

Mayor Harnett called the meeting to order at 6:00pm

- **ROLL CALL**

Thom Harnett, Mayor at large; Councilors: Terry Berry, District 1; Tim Cusick, At large; Mark Rines, District 4; Jon Ault, At large; Shawn Dolley, District 3; Maryann White, At large

Absent: Councilor: Patricia Hart, District 2

Also in attendance: City Manager, Christine Landes; City Clerk, Kelly Gooldrup; Dorothy Washburne; Mike Gent; Peter Giampetruzzi; Joel Alexander; Roland Pinette; John Hussey

- **PETITIONS, PUBLIC HEARINGS, PUBLIC COMMENT (anything not on the Agenda)**

-Dorothy Washburne expressed her concern regarding the tree discussion during the previous meeting. She is disappointed with the decision to remove the tree. The care by the City regarding street trees needs to be addressed.

-Ronald Pinette from Home Deals of Maine is trying to purchase the iron mine trailer park. We are having difficulties due to State laws on a sewer lien foreclosure. Mayor Harnett recommends the City Manager setup a meeting with Mr. Pinette to discuss the next steps in the purchase process.

-Michael Gent is concerned about the condition of the Billiard Hall. He is asking the City to see this building is brought to code.

- **NEW BUSINESS**

1. Public Hearing and First Read of a Proposed General Obligation Tax Exempt Bond not to exceed \$129,500

*During the FY18 budget process, the City Council approved a 9-year bond in the amount of \$185,000 for a new loader. After trade-in, the amount to fund is \$155,526. The proposal is to reduce the loan amount by the first year payment (current year), as shown below and bond \$129,500 for 6 future years instead of 8.*

<i>Selling Price</i>	<i>187,500</i>
<i>Less Trade</i>	<i>(38,000)</i>
<i>Balance</i>	<i>149,500</i>
<i>Plus Warranty</i>	<i>6,026</i>
<i>Total</i>	<i>155,526</i>
<i>FY19 amount/pay up front</i>	<i>(26,026)</i>
<i>Amount to Bond</i>	<i>129,500</i>

*City Charter requires Council to hold two readings of any proposed bonding. Second Reading will be on November 7, 2018.*

Mayor Harnett opened the public hearing at 6:19pm and asked for any comment. Seeing none, Mayor Harnett closed the public hearing at 6:19pm and asked the Council for a motion.

Councilor Ault moved to send the acquisition of a General Obligation Tax Exempt Bond to a second reading on November 7, 2018.

Councilor Cusick Seconded.

Mayor Harnett asked for any further discussion. All those in favor. Unanimous

2. Public Hearing and Second Read of Proposed Amendments to the City's Dog Control Provision

*This agenda item was discussed in detail at the September 5, 2018 meeting. At that time, the option chosen was Option #1: Section 1761 to read:*

*'For purposes of this chapter, "run at large" shall mean off the premises of the dog owner or by permission of the property owner and not under control of any person by leash, cord, chain or other restraining device. The leash, cord, chain or other restraining device shall not exceed six (6) feet in length.*

*No action necessary*

Mayor Harnett asked for any discussion from the Council before opening the public hearing. Seeing none, I will open the public hearing at 6:22pm.

Peter Giampetruzzi, read a letter out loud and voiced his opposition of the new proposed ordinance.

John Hussey, 190 Brunswick Ave – I have walked my dogs responsibly for the last 30 plus years. It is too restrictive on the six-foot leash. Doesn't account for owner's height, I think it should be up to the owner to be responsible about how to restrict their dog.

Penn Estabrook, 64 Lincoln Ave - I concur with the downtown area, but there are a lot of rural areas and maybe the restrictions should be different. There should be provisions for fewer restrictions in some areas of the City.

Peter Giampetruzzi - I would consider it to be onerous to have to ask all property owners to hunt with my dog. Who would I ask on the lake or river during the winter?

