



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	06/19/2019	Department	City Council
Agenda Item	4.10 Accept minutes of May 22, 2019 & June 5, 2019		
Est. Cost	n/a		

Background Information

The minutes from the May 22, 2019 and June 5, 2019 meeting are attached for the City Council's approval.

Requested Action	'I move to approve the minutes of May 22, 2019 and June 5, 2019 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 _____	<div style="border: 1px dashed black; padding: 5px; width: fit-content;"> EFFECTIVE DATE _____ </div>
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

Mayor Hart called the meeting to order at 6:03pm.

1. ROLL CALL

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

Also in attendance: City Manager, Christine Landes; City Clerk, Kelly Gooldrup; Librarian, Anne Davis; Finance Director, Denise Brown; Fire Chief, Al Nelson; Public Works Director, Tony LaPlante; Police Chief, James Toman; Code Enforcement Officer, Kris McNeill; Wastewater Director, Douglas Clark; Jessica Lowell, Robert Abbey, Debby Willis, Jerome Maschino, Mary Maschino, John McMillin, Merrilee McMillin, Robert Johnston, Jack Skehan, Cynthia Burnham, Kerry Hughes, Phyllis Gardiner, John Callinan, Donna Gregoire, Phil Hart

2. PUBLIC COMMENT (anything not on the Agenda)

None

3. PETITIONS/PUBLIC HEARINGS

a) **Public Hearing of a Liquor License Renewal for Cobbossee Aerie #4330 F.O.E./Eagles Club**

The renewal application is attached to item 4. 4
The Public Hearing was advertised on May 15, 2019.

Mayor Hart opened the public hearing at 6:06PM and asked for any comment from the public. Seeing none. Mayor Hart closed the public hearing 6:06PM.

b) **FY20 Budget Proposal**

The City Council had a preliminary review of the budget in April.
The Public Hearing was advertised on May 15, 2019.

City Manager Landes gave a presentation of the proposed amendments.

Mayor Hart opened the public hearing at 6:18PM and asked for any comment from the public.

Robert Abbey as a member of Gardiner Main Street expressed his support of the proposed budget which includes the appropriation of \$30,000 for Gardiner Main Street.

Jack McMillin asked if there is a spreadsheet for dispatch calls.

City Manager Landes responded that there is not a spreadsheet. All dispatch calls come from the RCC.

Jack McMillin asked how the dispatch costs for Gardiner calculated.

Chief Toman explained that the State provides the numbers and the City of Gardiner negotiated a contract for dispatch for the next two years.

Debby Willis spoke in favor of the increased budget. Mrs. Willis wants the City Services and requests that the full funding be kept in the budget for City Planner, Mark Eyerman. Logan Johnston expressed his support in the proposed budget on the table. Mr. Johnston is also in support of full funding the City Planner, Mark Eyerman. Phillip Hart expressed his concern in the tax increase for the property owners who cannot afford an increase.

Mayor Hart asked for any further discussion. Seeing none. Mayor Hart closed the public hearing 6:58PM.

4. NEW BUSINESS

1. **Presentation of the 2018 Annual Report (in memory of Jean Dellert)**

The City Clerk has completed the 2018 Annual Report for the City of Gardiner. Per tradition, the City Council chooses an individual/entity to dedicate the report to. This year's report is dedicated to Jean Traquair Dellert. Moving to Gardiner in 1953, Ms. Dellert volunteered at the Gardiner hospital, taught swimming to young girls, and taught Sunday school. Ms. Dellert even made a point to help those less fortunate with clothing. These were just a few of her many interactions with the youth of our region.

The City of Gardiner is pleased and honored to dedicate the 2018 Annual Report in memory of Jean Traquair Dellert, for all that she gave back unselfishly.

Donna Gregoire from the Gardiner Area Boys & Girls Club accepted the first copy of the 2018 Gardiner Annual Report as representative for the Dellert family.

2. **Discuss, Evaluate, and Possibly Approve 'List B & C' of Sewer Abatement Requests and Abatement Request from Jack Skehan**

The City Council will discuss, evaluate, and possibly approve the 'C' list of sewer abatement requests. Sewer abatement requests are reported quarterly to the City Council. Requests over \$150.00 require Council approval. See attached list for more information.

List A: City Staff approved list (under the \$150.00 threshold)

List B: City Council consideration (over the \$150.00 threshold)

List C: City Council Special Consideration (outside water meter readings not given within the six (6) month ordinance window)

30 Bridge Street Location:

Mr. Skehan has received all the abatements in which he has applied for. The issue in which was found at our meeting on May 7, 2019 was that additional outside water was being used without being hooked up to an outside meter.

