



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



<b>Meeting Date</b>	01/20/2021	<b>Department</b>	City Council
<b>Agenda Item</b>	4.j Review and Accept Meeting Minutes from January 6, 2021 and January 13, 2021		
<b>Est. Cost</b>	n/a		

<b>Background Information</b>	Attached are the meeting minutes from January 6, 2021 and January 13, 2021.
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<b>Requested Action</b>	'I move to approve the minutes of January 6, 2021 and January 13, 2021 as presented.'
<b>City Manager and/or Finance Review</b>	The City Manager recommends the above action.
<b>Council Vote/ Action Taken</b>	
<b>Departmental Follow-Up</b>	

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



**COUNCIL MEETING MINUTES**  
**GARDINER CITY COUNCIL**  
**WEDNESDAY, JANUARY 6, 2020**  
**6:00 PM**

The meeting was called to order by Mayor Hart at 6:04p.m.

**1. ROLL CALL/PLEDGE OF ALLEGIANCE**

**City Council Present:** Mayor Hart, Councilor Cusick, Councilor White, Councilor Berry, Councilor Rees, Councilor Frey, Councilor Rines and Councilor Sergent.

**City Council Absent:** None.

**Also present:** City Manager ChristineLandes, Economic Development Director Trecey Desjardins, City Clerk Alisha Ballard, Former Councilor Jon Ault, Fire Chief Rick Sieberg, Code Enforcement Officer Kris McNeill, Library Director Anne Davis, Director of Gardiner Main Street Melissa Lindley, Wastewater Director Douglas Clark, Gardiner Main Street Mike Gent, Justin Young and Lisa St. Hilaire.

**Action:** Mayor Hart wanted to take a moment and reflect on the events that was taking place at the capital. The President of the United States was calling for citizens to attack the capital. There was a lot of people present in DC and doing the jobs they were elected to do. She was reminded of that this week when four City Councilors were sworn into newly elected terms. Mayor Hart stated we were sworn in to uphold the constitution of the United States of American along with the laws of the state and the City. The Mayor asked to take a moment to thank all of the elected officials from local levels, state levels, and today especially, the federal levels for doing their jobs. She asked for a minute to reflect on what we have, what we are lucky to have, and that we are lucky to have this Gardiner community that works together.

Councilor Rees commented hear' hear'.

Council took a moment of silence.

Mayor Hart thanked the councilors for their service and for all that were willing do the hard work.

## **2. PUBLIC COMMENT**

None

## **3. PETITIONS/PUBLIC HEARINGS**

### **a) Liquor License Renewal: Three Bridge LLC/DBA as A-1 Diner**

Mayor Hart opened the public hearing at 6:11 pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:12 pm

### **b) Liquor License Renewal: Gardiner Elks Lodge #1293**

Mayor Hart opened the public hearing at 6:12 pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:12 pm

### **c) Junkyard Renewal Permit: Brown's Exit 27 Salvage, Inc.**

Mayor Hart opened the public hearing at 6:12 pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:13 pm

## **4. NEW BUSINESS**

### **a) Resolution Honoring Former Councilor Jon Ault**

Mayor Hart opened comment before she read aloud the proclamation.

All who spoke:

Councilor Berry

Councilor Frey

Councilor Rees

Councilor White

Councilor Cusick  
Councilor Rines  
Councilor Sergent  
Manager Landes  
Mayor Hart

Mayor Hart read aloud the proclamation.

**Action:** Councilor Cusick moved to adopt the Proclamation for former City Councilor Jon Ault, with many thanks for his years of dedicated service to the city. Councilor Rees seconded.  
Mayor Hart asked for any discussion. None. All those in favor. Unanimous.

Former Councilor Ault spoke briefly.  
City Manager Landes reminded Jon Ault he has a framed proclamation to pick up from City Hall.

**b) Consider Approval of a Liquor License Renewal and Liquor/Bottle Club (1-50 seats) Victualers License for Three Bridge LLC/DBA as A-1 Diner**

**Action:** Councilor Rines moved to approve the liquor license renewal application and the victualers liquor/bottle club license for Three Bridges A1 Diner. Councilor Frey seconded.  
Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

**c) Consider Approval of a Liquor License Renewal, Games of Chance and Liquor/Bottle Club (1-50 seats) Victualers Licenses and an Outside Consumption Permit for Gardiner Elks Lodge #1293**

**Action:** Councilor Cusick moved to approve the liquor license renewal application and the victualers liquor/bottle club license, the victualers games of chance license, and an outdoor consumption permit for Gardiner Elks Lodge #1293. Councilor Sergent seconded.  
Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

**d) Consider Approval of a Junkyard Permit Renewal Brown's Exit 27 Salvage, Inc.**

Councilor Berry asked where they are with the ability to move this permit forward. Code Enforcement Officer (CEO) Kris McNeill gave an overview of the past renewals. Chief Sieberg echoed CEO McNeill.  
Mayor Hart asked a follow up question; "In your professional enforcement opinion you feel he has meet all the standards and requirements for a junk yard?"

