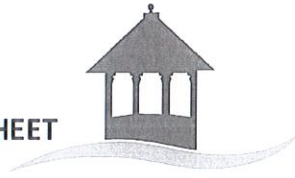




**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	02/20/2019	Department	City Council
Agenda Item	4.8 Accept minutes of February 6, 2019		
Est. Cost	n/a		

Background Information	Attached are the minutes from the February 6, 2019 meeting.		

Requested Action	'I move to approve the minutes of the February 6, 2019 meeting as presented.'
City Manager and/or Finance Review	The City Manager recommends the above action.
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

Mayor Hart called the meeting to order at 6:02 pm.

1. ROLL CALL

Patricia Hart, Mayor at large; Councilors: Terry Berry, District 1; Tim Cusick, At large; Marc Rines, District 4; Jon Ault, At large; Maryann White, At large; Amy Rees, District 2; Shawn Dolley, District 3

Also in attendance: City Manager, Christine Landes; City Clerk, Kelly Gooldrup; Anne Davis, Kathy Cutler, Denise Brown, Tony LaPlante, Justin Healey, Evan Spencer, Mike Adams, Ben Spencer

2. PUBLIC COMMENT (anything not on the Agenda)

None

3. PETITIONS/PUBLIC HEARINGS

None

4. NEW BUSINESS

1. Awarding of Tax Acquired Property Bids

- a. Map 40 Lot 017 Minimum Bid \$15,000 20 Bartlett Street
- b. Map 041 Lot 010 Minimum Bid \$20,000 1 Sawyer Street
- c. Map 028 Lot 066 A 001 Minimum Bid \$17,000 13 Old Brunswick Road
- d. Map 042 Lot 008 Minimum Bid \$5,000 33 Capen Road

Four city-owned properties were recently placed out to bid. The Council is being asked to review the bids and award the property to the bidder that they feel is appropriate.

Tax Collector Cutler will be here to discuss the bid process and answer any other questions the Council may have. As a side note: a meeting has been scheduled to review the remainder of tax acquired properties being put forth in and upcoming bid process. A parcel by parcel recommendation on specific items related to the upcoming available tax acquired properties will be presented at a future Council meeting.

Tax Collector, Kathy Cutler, explained that it is her understanding that there is nothing structurally wrong. All of the properties just need to be spruced up a bit.

-There was one bidder with a bid of \$21,000 for 1 Sawyer Street which had a minimum bid of \$20,000.

-There were two bidders for 13 Old Brunswick Road which had a minimum bid of \$17,000. One bid from Alexander Goode for \$18,800 and one bid from Capital Area Properties for \$12,000.

-There were five bidders for 33 Capen Road which had a minimum bid of \$5,000. This is the property that needs the most cleanup. With the sale agreement, we would put a stipulation with a timeline to bring it back up to decent looking. Bolduc Builders bid \$6,125. Capital Area Properties bid \$8,500. Donald Gasink bid \$10,000. Justin Healey, who I believe is an abutter, bid \$20,020. Mark Mansir bid \$28,500.

-There was one bid from Alexander Goode with a bid of \$17,800 for 20 Bartlett Street which had a minimum of \$15,000.

The minimum bids always include the taxes, sewer, legal fees and staff time. We round up the minimum bids.

Council chooses the winning bidders and then the Tax Collector notifies them tomorrow, works up a purchase and sale agreement, and closes within thirty days.

Councilor Ault stated that in past practice, he has been inclined to support the bid barring any narrative circumstances in the case where the bidders are here to speak about their decision as to why they put the money down, to just approve the highest bidder.

Kathy Cutler commented that we do have tax acquired property disposition policy that the Council approved written by Scott Morelli, with the help of his intern a couple years ago. It does stipulate in the policy that the Council is not obliged to choose the highest bidder if there are relevant factors. Such as if there is a bidder that the City has had problems with in the past, properties we have sold, legal issues, and anything of that nature.

Mayor Hart asked if there has been a staff review with standing and history of the bidders.

Kathy Cutler stated that we have no issues with these bidders. Mr. Gasink will have the work done by Mr. Adams and we have had issues with him in the past. Mark Mansir lives in Pittston and Mr. Goode lives in Winthrop. There were no flags that stood out with either of them.