Account was zeroed out previously in 2017 to get a fresh start on getting the readings into us on time. That was about \$900.00

Current Balance on his account is: \$638.26 which consists of the following breakdown.

11/05/2018	\$900.48 was billed
	\$464.00 was abated
	\$436.48 plus interest \$455.81 Balance Past Due

01/03/2019 \$90.48 was billed and is past due with interest \$91.97
04/29/2019 \$90.48 Current bill

56 Pierce Street Location:

This account has not seen an abatement request in over a year, until this request. This account had also been zeroed out back in 2017 for about \$767.00

Current Balance on this account is \$1052.40

11/05/2018 \$840.48 was billed and now with interest is \$869.95
01/03/2019 \$90.48 was billed and now with interest is \$91.97
04/29/2019 \$90.48 Current Bill

Mr. Skehan has not stated an abatement amount in which he is looking for.

Councilor Ault asked why the Pray Street amount is so high.

Doug Clark replied that the Council denied the last request and the owner is coming back with another request.

Councilor Ault moved to approve the Sewer Abatement Requests from List C, in the amount of \$1,787.00.

Councilor Berry seconded.

Mayor Hart asked for any discussion.

Councilor Ault is in favor of a fifty percent reduction instead of a one hundred percent reduction. Councilor Berry agreed with Councilor Ault.

Councilor Ault made an amendment to the original motion to reflect a fifty percent reduction to the abatement request in the amount of \$893.50.

Councilor White seconded.

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

Jack Skehan was present to ask for the abatement. Mr. Skehan stated that he has an irrigation system, so the water did not go down the sewer system.

Doug Clark suggested installing a radio read system which is a device similar to a smart meter. Discussion continued between the Council and Mr. Skehan.

Councilor Ault moved to approve an abatement request for Jack Skehan in the amount of \$1,276.96 for the locations of 30 Bridge Street and 56 Bridge Street.

Councilor Dolley seconded.

Councilor Berry is in support of a fifty percent reduction.

Councilor Ault agrees with Councilor Berry. He should also look into meters and doesn't want to see this come back to Council again.

Councilor Berry moved to amend the motion to reflect fifty percent abatement in the amount of \$638.43 and to provide Jack Skehan with a letter, have him sign it so he acknowledges and understands the rules and policies in the City.

Councilor White seconded.

Mayor Hart asked for any further discussion. Seeing none. All those in favor. 7-1 Councilor Rees opposed.

3. Discussion regarding the current Grant Agreement with Hoppy Days LLC/ John and Lynn Callinan

Hoppy Days LLC, John and Lynn Callinan, have closed their business on Water Street. In 2015, they made an Agreement with the City for a \$35,000 interest only loan. In October 2018, the City Council agreed to extend the agreement until 12/31/2018. This loan had a five-year agreement with a fixed interest rate of 5.75%. There were chronological increments of forgiveness.

As the City and Hoppy Days, LLC has passed the three-year time frame, 25% of the loan should be forgiven, however, Mr. Callinan, as primary holder of Hoppy Days LLC, has informed the City Manager that plans are in the works for another opportunity to occupy the space on Water Street. This opportunity will be opening in a couple of months with Mr. Callinan being the primary investor.

Mr. Callinan is asking the City to waive the default provisions at this time, and allow him to regroup and open another opportunity in the next couple of months. The City Manager would also like the City Council to allow her to sign the extension, as long as it is before 10/1/2019, restarting the agreement with the same terms, with the interest already being paid for year one and the period of time Hoppy Days LLC was closed being added on to the end of the agreement.

The City Manager recommends that Hoppy Days LLC be allowed to restart the five-year Agreement by 10/1/2019, on the same terms, with the time period Hoppy Days, LLC was closed being added onto the end of the Agreement and with the interest already being paid for year one. The City Manager is authorized to sign this Agreement.

John Callinan was present to speak briefly about the project.

Councilor Cusick moved to allow Hoppy Days LLC to restart the five-year Agreement with the opening of a new opportunity by 10/1/2019, on the same terms, with the interest already being paid for year one and the closed time period being added onto the end of the Agreement. Councilor White seconded.

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

4. Consider Approval of a Liquor License Renewal for Cobbossee Aerie #4330 F.O.E./Eagles Club

The renewal application is attached.

This Public Hearing was advertised on May 15, 2019.

Councilor Rees moved to approve the liquor license renewal for Cobbossee Aerie #4330 F.O.E./Eagles Club.

Councilor Berry seconded.