CEO McNeill felt that aside from the items that are outstanding on the list, they had. Councilor Cusick thanked CEO McNeill and Chief for attending the meeting. He states that they deal with this every, year renewal.

CEO McNeill stated it is hard to enforce things like this. He can make stops in to check on the progress. Once he has given the permit he has it for a year, there is not much the City can do until the deadline next year. The council can set some terms for next years renewal or set deadlines but they are difficult to enforce.

Councilor Cusick states his concern is that in two months down the road if the city tries try to get a firetruck in the yard they will be full again.

Councilor Rees states she was going to state what councilor Cusick said. She is wondering if there is a way to do a conditional license.

Councilor Rines asked what our options are?

City Manager Landes reviewed the state statute that; Junkyard licenses go through. Manager Landes offered a suggestions of proceed with the agreement and allow herself to write a letter to the Bureau of Licensing explaining the city's issues.

Councilor Sergent asked if there are any hazardous fluids.

CEO McNeill stated yes, there are in junkyards. That is the intention of getting the pad cleaned off so all the removals and clean ups can be done on the pad to protect the environment and spoils.

**Action:** Councilor Berry moved to renew the Junkyard Permit for Brown's Exit 27 Salvage, Inc. with another renewal permit agreement being signed.

Councilor Sergent seconded.

Mayor Hart asked for any discussion.

**Action:** Councilor Rees stated she would like the Manager's suggestion that allows the city to have communication with the state and, to try to enforce the regulations. Mayor Hart stated the motion would need to be updated and asked Councilor Berry if he would be willing.

Councilor Berry did not want to change his motion.

Councilor Cusick stated he agrees with Councilor Rees.

Mayor Hart stated that if Councilor Rees was willing to put forth an amendment to the motion.

**Action:** Councilor Rees moved to amend the previous motion to include the City Manager to write a letter to the state licensing board communicating with them about proper compliance action for the Junkyard Permit for Brown's Exit 27 Salvage, Inc. Councilor Cusick seconded.

Mayor Hart stated she supports the amendment.

All those in favor for the amendment. Unanimous.

Mayor Hart asked if there was further discussion for the original motion.

All those in favor. Unanimous.

**e) Consider the Gardiner Public Library Board of Trustees Recommendation for Library Services and 2022 Fees**

Library Director Anne Davis spoke briefly.

Mayor Hart asked some clarifying questions.

Mayor Hart asked Library Director Davis to remind everyone to renew their library cards.

Library Director Davis spoke in regards to renewing library cards.

**Action:** Councilor Rees moved to accept the Gardiner Public Library Board of Trustees recommendation of fee increase from a total of \$111,236.50 to \$116,981.00 for fiscal year 2021.

Councilor White seconded.

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

**f) Consider Awarding the Downtown Master Plan Contract**

Economic Development Director Desjardins spoke briefly.

Councilor Berry asked what the city's portion is.

Mayor Hart clarified Councilor Berry's question.

Councilor White asked Economic Development Director about the scoring and how did they come up with the numbers.

Economic Development Director Desjardins explained the scoring.

Councilor Rees spoke as a committee member and explained the interview process and she also stated she supports this.

Mayor Hart read aloud a question in the chat' did the match have to be cash or in-kind.

Economic Development Director Desjardins answered; "yes, it is both."

Councilor Berry asked where the money is coming out of the budget.

Mayor Hart stated that is what we are voting on today.

Councilor Rees stated it is coming from the TIF money.

Economic Development Director Desjardins agreed with Councilor Rees and stated it can come from the downtown and Libby Hill TIF.

**Action:** Councilor Cusick moved to award the Downtown Master Plan contract to Dubois & King from Randolph, Vt. in the amount of \$42,000 and to allow the City Manager to sign the contract.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. 7-1 ( Councilor Berry against)

**g) Consider Awarding the Spirit of America Honor**

Mayor Hart suggested Debby Willis.