City Manager Landes said the Police Chief, the Animal Control Officer, the Code Enforcement Officer and I would address the swimming and hunting issue after we pass the ordinance.

Mayor Harnett closed the public hearing at 6:34pm.

3. Adoption of Amendments to the City's Dog Control Provision

*This adoption shall become effective November 16, 2018.*

Councilor Cusick moved to adopt the Amendments to the City's Dog Control Provision.

Councilor Berry Seconded.

Councilor Berry said he has thought a lot about the ordinance, we have an urban compact zone. Does it make sense to restrict this ordinance?

Councilor Ault will support the ordinance with the expectation to review this further.

Councilor White asked if we have to start over and open it back up.

City Manager Landes responded that you cannot change the proposal without starting over from the beginning.

Councilor Cusick said we don't want to pick and choose areas. We need to be careful not to send mixed areas and signals to the police about where it can happen.

Councilor Dolley said the feedback we are receiving is very good, but we need to move forward on this ordinance now for public safety. Maybe put a committee together to consider changes.

Councilor Rines thanked the public for some excellent points. I am supporting this bill for safety reason, but would like to see a committee formed and will be an advocate and willing to Chair the committee.

Mayor Harnett asked for any further discussion. Seeing none. All those in favor. Unanimous

Councilor Rines moved to motion to begin a committee to address these issues within six months.

Councilor Berry seconded.

Councilor Ault endorsed this committee.

Mayor Harnett asked for any further discussion. Seeing none. All those in favor. Unanimous

4. Special Event Permit/Downtown Trick or Treat/Gardiner Main Street

Councilor Cusick moved to approve the Special Event Permit for the Annual Downtown Trick or Treat Event being held by Gardiner Main Street on October 26, 2018 from 3:00pm-5:00pm.

Councilor Dolley seconded. Any further discussion. All those in favor. Unanimous.

5. Discussion with CEO Skelton regarding 78 Central Street

CEO Skelton explained the pictures presented to the Council. The first photo was taken in July, yesterday is much clearer, next photo is the original discussion back in March.

Councilor Ault how has the relationship with the City and owner been?

CEO Skelton said the owner is not living in the area. He is working on the property. Please contact me if there are any concern.

Councilor Ault said a fox from that property bit a neighbor and there was action taken and now going backwards a bit.

CEO Skelton said it is on my radar to keep an eye on the property.

Councilor Ault asked if there are any structural improvement plans?

CEO Skelton said no.

Councilor White asked for clarification of “out of the area”?

CEO Skelton responded that he is not in Gardiner. He is in Maine but further south.

No action necessary.

Councilor White left the meeting. 7:01p

6. Discussion with Chief Nelson regarding a grant application to replace Engine 2

*In preparing this grant, the City will need to commit \$200K in matching funds to receive an estimated \$350k. If the City is awarded the grant, there would be a year to fill the commitment, so funding could be allocated in FY20.*

Chief Nelson presented the City Council with details surrounding a grant application that he would like to submit to replace Engine 2 in FY20.

Mayor Harnett said we cannot commit a future council to a price, we can approve for you to apply for the grant and deal with the aftermath if the grant is awarded.

Chief Nelson responded that the timing now is different than before.

City Manager Landes recommends the Council approve this grant application. It is a third of what the vehicle costs.

Councilor Berry said this is a very competitive process. We may not get it, so if we wait until FY19 to apply, we are just pushing the gate further on.

Councilor Berry moved to allow Chief Nelson to submit a grant application to replace Engine 2 in FY20 for \$450,000.

Councilor Ault seconded.

Councilor Ault supports the application, but is concerned with the future commitment of \$200,000.

Chief Nelson says the application says there is a line on the application that says we have this much money towards it. It impacts the scoring of the application.