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

5. Consider Approval of Annual Victualer License Renewals

Attached you will find a list of Victualers Licenses, which is an annual license issued to any restaurant/business that prepares or serves food or drink to the public on or off their premises. The list notes the applicants that have submitted the license application. The City Clerk will provide a copy of any application upon request.

Councilor Dolley moved to approve the Victualers License List as presented and paid current. Councilor Ault seconded.
Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous

6. Approve and Sign MSAD No. 11 Warrant and Notice of Election

Attached you will find the Warrant and Notice of Election for MSAD#11. This document requires City Council approval and signature.

Councilor Berry moved to sign the Warrant and Notice of Election for MSAD#11. Councilor Cusick seconded.
Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous

7. Discussion regarding FY20 Budget Proposal

On April 17, 2019 and April 22, 2019, the City Council attended a general work session that provided the City Manager and department heads a chance to explain changes in their proposed budgets that exceeded \$1,000.00. At this meeting the City Council will be provided a proposed list of reductions in the amount of .3 and .6 on the mill rate. The City Council is reminded that the FY20 Budget will go to a first read on June 5, 2019.

Council entered into detailed discussion which included City Manager Landes and several Department Heads.

Mayor Hart summarized the suggestions discussed. Starting from the \$.35, cut out the sweeper, delay the payment to the appropriate timing for the bridge betterment projects, add back in the \$5,000.00 for Gardiner Main Street, add back in the City Planner contract to full which is an additional \$7,000.00. Add back in the training and appreciation for volunteers in the amount \$1,500.00. Add back in half of the tree budget. The total change would result in a mil rate of 22.2% which includes the school and county.

Finance Director Brown suggested that the wage increase be placed in contingency funds until the Council can review and discuss it further at a later time. The Council agreed.

8. Accept minutes of May 8, 2019

Councilor Rees moved to approve the minutes of May 8, 2019 as presented. Councilor Cusick seconded.
Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous

Mayor Hart called the meeting to order at 6:01pm.

1. ROLL CALL

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

Also in attendance: City Manager, Christine Landes; City Clerk, Kelly Gooldrup; Librarian, Anne Davis; Finance Director, Denise Brown; Public Works Director, Tony LaPlante; Fire Chief, Al Nelson;

2. PUBLIC COMMENT (anything not on the Agenda)

Brad Folta, owner of Honey Badger Analytics reported that a neighbor watched someone break in to a car and stole her grooming supplies in the parking lot behind Water Street.

Mr. Folta is also on the Tax-payer's advocacy panel. If anyone has any questions in regards to taxes and understanding the language surrounding taxes, feel free to send them to Mr. Folta.

Mr. Folta also announced that there is a "smarter communities" grant out right now from the National Science foundation which gives town money, approximately 1.5 million to make their communities "smarter". EX: GIS systems, etc.

Mr. Folta put a word out about public transit. He would like to see the rail line get re-established with a regional plan.

3. PETITIONS/PUBLIC HEARINGS

a. FY20 Budget Proposal

This agenda item is the Public Hearing to hear comment from the public regarding the proposed FY20 budget.

The City Council had a preliminary review of the budget in April. In May, there were two Public Hearings conducted where the public was invited to give comment. At the May 22, 2019 meeting, the City Council gave guidance to the city staff as to what line items needed adjustment. The proposed FY20 budget First Read under 4.1 (all attachments are located there also).

The Public Hearing was advertised on May 15, 2019.

City Manager Landes gave a brief overview of the Updated Proposed FY20 Budget.

Mayor Hart opened the public hearing at 6:13pm and asked for any comment from the public.

Debby Willis stated that she appreciates the contract planner money being fully funded in the budget. Also glad to see the Economic Development Director position is still in the budget.

Phyllis Gardiner commended the Council for sharpening the pencils and doing the best possible. The compromises made in the last meeting made sense. Getting the planner and Gardiner Main Street back to the level of funding they had last year is important. Thank you all for your hard work.

Mayor Hart asked for any further discussion. Seeing none, the public hearing was closed at 6:16pm.

4. NEW BUSINESS

1) First Read of FY20 Budget

At the May 22, 2019 Council meeting, the City Council reviewed the proposed FY20 budget. During that meeting there were several proposed changes that the City Council asked to have adjusted. Attached is the new FY20 proposed budget that is a 5.52% total increase (5.08% city, 6.21% school, and 4.10% county tax increase).

Councilor Rees moved to approve the first read of the FY20 General Fund, TIF Funds, and Enterprise Funds budgets and to hold a second reading on June 19, 2019.

Councilor Dolley seconded.