Councilor White commented hear' hear'.

Councilor Rees stated excellent choice.

Councilor Berry stated he agrees.

**Action:** Councilor Rees moved to advise and consent to the Mayor the nomination of Debby Willis as the 2021 Spirit of America Award Recipient.

Councilor Rines seconded.

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

Councilor Berry thanked Debby Willis.

**h) Consider Awarding the Town Report Dedication**

Mayor Hart and Manager Landes recommended the Public Safety departments in the City of Gardiner for their work during the pandemic.

Councilor Berry suggested Bill Harvey.

Mayor Hart suggested to write out a proclamation for Bill Harvey for all the work he has done and to dedicate a Bill Harvey day.

Councilor Cusick stated he thinks that is a great idea.

**Action:** Councilor White moved to dedicate the annual town report to Public Safety departmenst in our city.

Councilor Rees seconded.

Mayor Hart asked for any discussion.

Councilor Berry stated he does not agree.

Councilor Cusick asked if public works worked through the pandemic and if they will be recognized. He does not want to leave anyone out.

Mayor Hart stated that there were many different employees who worked through.

Councilor Cusick asked if they could dedicate the annual town report to the city staff.

Councilor Berry stated he thinks this is for a citizen of Gardiner.

Mayor Hart stated this is for anyone they choose as it is the city's report.

Mayor Hart asked if Councilor White would amend her original motion.

**Action:** Councilor White moved to amend her previous motion to state she moved to dedicate the annual town report to the city staff.  
Councilor Rees seconded.

All those in favor for amendment. 7-1 (Councilor Berry against)

**i) Announcement/Discussion Surrounding Open MSAD #11 School Board Seat Vacated by Jon Umland**

Manager Landes spoke briefly.

**Action:** Councilor Cusick moved to accept letters of interest for the open MSAD #11 School Board seat until January 15, 2021 and then interview candidates at the January 20, 2021 City Council meeting.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. (Councilor Berry not present for vote nor the rest of the meeting)

**j) Confirm the 2021 City Council Goal Setting Date; February 6, 2021**

**Action:** Councilor Frey moved to confirm February 6, 2021 as the City Council Goal Setting Session day that will be conducted via Zoom.

Councilor Sergent seconded.

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

**k) Discuss, Evaluate, and Possibly Approve 'List A' of Sewer Abatement Requests**

**Action:** Councilor Frey moved to approve the Sewer Abatement Requests from List A, in the amount of \$2,797.65.

Councilor Cuscik seconded.

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

**l) Discussion Surrounding the 2019 Riverfest Ambulance Bill**

Manager Landes spoke briefly.

Councilor Rees stated she is in support.

Councilor Frey commented hear' hear'.

Director of Gardiner Main Street, Melissa Lindley spoke briefly.

Mayor Hart stated she spoke with Manager Landes in regards to paying for the whole bill and stated that is an option.

Manager Landes clarified the amount.



Councilor Rees stated she is favor of paying for the whole Gardiner portion of the bill.

**Action:** Councilor Rees moved to waive \$215.30 and have Gardiner pay for remainder amount from the contingency fund from the bill issued to Gardiner Main Street for the 2019 Riverfest. This portion refers strictly to the City of Gardiner's portion of the total yearly ambulance budget.

Councilor White seconded.

Mayor Hart asked for any discussion.

Councilor White stated she is in support of this.

Mayor Hart commented hear' hear'.

Councilor Cusick asked if we pick up the cost for the police department.

Manager Landes stated that past precedence included half of the bill for police being waived.

Councilor Cusick stated he is in support, but asked if the city will cover all costs going forward.

Mayor Hart stated that it depends and that Gardiner Main Street comes to council. The reason they are asking this year is due to the paper trail.

Director of Gardiner Main Street spoke briefly.

All those in favor. Unanimous.

**m) Discuss an Option to Lease the Former Bailey Lot from Gardiner Main Street**

Manager Landes spoke briefly.

Gardiner Main Street Mike Gent spoke briefly.

Manager Landes stated she has spoken with the Tax Assessor.

**Action:** Councilor Rines moved to have the City of Gardiner enter into a lease agreement with Gardiner Main Street at the rate of \$60 a month, to expire no later than 6/30/2021, to also allow the City Manager to work with Gardiner Main Street to develop such agreement and to also authorize the City Manager to sign such agreement.

Councilor Frey seconded.

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

Mayor Hart called for a quick break.