Councilor Ault moved to approve the bid of \$17,000 on Map 40 Lot 017 to Alexander Goode, to approve the bid of \$21,000 on Map 41 Lot 010 to Robert Marston, to approve the bid of \$18,800 on Map 28 Lot 066 A 001 to Alexander Goode and to approve the bid of \$28,500 on Map 42 Lot 008 to Mark Mansir.

Councilor Cusick seconded the motion.

Mayor Hart asked for any discussion.

Councilor Ault thanked everyone for their investment in the City.

All those in favor. Unanimous

Mayor Hart thanked everyone for their investment in the City and thanks to the Tax Collector, Kathy Cutler for her hard work.

2. Consideration of a Major Special Event - Trek Across Maine

The American Lung Association has submitted an application for a special event. The bike route includes a presence of bikes and riders on the Rail Trail, Maine Avenue, and crossing the Pearl Harbor Remembrance Bridge. This event will be held on June 16, 2019.

Councilor Cusick moved to approve the Major Special Event permit being held on June 16, 2019, for the American Lung Association aka Trek Across Maine.

Councilor White seconded.

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

3. 12/31/2018 Finance Report with Denise Brown, Finance Officer

Denise Brown, Finance Director, explained that this is your quarterly summary through December 31, 2018. The General Fund the revenues are at 53% of predicted amounts and

expenses are at 49% of predicted amounts. You will see the General Assistance reimbursement from the State is quite low, that is reflective of the lower than expected expenditures. We have only expended \$2,635 of our \$20,000 budgeted. Last year we went over expenditures, but we seem to be doing well this year. Our cable franchise proceeds come in February and did come in last Friday at a little above. They came in at \$70,400. So we recognize a \$4,400 surplus on that line. Two journal entries were made in full for our interdepartmental reimbursements. One of them, we are using \$150,000 in revolving loan fund monies for one-time revenue sources this year. Each year the Wastewater fund reimburses the General Fund for 23% of the Public Works wages and benefits. Those two transfers have been made in full, which is probably why we are over 50% in our revenues. A couple of unanticipated activities in the revenues, we were pretty much done with the budget when we realized that Farmingdale would be returning to the library. With that, we recognize a \$10,000 surplus on that line this year. Unclassified is quite high, due to the City receiving \$44,000 in FEMA funds, which were for a prior year storm (October 2017). On the expenditure side, property tax insurance and technology are high. We don't control the timing of our payments, so that is due to timing. The fire hydrant line is low. We have only paid one quarterly bill to date. The Water District was late getting their bills out, therefore we hadn't paid the second quarterly bill yet and it delayed getting our sewer bills out as well. Ambulance service has been paid in full from the City of Gardiner. Community Services is high, those are our non-profits and have been paid in full other than a couple small ones. The County Taxes have been paid in full as well. Our worker's comp right now appears to be low, but we will be recognizing an additional \$32,000 in worker's comp costs, due to our mod rate doubling. The plan is to offset that with the revenues we just talked about from FEMA. Our mod rate basically is our experience actual expenditures for medical and indemnity, when we have people out on worker's comp claims and it's based on a three-year average. It went from a .92 to a 1.63. We had one employee who was out the entire year of 2018 and another who was out for half of the year. Both of these employees' departments have to be backfilled, which means additional overtime costs. Worker's comp is based on a three-year average, so we will see the effects for 2018, 2019 and 2020. The ambulance fund revenues appear to be at 63%. All of the service agreements have been paid in full and the third party billings are exceeding expectations by about 4%, so we are anticipating a \$75,000 to \$80,000 surplus in revenues for the ambulance fund towards the end of this year. Their expenditures are right in line at 50%. The wastewater fund revenues are at 50% and the expenditures are at 56%. The expenditures are a little high due to the timing of the debt service payments.

Councilor Rees stated that she recalled the \$44,000 in FEMA money was going to be used to purchase the two furnaces for Public Works and City Hall.

Denise Brown replied that we have rolling additional revenue less expenditures spreadsheet. Between that and delaying the Economic Development hire, we will be able to absorb most of the cost. Interest proceeds are high again.

Councilor Rees asked in regards to the ambulance revenue is it recognized when the bills are sent out or when they are collected.

Denise Brown replied that it is actual cash that has come in.

Councilor Ault commented that for the excise tax budget, we had 1.1 million expected from that. I remember a year or so ago, we had budget a certain amount and we ended up several thousand over, is that correct?

