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Debby Willis, Chairperson  
Angelia Christopher, Administrative Assistant

## **ORDINANCE REVIEW COMMITTEE**

### **MEETING MINUTES**

**Thursday January 9, 2020@ 5:00 PM**

**Regular Meeting**

**City Hall Council Chambers**

**1.) Call the meeting to order-** Chair Willis called the meeting to order at 5:00 pm

**2.) Roll Call-** Chair Debby Willis- Rusty Greenleaf, Louis Sigel, Mayor Pat Hart-

Clare Marron- Absent- Lester Young

Also present- Kris McNeill- CEO, Tracey Desjardins- EDD, Angelia Christopher-

Planning and Development Assistant -

**3.) Review of Meeting notes-**

Review of October 28, 2019 meeting notes- Mayor Pat Hart moved to accept the minutes

as written- Clare Marron seconded the motion. All are in favor.

Review of December 16, 2019 meeting notes. Clare Marron pointed that out there was an

incorrect last name on page one. Clare Marron motioned to approve the minutes with the

correction of 'Kristen Willis to Kristen Collins'. Louis Sigel seconded the motion. All

were in favor.

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#### **4.) Mobile food vending units (aka Food Trucks)**

Mark Eyerman has developed a memo, and a draft ordinance for the committee to review.

The definition of a 'Food Truck' is a Mobile food vending unit. Food Trucks can run in three different operating environments. Sometimes they are parked on public streets, in some cases units are located in a public parking lot or park, and in some cases units are located on private property. Food trucks tend to end up in brew pub and tasting room lots, which are growing in popularity. They are required to be licensed by the state, and will also need a victualers license to do business in the City of Gardiner. The City will require food trucks to obtain a separate license to operate in the City. They can apply for short term (up to 3 days) or longer term (1 yr.) licenses depending on their need. Council will be determining the fees for these licenses. Mark did add some requirements in for Mobile units. There will be expectations that there will be covered trash receptacles, there the areas around the food truck will be kept clean, that there will be no broadcasting or amplified music, and that the owner of the unit will be expected to maintain liability insurance. There was a question as the whether or not Ice Cream trucks would apply, and how to fit them in? Ice Cream trucks stop on demand usually, so they are not stationary. The committee agrees that 'rolling' environment will need to be added to cover Ice Cream trucks. Mark will make these adjustments.

There was a discussion of where Food Trucks could park to do business within the City.

Everyone agreed that they need to park in legal parking spaces. If Food Trucks want to park on Water St., that there can't be any Food trucks parking on street past Church St/Domino's because the street gets narrow, and it will just be too tight for traffic. The Committee agrees that Water St Food Truck parking will be permitted from Chestnut St, to Church St, in legal parking spots.

The committee agrees to Food Truck parking in the Arcade parking lot, on Mechanic, St., Maine Ave, the area around the common, *except for School St- This street is very narrow, and will get very congested with food trucks parked on it.* - Food trucks cannot obstruct the normal traffic flow, and need to serve customers from the side walk side for safety reasons. The streets in the Industrial park 'Libby Hill', and along River Ave in South Gardiner. Food Trucks operators will need to meet applicable parking requirements. The Parking time limit stops at 6 pm until 11pm, which would give vendors a longer time period. Parking is a City Code Issue. ORC cannot override these rules, that is done by Public Safety. If a food truck pulls up in front of an established restaurant and stays there for hours, every day, there could be a problem.

The committee has set food truck operation hours to be from 6am to 11pm. Food trucks cannot be left on the street at night, and need to be moved (unless they are part of a multiday festival).

Mr. Eyerman has identified in the memo that Food Trucks can park in the Waterfront park, in the parking spots furthest away from the river. There is some question as to whether this should be changed because the electricity is on the other side of the parking lot. A vendor has to work with the City Buildings and Grounds Dept. for special electrical arrangements for this.  
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The Committee decided to make a change to Mr. Eyerman's memo. In section #8 -Letter B, Units on City Property can be approved by the City Manager

Section 9 Letter E-A food truck should not be on a private property for no more than 180 consecutive days- in a calendar year and cannot be a permanent fixture of the property. In the case of Bateau Brewing- there has been a food truck (Miller's Pride) parked there for an extended period of time. This truck has been there for a length of time but will be leaving in the spring. The 180-day rule will enable it to stay, without being in violation.

Section 9 -Letter G will be taken out altogether.

Mr. Eyerman went over the Proposed Amendments to the Land Use Code to address the Treatment of Food Trucks

The following districts were identified to add Food Trucks as a use with Code Enforcement

Review: R, TD, PIC, CC, MUV, PHD, IT

Food Trucks will not be allowed in these districts: RP, SLR, SL, HDR, RG, PR, PD, ECR, CPD

Mark will make edits and bring back for review for the 2/24 meeting

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**5.) Breweries/brew pubs/distilleries, etc.-** There is currently no way that Breweries/brew pubs/distilleries fit into the current Land Use Code, and right now Gardiner has two, with another one due to open any day now. We do know that by State standards, they can't serve food etc. These small breweries, can produce a fairly large amount of alcohol, which may be may offered for consumption on the premises. Product can also be filled in cans or growlers for sale

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from premises. Such establishments would be allowed in TD, PIC, CC, MUV, PHD and IT.

Mark states if the Committee is comfortable with what he has presented, it can go to Planning board for review.

\*Chair Willis asks for a motion to send this to Planning Board. Louis Sigel makes a motion to send this to Planning board. Rusty Greenleaf seconds the motion- All are in favor.

**6.)Next meeting** – There is a schedule conflict for the meeting that is scheduled on February 10<sup>th</sup>. The Committee decided on a new date and the next meeting is scheduled for ***February 24, 2020 at 5pm***

**7.)Adjourn- at 6:50 pm.**