**n) Advise and Consent to the Mayor's Appointment(s): Planning Board/Justin Young and Lisa St. Hilaire**

**Action:** Councilor Rees moved to advise and consent to the Mayor the appointment of Justin Young and Lisa St. Hilaire to the Planning Board.

Councilor Cusick seconded.

Mayor Hart asked for any discussion.

Councilor White stated she wanted to thank them both for their interest and future service.

Mayor Hart commented hear' hear'.

All those in favor. Unanimous.

City Clerk Ballard swore both Justin Young and Lisa St. Hilaire into the Planning Board.

**o) Review and Accept Meeting Minutes from December 9, 2020 and December 16, 2020**

**Action:** Councilor Frey moved to approve the minutes of December 9, 2020 and December 16, 2020 as presented.

Councilor White seconded.

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

**5. CITY MANAGER REPORT**

Manager Landes asked Fire Chief Sieberg to come in to speak about the most recent COVID data.

Chief Sieberg stated that all the EMS providers who have wanted to receive the vaccine have. They are drafting a declination form for employees to sign if they choose not receive the vaccine. He mentioned a meeting coming up to provide everyone with education around the vaccine.

Mayor Hart explained what a declination form is.

Councilor White asked if the employee who refuses to take the vaccine and they happen to get sick with COVID, if the city pay's for their leave.

Chief Sieberg stated that is something they are trying to figure out. They are also talking with other towns to figure this out. He stated that even after we get vaccinated we are going to still be wearing masks.

Councilor White asked if the Cares act expired at the end of 2020.

Councilor Rees echoed Councilor White regarding the expiration of the act.

Mayor Hart stated we will look further into this.

Manager Landes stated she will look into this and report back to the council.

Councilor Cusick stated he believes the federal part has expired but the state is covering time again.

The Emergency Operation Command Team has been meeting weekly now. They did come to the conclusion to close City Hall.

There is a new employee in Public Works: Ken Christopher.

A Team Meeting was held this morning with 23 employees attending.

Officer Sam Quintana was recognized as City Employee of the Month.

She has a copy of the lead report from the Water District available.

## **6. CITY COUNCIL REPORT**

Councilor Rines wanted to wish the public and councilors a Happy New Year. He would like to congratulate Debby Willis for Spirit of America and Sam Quintana for Employee of the Month. And people celebrate Jon Ault's day on Saturday, to please remember it is National Law Enforcement Day; so please thank an officer.

Councilor Frey Happy New Year. He thanked the Mayor for her words at the top of the meeting.

Councilor Rees echoed both Councilor Rines and Councilor Frey and to stay safe everyone.

Councilor White wanted to thank the Mayor for her kind words. She offered congratulations to Debby Willis and Sam Quintana and Happy New Year to everyone and thank them for their service.

Councilor Sergent thanked everyone for her first meeting. She offered congratulations to all, be safe, be happy and be healthy.

Councilor Cusick wished everyone a Happy New Year. He felt it was special to see the awards going out tonight. It was good to see the Fire department getting the Covid Vaccine. He thanked city staff for all they do, and to stay safe.

Councilor White asked if the staff meeting on 1/13/2021 could be recorded due to her not being able to attend.

Manager Landes stated they will record it for people who are unable to attend.

Mayor Hart stated that the City of Augusta wanted to launch an Ad Hoc committee to address homelessness. She ended up joining one of those meetings and would like to ask the council if anyone else would like to join. It is very new but everyone is working very well together. The city of Gardiner is starting up some committees that have been dormant. She asked the councilors to think about the committees they would like to be on. She asked that going forward each councilor would give an update from the committees they are on.

## **7. ADJOURN**

**Action:** Councilor Rees motioned to adjourn the meeting.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council adjourned the meeting at 8:24p.m.

Respectfully Submitted:

Alisha Ballard, City Clerk



**COUNCIL MEETING MINUTES**  
**GARDINER CITY COUNCIL**  
**EXECUTIVE SESSION**  
**WEDNESDAY, JANUARY 13, 2021**  
**6:00 PM**

The meeting was called to order by Mayor Hart at 6:02 p.m.

**1. ROLL CALL/PLEDGE OF ALLEGIANCE**

**City Council Present:** Mayor Hart, Councilor Sergent, Councilor Cusick, Councilor White, Councilor Berry, Councilor Rees, Councilor Frey, and Councilor Rines.