Kathy Cutler replied that the bump in excise revenue that particular year was two-fold. Pine State brought the rest of their fleet from Augusta down to Gardiner. Then six months later they sold the convenience store division to Core-mark. Then Coremark came and registered that same fleet with us in the same year.

Councilor Ault asked if the new budget reflects the additional fleets we received or is it in line with historical average.

Kathy Cutler replied that it is averaged. Between EJP, Pine State and Core-mark; they are very good to us because it feels like they are constantly buying big trucks.

Denise Brown added that the excise tax revenue is at 45% right now, but we see a lot of the fleets in the spring and summer.

City Manager Landes commented that income tax time draws in a lot of new vehicles also.

4. Discussion with Fire Chief Nelson regarding staffing issues

At a previous City Council meeting, the subject of staffing issues in the Fire and Ambulance Departments was brought up. Chief Al Nelson will be present to discuss the situation and possible solutions as to how to fill the need for more staff.

Fire Chief Al Nelson passed out a presentation showing the call volume over the last four years. We first looked at increasing staffing in 2016 and putting in for the SAFER grant. Chief Nelson explained that the term 'overlapping calls' means anytime both rescues are out, no one is in the station. For calendar year 2015, that happened 486 times. If you look at the call volume was 2,613 calls between fire and EMS. In 2016, we added Richmond to our service area, so the call volume increased to 3,000. In 2017, we lost Dresden, which average 111 calls per year. Our total call volume was 2,687. In 2018, the call volume was 3,019. The station was uncovered 610 times. That totaled up to about 634 hours where there was no coverage in the station. So the proposal is to add two people per shift. One will be assigned to engine 1 and one will be assigned to the ladder. We would not change how we run rescue calls right now. Ambulances will still be staffed the same. The proposed funding is to put in for the SAFER grant. It is a three year grant, which will cover 75% of wages and benefits for the first two years and 35% the third year. We can reapply for the grant and get extended beyond the three years. The presentation show the cost spread out over four years. The first line is what the cost is per position. The second line shows the plus one year at \$423,000. The last line shows the SAFER grant, which would cover \$317,187 leaving the cost to the City around \$120,000. In year two, we added a 3% pay raise, but the initial startup such as the equipment wouldn't be there, so the amount would be a little less. In year three, the SAFER grant would cover 35% which is why the City portion jumps up to \$292,000. In year four, we would be responsible for 100% providing we don't get the SAFER grant again.

Chief Nelson is asking permission to go forward and apply for the SAFER grant and put this into place providing we get the grant.

Mayor Hart stated that this item is for discussion only as there is no action requested at this time.

Councilor Berry commented that after looking at the Finance Directors budget, it puts the Fire budget around 1.3 million a year. So in four years out, we are looking at a 40% increase to just the Fire budget. Can any of that be absorbed into the ambulance side of it at all?

Al Nelson replied that if we absorb it into the ambulance budget, then we couldn't staff it the way we want.

Councilor Berry responded that the concern is that this increase will be on the shoulder of the citizens of Gardiner.

Al Nelson replied that he understands that, but the majority of the benefit goes to the City.

Councilor Berry asked if there is any policy where we could allow regional mutual aid by having a volunteer fire fighter from Farmingdale come and use our equipment if we have a call.

Al Nelson replied that the answer is regionalization. The question is how you make that happen. There have been conversations around that. Operationally we are already kind of doing that. For example, if everyone is already called out, and there is a car fire, Farmingdale is going to bring their truck and take care of the car fire. We would do the same for them.

How do we get the administration piece tied in? There is definitely a future for it.

Councilor Berry asked if we are allowed to do per diem fire fighters with our union contract.

Al Nelson replied that it is not in our union contract and is something that would be negotiated.

Councilor Berry commented that Topsham is mostly per diem.

Al Nelson responded that they are evolving more to a career at this point.

Councilor Berry stated that he would like to see some other options explored although he is not opposed to this proposal.

Councilor Rees asked if it is possible with four people instead of six. Is six really the ideal and maybe you could work with less.

Al Nelson responded that six gives us the coverage on the engine and the ladder. We have four staffed now.

Councilor Ault referenced the graph and asked if the yellow bar for overlapping calls 2018, and fifteen a month for 2016 and 2017. Is that correct?

Al Nelson replied that he used it more for comparison.

Councilor Ault asked if we are trying to eliminate the overlapping calls.

