.

Public Hearing and Second Read of Amendments to Land Use Ordinance:

Motion by Councilor Patricia Hart to approve the proposed amendments and waive publication of the amendment in a newspaper; motion seconded by Councilor Cusick. Motion carried by unanimous vote 8-0.

Consideration of Second Reading and Public Hearing on General Obligation Bonds:

Finance Director Denise Brown presented a correction to the bond, noting an error to the previous calculations. Councilor Berry moved to approve the acquisition of a \$163,060 General Obligation Tax-Exempt Bond; motion seconded by Councilor White. Mayor Harnett said he would not be speaking or voting on this item due to a conflict of interest. Councilor Phil Hart expressed his concern with this purchase. Mayor Harnett opened the meeting to public comment:

- George Trask said he felt that the wrong fire truck is being replaced; he said the truck in question received several upgrades over the years. Mr. Trask said that he is concerned with the cost to the city's taxpayers with the purchase of this new fire truck.
- Maureen Blanchard asked if the truck passed code; Manager Morelli said the truck being replaced meet the needs of the grant. Ms. Blanchard said the city should purchase the truck instead of bonding it.

A brief discussion continued. Councilor Dolley said the tax rate of the bond makes it a better deal for the city, but he appreciated the perspective that Councilor Phil Hart had on this issue. Councilor Ault requested the vote be called and said the discussion of the fire truck had been decided upon at previous meetings. Motion carried 6-1 with Councilor Phil Hart being opposed and the Mayor abstaining from the vote.

Consideration of Liquor License Renewal – The Depot Pub:

Motion by Councilor Cusick to approve the renewal of a liquor license for the Depot; motion seconded by Councilor Ault. Manager Morelli said that all department heads had signed off on its renewal. Motion carried by unanimous vote 8-0.

Consideration of a Bottle License Renewal – Sportsmen's Club:

Motion by Councilor Berry to approve the renewal of a Bottle Club License for the Gardiner Sportsmen's Club; motion seconded by Patricia Hart. Manager Morelli also noted that the department heads approved the renewal. Motion carried by unanimous vote 8-0.

Consideration of a Pawn Brokers License – Gardiner Trade Pawn:

Motion by Councilor Ault to approve the Pawn Brokers License for Gardiner Trade Pawn under the new ownership of Timothy Polley; motion seconded by Councilor White. It was again noted that all department heads approved the issue of this license. Motion carried by unanimous vote 8-0.

Consideration of Appointments to Various Boards and Committees:

The following appointments were presented to the Council:

- Ordinance Review Committee: John Burgess & Louis Sigel
- Historic Preservation: Melian Mulherin
- Planning Board: Pam Mitchell
- Board of Appeals: Edward Potter
- Wastewater Advisory Committee: Alex Rosenberg & Raymond Morang
- Conservation Committee: Phil Barter

Motion by Councilor Patricia Hart to approve the appointments to the various boards and committees as presented; motion seconded by Councilor Phi Hart. Motion carried 7-0; Councilor Ault not present for the vote.

First Read and Public Hearing on Consideration of Appropriation from Fund Balance Toward Johnson Hall Renovation:

Representatives from Johnson Hall were present to discuss this item and answer questions. Andy McLean, Logan Johnston and Carolyn Kimberlin each gave a brief statement on the benefits these funds would bring to Johnson Hall and the impact it would have on the community. Manager Morelli then reviewed his recommendation for approval of this item. Discussion followed. Councilor Phil Hart spoke in support of this item based on the longevity of the building and what it will bring to the community. Councilor Berry wants the contract to reflect these funds are designated for this use; Mr. Johnston said the money would be released to Johnson Hall upon the signing of a construction contract. Councilor Cusick wanted to make sure these funds would fulfill this project into its eventual completion for the community to see it's benefits.

Mayor Harnett opened the discussion up to the public.

- John Callinan who owns Craft Beer Cellar in downtown Gardiner spoke in favor of supporting Johnson Hall. He said the downtown development in Gardiner was one of the main reasons why he decided to bring his business to Gardiner and this will bring a positive financial impact on the city.
- Maureen Blanchard spoke against the city appropriating funds for Johnson Hall. She feels that the city needs to focus on saving the taxpayers money before giving more financial support to Johnson Hall. She said there are union needs and equipment purchases that need to be considered first before continuing to support this ongoing project.
- Robert Abbey spoke briefly of the buildings history and the positive feedback he hears during each event that he works at for Johnson Hall. He also spoke of the financial impact that each show has on the local restaurants, shops and stores in Gardiner and that will only grow as the renovations will bring more people to the events.
- Matt Marshall said the presentation tonight was very informative, but it did not change his mind about supporting this issue. He expressed concern with Johnson Hall being able to sustain itself once the renovations are complete. Mr. Marshall said he is supportive of the arts and hopes that Johnson Hall is successful, he just doesn't agree that the city should allocate these funds for this issue.
- Jason Goucher, the owner of Niche was the next to speak. He said he opened his business near Johnson Hall because he is a supporter of the arts. He said that with these city funds Johnson Hall will thrive and that success will spread to the other businesses in Gardiner.
- Matt Marshall spoke again and said he would be more supportive of this appropriation if the city were to get their money back in the taxes that Johnson Hall would pay for a designated amount of time.

