

GARDINER CITY COUNCIL MEETING
Wednesday, November 1, 2017
Gardiner City Hall

Mayor Thomas Harnett called the regular Council Meeting to order at 6:30 p.m.

Roll Call:

Mayor Thomas Harnett; Councilors Terry Berry, Tim Cusick, Maryann White, Patricia Hart & Jon Ault. Councilors Phil Hart and Shawn Dolley were absent. Also present were Interim City Manager Anne Davis and City Clerk Lisa Gilliam.

Mayor Harnett briefly spoke about the upcoming discussion concerning "Indigenous People Day." He said this topic is not on the agenda for discussion at tonight's meeting and he apologized for any confusion regarding this.

The Mayor also thanked the community for all of the efforts from the City employees and residents who worked together during this week's storm damage, those who gave out food and those who put together a trunk or treat event for the children

Ault – Apologized for also announcing that the "indigenous People Day" was going to be on the agenda. He noted that the link on the City's website was not working with the agenda on the calendar for the Council Meeting.

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

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

Consent Agenda:

Executive Session per M.R.S. §405 (6)(D) to discuss union contracts:

Time: 6:05pm

1st Cusick

2nd Berry

Direction provided to staff and negotiator and will come back at a future meeting.

Vote to accept a union agreement between the City of Gardiner and local 2303 of the IAF:

I move to instruct the Interim City Manager to ratify a contract with Local 2303 of the International Association of Firefighters

Discussion of bringing "the Wall that Heals" to Gardiner next summer:

A representative from Christ Church will be here to discuss plans to bring this mobile Vietnam War Memorial to Gardiner. They hope to set it up on Gardiner Commons and to hold events commemorating an anniversary of the church. To learn more about this poignant wall, please go to:

<http://www.vvmf.org/twth>

Interim Manager Davis introduced this item. Billy and Liz Hall from the Christ Church were present and gave a brief summary of their plans to bring this to the City of Gardiner. Billy said she is hoping that community members would be involved in this and that it's an honor to have the Wall that Heals brought to the City of Gardiner.

This discussion is an informational only agenda item and Ms. Billie Ellis will be happy to answer any questions that the Gardiner City Council may have about this event. City staff will work with the organization in acquiring all necessary city permits.

Informational only with no action needed.

Addendum: Acceptance of a Maine Emergency Management Agency (MEMA) grant of up to \$25,000 to purchase a generator:

This generator will be stored at the Public Works garage and will be used to ensure that the garage has power during power outages. It is a portable generator and can be used at a designated emergency shelter.

There may be some cost to the city for electrical work in order to hook it up.

Public Works Director Tony LaPlante was present and reviewed this item with the City Council. He stated that the Council would need to approve the acceptance of the grant so that he could proceed with acquiring it.

Councilor Patricia Hart moved to accept a grant of up to \$25,000 from MEMA to purchase a generator to be stored at Gardiner Public Works garage; seconded by Councilor White. Discussion followed. Motion carried by unanimous vote 6-0.

Public Hearing and First Read of Extending Moratorium on Various Recreational Marijuana Activities:

The Marijuana Task Force has asked for an extension of the above moratorium for another 180 days. The current moratorium expires on 11/3/17. The committee has met every month to discuss retail sales, production, labs and social clubs. They recommend the extension so that their report may be evaluated by City Council and then allow time for rules to be put into place.

Motion by Councilor Berry to extend the moratorium on various recreational marijuana activities for 180 days from November 3, 2017; motion seconded by Councilor Cusick. Discussion followed. It was noted that public discussion would take place at the second read.

Councilor Ault asked Councilor Berry if he felt the 180 days would be sufficient; Councilor Berry said it would help the entities involved. Louis Sigel spoke briefly stating the Legislature has passed a bill on the marijuana topic but no one is sure what the Governor will decide to do with this bill. He said moratoriums would end if the Governor signs the bill or if he lets the 10 days expire without signing it.

Motion carried by unanimous vote 6-0.

First Read - Land Use Ordinance Amendments re: Chickens, bees & administration:

Before August 2017, the City Council voted to instruct the Ordinance Review Committee (ORC) to look at updating the chicken and beekeeping provisions of the ordinance based on citizen requests.

