

GARDINER CITY COUNCIL MEETING
Wednesday, April 5, 2017
Gardiner City Hall

Mayor Thomas Harnett called the regular Council Meeting to order at 6:02 p.m.

Roll Call:

Mayor Thomas Harnett; Councilors Terry Berry, Shawn Dolley, Phil Hart, Maryann White & Patricia Hart; Councilors Jon Ault and Timothy Cusick were both 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 Harnett opened the meeting up to public comment. Resident George Trask addressed his concerns about the stipend that had been given to City Department Heads while the City is conducting a search for a new City Manager. Mr. Trask said he agreed with extra pay for the Interim City Manager and for the library employee who had taken on more responsibility during the absence of the Librarian, but he felt the other Department Heads were not deserving of the extra pay for doing their regular work. Mr. Trask also expressed his concern with several of the cemeteries that are in need of better upkeep. Interim Manager Davis stated that due to issues in her personal life she was unable to manage all of the duties as City Manager, which is why the duties were split up amongst other department heads.

With no further members of the public who wanted to speak, Mayor Harnett closed the public comment portion of the meeting.

Consent Agenda:

Consideration of Special Event Permit - Gardiner Artwalk:

Interim Manager Anne Davis updated the Council on this Special Event Permit, which covers all three Artwalk events scheduled for this year; she also said that all of the necessary department heads had given their approval to issue this permit. Motion by Councilor Patricia Hart to approve the Special Event Permit for Artwalk Gardiner to be held on the dates of May 5th, August 4th and December 1st; motion seconded by Councilor Phil Hart. Motion carried by unanimous vote 6-0.

Consideration of Special Event Permit - Easter & Spring Celebration Downtown Gardiner:

Interim Manager Davis briefed the Council on this event and confirmed that the necessary department heads had given their approval for this annual event. Motion by Councilor Patricia Hart to approve the Special Event Permit for the Easter & Spring Celebration Downtown Gardiner to be held on April 15th from 10am to 1pm; motion seconded by Councilor White. Motion carried by unanimous vote 6-0.

Consideration of Special Event Permit - Memorial Day Observance:

Interim Manager Davis noted this event had also been approved by the required department heads. Organizer Jim Keenan was present and introduced Russ Helm who will be the commander of the Legion in the near future, he then briefly reviewed the events scheduled for Memorial Day. Motion by Councilor Phil Hart to approve the Special Event Permit for the Memorial Day Observation and to waive the \$640 fee charged by the City of Gardiner for traffic control provided by the Police Department; motion seconded by Councilor Patricia Hart. Motion carried by unanimous vote 6-0.

Consideration of Liquor License Renewal - Pasta'z:

Interim Manager Davis said this license was a renewal and that approval by department heads had been given. Motion by Councilor Berry to approve the Liquor License Renewal for Pasta'z; motion seconded by Councilor Phil Hart. Motion carried by unanimous vote 6-0.

Waiver Request for Payment of Outstanding Debts:

CEO Barb Skelton was present and reviewed this issue with the Council. The property is located at 16 Leighton Lane and is listed at Tax Map 014-016-001. CEO Barb Skelton recommended the waiver of this payment that would cover the burned mobile home only, which is considered personal property. Motion by Councilor Patricia Hart to authorize the Interim City Manager to issue the quit claim, release the owner from the debt of \$2,010.06 and to have the mobile home removed within 90 days; motion seconded by Councilor Berry. Motion carried by unanimous vote 6-0.

Consideration of Dangerous Building Findings:

CEO Barb Skelton was present and reviewed this issue with the Council. The property in question is located at 21 Adams Street. Motion by Councilor Berry to issue the written Order, with findings, that the buildings/structures are dangerous or a nuisance and require demolition in accordance with the applicable rules and laws and to also authorize the Interim City Manager to seek a deed for this property and have the building torn down within 30 days; motion seconded by Councilor Dolley. Discussion followed. Motion carried by unanimous vote 6-0.

Consideration of City Council Minutes:

Motion by Councilor Patricia Hart to approve the City Council Meeting Minutes for the following dates:

- August 19, 2015
- January 4 & 18, 2017
- February 1 & 22, 2007
- March 1, 8 & 15, 2017

Motion seconded by Councilor White. Motion carried by unanimous vote 6-0.

Cancellation of "Free Land" Program - Libby Hill Business Park:

Interim Manager Davis reviewed this item with the Council. The Council previously approved a policy to encourage lot sales and business development at Libby Hill Business Park known as the "Free Land" program. This program/policy offered that the City would finance the sale of a lot through future CEA payments. Staff would like to request that Council discontinue this program. Council will continue and still be able to offer aggressive Credit Enhancement Agreements to encourage development consistent with over-arching policy for projects in the Libby Hill Area TIF. A brief discussion followed. Motion by Councilor Berry to discontinue the "Free Land" program at Libby Hill Business Park; motion seconded by Councilor Phil Hart. Motion carried by unanimous vote 6-0.

Broadband Discussion:

Technology Committee members Rich Rambo and Hank Uhl were present and gave a review of their committee and their upcoming plans for addressing the need for faster broadband services in the Gardiner area. A brief discussion followed. No motions or action was taken by the Council.