- Kayla Leighton spoke on the importance and value of arts in the community and the draw that it will have on bringing people who are from outside of the Gardiner area.
- Dr. Paula Strait spoke in favor of Johnson Hall and the liveliness they will bring to the community. She also said that support of Johnson Hall will build a stronger community that will sustain for generations.
- George Trask said the arts have worked well in the city and the benefit it has already brought to the downtown businesses; his only concern is the money being used could be a big benefit to the local taxpayers. Mr. Trask said he hopes to see Johnson Hall completed and thriving in the very near future.
- Shawn Menard who manages the Food Co-op spoke in favor of Johnson Hall. He said he hears great feedback from community members and neighboring community members who are visitors to Johnson Hall and the positive impact they have on the community. He encourages the City of Gardiner to support Johnson Hall and to see it through until completed.
- Melinda Hahn who resides in Gardiner spoke in favor of the city supporting Johnson Hall. She said Gardiner is a valuable community and the arts are a big part of that. She feels supporting Johnson Hall is an investment in the downtown but also in the residents who live here. It will also be a big investment in the Gardiner economy.
- Dr. Barbara Usterling Heath spoke in favor of Johnson Hall. She said she and her husband feel the benefits this will bring to the community far outweigh not wanting to support it. She supports the city making a commitment to Johnson Hall and its future.
- Michael Giberson who is the co-owner of the A1 Diner was next to speak. He gave his support of the city designating money to Johnson Hall because of the huge financial impact it has on local businesses and the vibrant atmosphere it provides for the city. Supporting Johnson Hall will help the city thrive for years to come.
- Stacy Morrison said Johnson Hall is an economic driver for the city. She feels the business plan presented by Johnson Hall is viable and proof of that is the support given to Johnson Hall by local banks. Johnson Hall will be a benefit to all of Gardiner and will allow it to continue to grow for years to come, it's an overall investment in the community.
- Cheryl Clark said her first year living in Gardiner was financially difficult for her, but when she did spend money on entertainment she spent it at Johnson Hall. People travel for quality acts and performers if there is a larger venue and that is what Johnson Hall will provide.
- Debby Willis said that Johnson Hall is important to the city and the continuing growth it will bring. She spoke about a similar theatre in Dover-Foxcroft and the positive impact it has had on that community; supporting Johnson Hall will do the same.

Mayor Harnett thanked all of those who spoke this evening. Motion by Councilor Ault to move to the financial appropriation of \$150,000 to Johnson Hall from undesignated fund balance to a second read; motion seconded by Councilor Dolley. Discussion continued. Councilor Phil Hart spoke about the other financial obligations the City currently has and those that may be unexpected over the next few years to come; he also spoke about residents, namely the elderly who struggle financially. Councilor Hart said these are things the city also needs to focus on and that maybe an item like this should be put out to be voted on by the residents. Mayor Harnett said as elected officials we are in charge of making these types of financial decisions without putting items out to vote. Councilor Ault said he is very supportive of this project and he thanked everyone who came out to speak on this issue. Councilor White spoke of the positive comments that were stated here tonight and the support the community has for Johnson Hall. Motion carried 7-1 with Councilor Phil Hart being opposed.

At 9:30 p.m. the City Council took a brief break.

At 9:40 p.m. the City Council returned to regular session.

Executive Session Per 1 MRS 405 6(C) to Consider Purchase and Sale and/or Option Agreements for Lots at Libby Hill Business Park:

At 9:45 p.m. motion by Councilor Phil Hart to enter into executive session; motion seconded by Councilor Ault. Motion carried 8-0.

Consideration of Accepting Purchase and Sale and/or Option Agreements for Lots at Libby Hill Business Park:

No action taken.

Executive Session Per 1 MRS 405 6(A) to Discuss Interim City Manager Proposal:

At 11:10 pm motion by Councilor Dolley to enter into executive session; motion seconded by Councilor Cusick. Motion carried 8-0.

Consideration of Appointment of Interim City Manager:

Motion by Councilor Cusick to appoint Anne Davis as Interim City Manager, subject to the terms outlined in the proposal; motion seconded by Councilor Phil Hart. Motion carried 8-0.

Mayor Harnett said they will move the City Manager's Report and the City Council Report to the next Council Meeting.

ADJOURN:

Motion by Councilor Patricia Hart to adjourn; motion seconded by Councilor Ault. Motion carried 8-0.

Meeting adjourned at 11:25 p.m.

Respectfully submitted by,
Lisa Gilliam, City Clerk