Al Nelson responded that our goal is not to eliminate the overlapping calls; our goal is to still have coverage when we have overlapping calls.

Councilor Ault asked if based on the graph, do you see a change in the call volume in the future.

Al Nelson answered that when the Express Care building comes to Route 201, we will see an increase in calls. It will probably generate 200-400 calls per year.

Councilor Ault if the ambulance is the majority of the calls, why don't we have partner municipalities shoulder some of the cost.

Al Nelson replied that we are not expanding our abilities on the ambulance side.

Councilor Ault asked if the grant has to have the exact number of fire fighters you are looking for or can it be for six or below.

Al Nelson responded that he was not sure because he had never applied for this type of grant. They were very specific in wanting detail with the previous FEMA grants we have applied for. When we put in for the FEMA grants, they ask what we are putting in for matching funds.

Councilor Ault asked if you don't get the grant, how will you tailor the vision going forward. Al Nelson answered that even if we don't get the grant, we still want to pursue, but may have to revisit the financial piece. Possibly try for three people and apply for the grant again next year. We definitely need to expand staffing going forward. There are too many times when there is no one left in the building because they are all out on calls.

Councilor Dolley commented that obviously sticker shock is the key here and year four and forward is the number we are going to be looking at which is a big increase. As a Councilor he would like to see more than one option to review, such as adding 2, 4 or 6 people. If 2 or 4 were added, would there be a reduction in those uncovered calls.

Al Nelson replied that adding staffing is not going to reduce anything we are doing right now. Adding staffing will allow fire coverage when four people are out on calls.

Councilor Dolley asked if adding two people allow them to respond to a fire call we can now.

Al Nelson answered yes. We have three shifts, so adding two people would mean that we would have more people on two shifts but not the third shift.

Councilor Dolley asked if you have a shift where there are more calls than another shift.

Al Nelson answered that per day, the calls are fairly even with 360 on Saturday and 410 on Sunday. The other days are usually different by 10-15 calls plus or minus. The days are not usually very different.

Councilor Cusick commented that he agrees with Councilor Berry in that regionalization is certainly the answer. Unfortunately, that is a long way away. The days of the volunteer fire department is decreasing. We are encouraging people to come to the City and build, but if we cannot protect them, that might affect a business coming in to the City. We cannot depend on other people to come drive our fire truck. It will be expensive but we have to decide how to protect our city. He pays taxes in Gardiner to have the service and protection. Not for it to be in another Town. We need to take care of our own city citizens. We don't want to take too long deciding and miss out on the deadline to apply for the grant this year.

Al Nelson responded that based on his email, by the next meeting he will need answer.

Councilor Rees commented on an observation, the price tag is high. When we look at the 644 hours of no coverage at the station last year it is really bad. However, to fix that by spending \$463,000 it comes out to \$730 per hour. She wished there was a less expensive way to fix that gap.

Al Nelson responded that if you are only looking at that one dynamic then you are right. It is \$730 an hour, but it also adds that extra staffing for fires on the other days. Another benefit to having someone on the ladder and another on the engine would be the ability to do building walkthroughs and inspections that we don't have the time to do now.

Mayor Hart asked if it would include community par medicine or going in that direction at all. Al Nelson answered no that would be a whole different piece.

Mayor Hart stated that this was advertised tonight that this was just a discussion with the Fire Chief about his needs. We have heard his needs and he would like an answer at least by our next meeting. Can that be put on our next agenda?

City Manager Landes answered yes it can.

Councilor Dolley asked if we could see costing for other options other than just adding six.

Al Nelson replied that he can.

5. Accept minutes of January 9, 2019 and January 23, 2019

Councilor Cusick to accept the minutes of the January 9, 2019 and January 23, 2019 meeting as presented.

Councilor Berry seconded.