With the assistance of the contract planner, Mark Eyerman, the ORC reviewed drafts of chicken and beekeeping standards and at the August 21, 2017 meeting the ORC made recommendations to be sent to the Planning Board for public hearing.

After the City Solicitor, Jon Pottle reviewed of the drafts, several administrative changes were necessary to coordinate the affected sections. The ORC agreed with the changes on September 25, 2017.

After the public hearing at the October 10, 2017 PB meeting it was voted to send the recommended changes to the City Council for review and adoption.

The recommended changes are to amend Section 2 Administration and Enforcement - paragraphs 2.1.1.14 Code Enforcement Officer, 2.2.1 Enforcement, 2.4.4.1, 2.4.4.2, 2.4.4.6 & 2.4.4.8 Appeal Procedure, 2.4.5.1 Administrative Appeals, 2.4.5.2 Planning Board & Historic Preservation Appeals, 2.4.5.3 Variance; amend the Rural Uses Section of 7.6 Land Use Table to include Accessory Beekeeping; amend Section 10.3.2 Standards for Accessory Animal Husbandry; amend Section 10.3.3 Standards for Chicken Keeping Residential; add Section 10.3.6 Standards for Beekeeping; amend Section 17 Definitions, Commercial Animal Husbandry and add Accessory Beekeeping.

Planning Board Chair Debby Willis and CEO Barb Skelton were present and reviewed this ordinance with the Council.

Councilor Ault moved to send these Land Use Ordinance Amendments re: Chickens, bees & administration to a second read scheduled for 11-29-2017; motion seconded by Councilor Hart. Discussion followed. Councilor Ault and Patricia Hart felt these updates to the LUO are well intended, appropriate and needed.

Mayor Harnett opened the public hearing on this issue. Eileen Hagerman from Beech Street spoke first about the care taking of chickens. Thanks for the bees. Public hearing closed. Motion carried 6-0 by unanimous vote.

Consideration of City Council Minutes:

to approve the City Council Meeting Minutes for the dates of August 23, 2017 and September 6, 2017.

Motion by Councilor Cusick, seconded by Councilor White. August 23 update Mayor typo second line response. Motion carried 5-0, councilor Ault not present for vote.

MANAGER'S REPORT:

- Thanked all department heads and city employees for their work during this weeks storm and power outage. There was also a fire today where the cats were saved. Carbon monoxide leak as well today. Please be aware of carbon monoxide danger.
- Trees policy will be brought forward to the City Council.
- Upcoming joint workshop with the planning board and ordinance review committee will be upcoming.
- 2019 budget workshop scheduled for November 22nd.
- Great visit with Jim Keenan will be having Wreaths Across America for the December 16th.
- Veterans Dinner Sunday at Christ Church.
- Council Meetings will need to be scheduled for January. January 3rd will be inauguration.

Council Update:

- Councilor Berry – Thanks to the community for working together through this storm.
- Councilor Cusick – Great work by City Employees and Public Safety during the storm. Loved the efforts for trick or treating on Halloween. Paving is doing great. Listen to tape for last item.
- Councilor White – Great work by all city employees during this storm. Hard to believe she's completed her first year on the City Council.
- Councilor Ault – Wanted to thank Councilor Patricia Hart for being an excellent spokesperson for the City Council and that he values her work for the community. Also a public thank you to the Mayor for his great example and leadership.

- Councilor Patricia Hart – Also noted the great community effort and the city employees who worked above and beyond. Can “Stop” be painted on the street pavement at the 4-way intersection. Thanks Councilor Ault for his comments. Read a letter from MSAD 11 about the budget process and she said she would like to see the City’s process written and presented to the school board.
- Mayor Harnett – Spent a lot of time at City Hall. He said he is very pleased at the leadership shown this week during this storm event. Great work by all. Trick or Treating Downtown was the largest turnout so far for this event. Two Gramps has opened and is another wonderful addition to the downtown. He has noticed that at the 4-way intersection there needs to be clarification that part of Water Street is one way, it is a danger.

ADJOURN:

Motion to adjourn by White, seconded Ault. Carried 6-0.

Meeting adjourned at 7:54pm

Respectfully submitted by,

Lisa Gilliam, City Clerk