Discussion on FY18 Library, Technology, General Government, Planning/Economic Development, and WasteWater Budgets:

Interim Manager Anne Davis stepped in for Finance Director Denise Brown, who was absent due to illness. Manager Davis reviewed the budgets for the Library, Technology, General Government and Planning/Economic Development. Interim Manager Davis and Wastewater Director Doug Clark reviewed the WasteWater budget. A brief discussion followed. There was no action or motions made by the Council on this item.

Senior Citizen Tax Relief Program:

Manager Davis briefed the Council on this item. Mayor Harnett opened the Public Hearing; with no public comment, Mayor Harnett closed the Public Hearing. Motion by Councilor Patricia Hart to accept the proposed Senior Citizen Tax Relief Ordinance; motion seconded by Councilor Phil Hart. A brief discussion

followed. Councilor Phil Hart was very pleased to see this program become available for the seniors in Gardiner. Motion carried by unanimous vote 6-0.

Second Read Sewer Tax Relief:

Manager Davis reviewed this item with the Council. The Senior Tax Relief Committee researched the original ordinance to see if there would be a way to remove some restrictions so that more residents could take advantage of this program. Last year, only an estimated 13 people received the discount. An updated version of this program was presented to the City Council. Mayor Harnett opened the Public Hearing; with no comment, Mayor Harnett closed the Public Hearing. Motion by Councilor Phil Hart to approve the Amendments to the Sewer Discount Program for Veterans, Elderly & Disabled Residents Ordinance; motion seconded by Councilor Patricia Hart. Motion carried by unanimous vote 6-0.

Moratorium Marijuana:

Anne Davis gave a brief update on their progress, as did Chairman of the committee Terry Berry. They both feel they are making great progress during their meetings, but they would like to extend this moratorium for an additional 180 days. One meeting of the committee was canceled due to weather. Members are having a difficult time identifying informational experts on the retail, production, growth and establishments of social clubs in order to make a recommendation to City Council. The difficulty in making any recommendations is that the state legislature is still debating the actual law. A brief discussion followed. Motion by Councilor Berry to extend the current moratorium for an additional 180 days; motion seconded by Councilor White. A brief discussion followed. Motion carried by unanimous vote 6-0.

Consideration of 2016 Annual Report Dedication:

Mayor Harnett suggested Scott Morelli. Patricia Hart suggested Clarence McKay. A brief discussion followed. It was noted that the Annual Report had been dedicated to Clarence McKay in a previous year. The Council agreed to dedicating the Annual Report to former City Manager Scott Morelli. No motion was made or necessary for this item.

Executive Session per 1 MRS Section 405 6 (C) to Consider Option 2 on Summer Street:

Motion by Councilor Berry to begin executive session; motion seconded by Councilor Patricia Hart. Motion carried by unanimous vote 6-0.

Executive Session began at 8:50 p.m. and ended at 9:50 p.m.

Consideration on Option 2 on Summer Street:

Motion by Patricia Hart to approve the changes to the option agreement as presented with two alterations: change the word shared to negotiate the specific number of spaces that can be used for lot 31 to serve the building on lot 24 at the time of purchase and sale; and to direct the Economic Development Coordinator to negotiate with the interested party and to also work with the Mayor on any issues that come up. Motion seconded by Councilor Berry. Motion carried by unanimous vote 6-0.

CITY MANAGER'S REPORT:

- The current City Code says permits can't be issued if money is owed on the property owner's real estate taxes; this subject will be brought before the Council at a future meeting. This will come back before the council at some point after the budget.
- Applications for the City Manager position will be dropped off on April 11th for the City Council to review. On April 19th there will be a meeting with MMA to review the process moving forward.
- Fire Chief Al Nelson is currently in DC to meet with Senator Susan Collins and other officials regarding fire departments.
- The City will be continuing talks concerning the communications tower that is of interest to Public Safety.

Council Update:

- Councilor Patricia Hart – A big thank you to the City Tax Collector Kathy Cutler for her outstanding work for the City, as well as the Interim City Manager Anne Davis.
- Councilor White – Remarked on the great job being done by Anne Davis and the City Staff during the absence of a full-time City Manager. A former student of Councilor White recently became a home owner in the City.
- Councilor Phil Hart – Gardiner Feed is not closing their business, this is just a rumor right now. Councilor Hart's daughter in Westbrook listens to Council Meetings as they are being streamed. He also stated that the transition is going very smoothly while the search continues for a City Manager.
- Councilor Dolley – Thinks it's important for residents to come in and speak their minds; expressing opinions is important, but he didn't think it was appropriate for residents to be yelling and bullying when they are addressing the Council or members of the public.
- Councilor Berry- Thanked the staff for stepping up during the absence of a full time City manager and also thanked the staff for walking him through the process of hiring.
- Mayor Harnett – Also thanked Anne Davis for filing in as the Interim City Manager. April 15th is the Easter celebration downtown. April 22nd is record store day at Niche; there will be 22 stores in the downtown that will be open with performers playing. He also stated that Gardiner is a welcoming community, on Sunday at the Unitarian Church they will host young people gathering to welcome new neighbors. He also mentioned that there will be a tasting on Friday at Craft Beer Cellars.

ADJOURN:

Motion by Councilor White to adjourn; motion seconded by Councilor Berry. Motion carried by unanimous vote 6-0.

Respectfully submitted by,
Lisa Gilliam, City Clerk