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

5. CITY MANAGER REPORT

- The sidewalk committee is scheduled to meet on February 27 at 5pm here at City Hall
- Thanks for attending Saturday. You have packages in front of you from Craig Freshly. I ask that you review them over the next couple of weeks. I will ask for your acceptance of that goal setting review package at your next meeting.
- Dispatch discussions are still continuing. Yesterday Mayor Hart, myself, Chief Nelson and Chief Toman met with Kennebec County Commissioners. I am sure you saw it in the Kennebec Journal. I have scheduled a meeting for Monday with the Vassalboro Town Manager, Windsor Town Manager and Fayette Town Manager. Belgrade Town Manager has been invited just to discuss some options on what we could see prior to Commissioners meeting again on Tuesday surrounding the subject. It will be a hefty price tag no matter what option we do.
- Eaton & Peabody, our City Solicitors, have offered to send an intern here at no cost to the City to review codes, ordinances, policies, etc. We are taking them up on that offer. They will look for errors, duplications, omissions, etc.
- We have been invited by South Portland to joins forces along with some other municipalities to be part of a coalition interest in updating the state energy policy. Includes solar, building codes and data surrounding energy. Council unanimously agreed to be onboard.
- Dog Ordinance Committee met last week to review the ordinance. They came up with a couple of suggestions. CEO Skelton is going to input those suggestions into the ordinance and they will be meeting again next week. Unfortunately, we did not get one person as a member as we had hoped. Councilor White has suggested another name so she will be invited. The person Mayor Hart suggested was not interested.

Mayor Hart asked if those recommendations will come here first and not right into the ordinance.

City Manager Landes replied that CEO Skelton is putting them in there just to see how it looks and then the Council will approve it at a public hearing.

- Council has asked for First Park, Boys and Girls Club, Gardiner Main Street and Johnson Hall to come to update the Council. They have all been scheduled for the next three or four meetings. I will try to reach out to the other non-profits to get them on the agenda.
- School budget meetings are coming up soon. I encourage the Council to attend those meetings. I did meet with the school board chair.
- Budget is well underway. Thank-you Denise for the budget. I will be meeting with department heads next week and the week after to review their budgets to see where we can conserve and where we need to set our priorities.

6. CITY COUNCIL REPORT

Councilor Ault: all set.

Councilor Cusick: all set.

Councilor White: I enjoyed the Goal Setting Workshop on Saturday. Thank you.

Councilor Berry: I like the civility that all of us seem to add to the conversations. It makes it far more palatable and much more reasonable.

Councilor Rees: I hope everybody enjoyed yesterday as much as I did, having a little warm reprieve from the frigid temperatures. Thank you.

Councilor Dolley: I am excited for Thomas to be coming onboard as our new Economic Development Director. I had the feeling at our meeting on Saturday that all of the Councilors feel that enthusiasm and we are looking forward to it.

Councilor Rines: all set.

Mayor Hart: You all have a handout called the Mayor's Coalition. I invite you to read that between now and the next meetings. We have been invited back in the Mayor's Coalition. I had breakfast with Mayor Rollins from Augusta and Mayor Walker from Hallowell and the fellow who is the lobbyist for the group. I invite you to read the dispatch article in the newspaper. Representative Harnett wants to be invited to the meetings that are coming up. There will be a Fire relief fund benefit on Valentine's Day. There is a Blood drive on the 21st at the Laura Richards School, sponsored by the Rotary Club. Johnson hall will have their second murder at the mansion. There was a Mixer ribbon cutting for a new salon. It's great to see the properties go back that have stood empty for so long. Thank you city staff.

7. EXECUTIVE SESSION

- Pursuant to 1 M.R.S.A. § 405 (6)(C): Request from property owner to buy-back tax foreclosed property

Councilor Ault moved to go into executive session pursuant to 1 M.R.S.A. § 405 (6)(C): Request from property owner to buy-back tax foreclosed property.

Councilor Berry seconded.

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

Councilor Rees moved to come out of Executive Session.

Councilor Berry seconded.

No discussion. Unanimous at 7:47pm

Councilor Ault moved to allow the applicants to buy-back their tax acquired property for \$1,100.00.

Councilor Rines seconded.

No discussion. Unanimous.

- Pursuant to 1 M.R.S.A § 405 (6)(A): Procedural Planning concerning the six-month review of City Manager Landes

Councilor Ault moved to go into Executive Session pursuant to 1 MRSA § 405 (6)(A):

Procedural planning concerning the six-month review of City Manager Landes.

Councilor Berry seconded.

No Discussion. Unanimous at 8:00pm.

Councilor Berry moved to come out of Executive Session.

Councilor Ault seconded.

No Discussion. Unanimous. No action taken at 8:25pm.

8. ADJOURN

Councilor Dolley moved to adjourn.

Councilor Ault seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 8:27PM

(Draft minutes until approved during the February 20, 2019 Council Meeting)