**City Council Absent:** None.

**Also present:** City Manager Christine Landes and Economic Development Director Tracey Desjardins

**2. PUBLIC COMMENT**

None

**3. PETITIONS/PUBLIC HEARINGS**

None

**4. NEW BUSINESS**

**a) Advise and Consent to the Mayors Appointment(s): Cobbossee Corridor Trail Committee/Gay Grant, Tina Wood, Kerstin Gilg, Tom Reeves and Kate Carnes (possible other names to be added)**

Mayor Hart asked the City Council to consider the additional names of Perri Williams (representing Gardiner Main Street) and Allison Wells (downtown resident) to this committee.

**Action:** Councilor Cusick motioned to advise and consent to the Mayor's Cobbossee Corridor Trail Committee appointments the names of Gay Grant, Tina Wood (Upstream members), Kerstin Gilg, Tom Reeves, Kate Carnes, Perri Williams, and Allison Wells.

Councilor Sergent seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous.

As an addition to the agenda, Mayor Hart spoke regarding the New Mills Dam Committee. Mayor Hart detailed some of the confusion regarding appointments to this committee. Mr. Ed Dahl has signed his oath paperwork however, Mr. Jon Ault and Mr. John Bean have not (as regular members) and neither has Patricia Hart or Amy Rees (as alternates). The city's representation on the committee consists of three (3) members and two (2) alternates, each for three (3) year terms.. The Mayor would like to make some modifications to this committee. Amy Rees and Patricia Hart immediately resigned and/or not accepted their appointments as an alternate members. The Mayor informed the City Council that Mr. Jeff Wells, an ornithologist, would like to serve and that she would volunteer to be reappointed as an alternate.

**Action:** Councilor White motioned to advise and consent to the Mayor, the appointments to the New Mill Dam Committee consisting of Jeff Wells and Patricia Hart (as alternates).

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous.

Mayor Hart asked for the City Manager report at this time.

The City Manager asked the City Councilors of their availability to attend an Executive Session on January 27, 2021 at 5pm. Each member of the City Council was available at that time, although a couple may be a few minutes late to the meeting.

Mayor Hart informed the City Council to hold Saturday, February 6, 2021 from 9:00am to 12:30pm for the yearly goal setting session.

## 5. EXECUTIVE SESSION

- **Pursuant to 1 M.R.S.A. 405(6)(C): Economic Development at Libby Hill Business Park**

**Action:** Councilor Cusick motioned to enter into executive session pursuant to 1 M.R.S.A. 405(6)(C): Economic Development at Libby Hill Business Park.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council entered executive session at 6:15 p.m.

**Action:** Councilor Cusick motioned to exit the executive session pursuant to 1 M.R.S.A. 405(6)(C): Economic Development at Libby Hill Business Park

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council exited the executive session at 7:10p.m.

City staff was asked to follow and seek outside guidance as directed by the City Council.

- **Pursuant to 1 M.R.S.A. 405(6)(C): City Facilities Expansion Possibility**

**Action:** Councilor Rines motioned to enter into executive session pursuant to 1 M.R.S.A. 405(6)(C): City Facilities Expansion Possibility.

Councilor Sergent seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council entered executive session at 7:11p.m.

**Action:** Councilor Cusick motioned to exit the executive session pursuant to 1 M.R.S.A. 405(6)(C): City Facilities Expansion Possibility.

Councilor Berry seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council exited the executive session at 7:44p.m.

City staff was asked to follow direction of the City Council. The City Council was in consensus to plan a future public discussion on how to possibly execute an expansion development of city buildings to house all departments whether it is in one location or several.

## **6. CITY MANAGER REPORT**

See above detail.

## **7. CITY COUNCIL REPORT**

Councilor Sergent reported that she visited city hall and was a bit concerned when she was not able to rouse anyone on the first try. She subsequently made contact with city

staff so she just wanted the City Council to be aware that she will always try to reconnect with someone if the first try is not a success.

Councilor Cusick: none

Councilor White: none

Councilor Berry: none

Councilor Rees: none

Councilor Frey: none

Councilor Rines: none

Mayor Hart thanked Chief Sieberg for coordinating the COVID-19 vaccine virtual information setting. She also reminded folks that they all should have a copy of the video in their email.

## 8. ADJOURN

**Action:** Councilor Berry motioned to adjourn the meeting.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none, a roll call was conducted. Unanimous. The City Council adjourned the meeting at 7:48p.m.

Respectfully Submitted:



Christine M. Landes

City Manager