Mayor Harnett asked for any further discussion. Seeing none. All those in favor. Unanimous

7. Consideration to obtain a new Ambulance

*Chief Nelson will be present to facilitate this discussion.*

*The City Council is being asked to reduce the existing debt by using \$85K of the Fund Balance. (Currently there is \$124K available.) Doing this, the FY20 Fire/Ambulance budget will be reduced by \$58K. The City will purchase a new Ambulance and have the*

*first payment due in FY20 for \$45K. This would be for a term not to exceed six years (which is normal life of vehicle).*

The Fire/Ambulance debt includes \$33K a year for three more years on Rescue 3, and \$25K a year for two more years on Rescue 1 and 2.

The Ambulance Board will be addressing this matter at a future meeting.

Councilor Ault moved to utilize \$85K from the Ambulance Fund Balance to reduce FY20 debt by \$58K and FY21 debt by \$27K. This reduction would allow the City to obtain a new ambulance in FY19, with the first payment of \$45K due in FY20. Councilor Cusick seconded.

Councilor Berry asked if this has been run by the ambulance advisory committee. Chief Nelson said yes but we are waiting for an official vote although they are in favor of it.

Councilor Cusick said we are looking to buy new trucks, but do we have staffing for them?

Chief Nelson says new person starts working Monday.

Mayor Harnett asked for any further discussion. Seeing none. All those in favor. Unanimous

8. Resolution Adopting the MaineSpark Coalition

City Manager Landes explained the MaineSpark Coalition, formerly Maine Workforce and Education Coalition, has a goal to close the documented workforce quality and quantity gap standing in the way of economic growth in Maine. By 2025, Maine will increase the post-secondary attainment of its workforce to 60%. This attainment will meet the future workforce needs.

Councilor Cusick moved to adopt the MaineSpark Coalition Year 2025 Goal for Workforce Education Attainment.

Councilor Rines seconded.

Mayor Harnett asked for any further discussion. Seeing none. All those in favor. Unanimous

9. Approve Town of Richmond/GA Administrator as a General Assistance Fair Hearing Authority

*Recently, the General Assistance Department received an appeal to a denial. Following due process, the city was required to have another person review the denial within five business days. Robin Plourde, GA Administrator, has coordinated with the Town of Richmond to facilitate this process and we will reciprocate when they need our services.*

Councilor Berry moved to approve the Town of Richmond as the Fair Hearing Authority for the City of Gardiner.

Councilor Cusick seconded.

Councilor Berry asked why Richmond was chosen.

City Manager Landes said availability and personality.

Mayor Harnett asked for any further discussion. Seeing none. All those in favor.

Unanimous

10. Accept Minutes of the October 3, 2018 Meeting

Councilor Cusick move to approve the minutes of October 3, 2018, as written (amended).

Councilor Berry seconded.

Councilor Ault said item 5 should be Curtis Ayotte not Curtis Ayer.

Mayor Harnett asked for any further discussion. Seeing none. All those in favor.

Unanimous

- CITY MANAGER REPORT

Council members may have seen the article in the Kennebec Journal this morning regarding dispatch services. We did not mean to keep that away from the Council. We will come back to the Council with a resolution.

Paving has not completely started. Due to weather and the paving plant has been broken down. Councilor Cusick said he hopes that for next year, once the budget is passed that the paving gets done sooner in the year.

- CITY COUNCIL REPORT

Councilor Ault wants the Council and City to consider taking care of the trees.

Councilor Rines thanked the public for such thoughtful words on the dog ordinance both positive and negative. Also to thank Gardiner Main Street for the Swine & Stein event.

Councilor Dolley: all set.

Councilor Cusick: all set.

Councilor Berry asked if there has there been a game plan for the Economic Development Director.

City Manager Landes said the Planning Assistant is working on comparisons.

Mayor Harnett echoed Councilor Rines regarding Gardiner Main Street. Also thanked Councilor Rines for stepping up and offering to Chair the Citizen Committee regarding tweaking the newly adopted dog ordinance revision.

- ADJOURN

Councilor Berry moved to adjourn. Councilor Cusick seconded.

Mayor Harnett asked for any further discussion. Seeing none. All those in favor. Unanimous

7:36pm