Councilor Cusick asked if the tax rate increased by \$.80? Is the City about \$.20 of that? City Manager Landes stated that she had a discussion with Mayor Hart about the proposed revenue sharing; it may increase from the proposed governor's rate of 2.5% to 3% which would mean about 106,000 more for Gardiner. The first and second year will be approximately 160,000 more than that for a total of \$266,000 increase. We have a couple options moving forward. You could use it as revenue sharing on the tax commitment, which would leave to mil rate similar to what it already is or you could vote to put it in designated funds for next year's tax commitment. You could let it lapse to fund balance.

Finance Director Brown replied that the cities portion is about 15 cents, the school department is 62 cents and the county is 3cents.

Councilor Cusick asked if the school budget passed last night.

Mayor Hart responded that she was in attendance and it did pass. It will now go to the voters on Tuesday.

Councilor Rees thanked City Manager Landes and department heads for sharpening the pencils and coming up with some thoughtful and difficult cuts.

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

2) Consider Sidewalk Committees List for Improvements

The Sidewalk Committee continues to meet, discuss, and evaluate the sidewalk improvements that will be occurring in the city. On May 23, 2019, the sidewalk committee met and decided that Church Street and Brunswick Avenue, from the Common to LER on the South side of the street (left side going out) to High Holborn and then the North side to school, will need to be prioritized. This project will be funded from the existing sidewalk funds. The committee will continue to meet and prioritize the sidewalks to be constructed under the current plans, and with available funding.

Tony LaPlante, Public Works Director, described briefly the history of the Sidewalk Committee and the upcoming projects.

Councilor Berry asked if this exhausts all the funds we currently have available.

Tony LaPlante responded that it is a pretty good chance of that.

Councilor Cusick moved to approve a reconstruction of the Church Street sidewalk, and the sidewalk on Brunswick Avenue from the Common to Laura E. Richards School on the South side of the street (left side going out) to High Holborn and then the North side to school.

Councilor White seconded.

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

3) Consider and Appoint New Members for Boards and Committees

In an effort to continue to fill numerous Boards and Committees, the City Council is being asked to consider the appointment of Bradford Folta to the Wastewater Advisory Committee and Logan McNeill to the Housing Committee.

Each of their statements of interest are attached.

Please note: the Mayor and City Manager are actively seeking new applicants to various committees and boards within the City. The City Council is encouraged to ask any interested applicants to fill out a statement of interest or speak to someone at city hall regarding volunteering.

Councilor Berry moved to appoint Bradford Folta to the Wastewater Advisory Committee and Logan McNeill to the Housing Committee.

Councilor Rines seconded.

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

▪ CITY MANAGER REPORT

New employees: Angie Sencabaugh is our new Planning Assistant, Cindy Burnham is our new Front Counter Clerk, Clayton Snelling is our new First Responder and Alonzo Connor is our new Police Officer.

Marcus Neidner from the Police Department has given his notice and is leaving June 12 to move south.

I met with MDOT today and it appears they will be partnering with KVCOG to conduct a parking study for us in the near future. As of now, there will be no cost to that. The Mayor and I talked about getting a parking committee together to analyze results and work with MDOT and KVCOG.

LED lights are almost installed around the Downtown.

The ads for Maine Biz regarding Libby Hill Park will be printed as we are trying to do some more marketing. I did meet with a potential buyer for a lot in the Libby Hill Business Park. There is a plan for a new restaurant in the Park as well.

Last Thursday there was a Crossing the Cobb meeting. There were about thirty attendees.

• CITY COUNCIL REPORT

Councilor Cusick: Thanks to the Department Heads and City Manager Landes for bringing the budget down to a very minimal increase.

Councilor White: Echoed Councilor Cusick's thanks. The cities increase to the 80 cents on the mil rate is 18.75%, so well done.

Councilor Berry: Ditto. Is the city paying the cost for the Maine Biz ad?

City Manager Landes: responded yes.

Councilor Berry: Was there any conversation with the real estate agent towards sharing that cost?

City Manager Landes replied that she did not ask for that, but can certainly run that by them during the next round.

Councilor Rees: all set

Councilor Dolley: farmers market up and running, please check it out.

Councilor Rines: all set

Mayor Hart: Appreciates the hard work that went into the budget. Welcome to the new employees. Thanks to the American Legion for another great Memorial Day Celebration. The founder of the World Fish Migration Foundation came to Gardiner on Wednesday from the Netherlands for World Fish Migration Day and worked with students. School budget meeting was not very well attended. Voting on Tuesday, please go vote.

- **EXECUTIVE SESSION**

None

- **ADJOURN**

Councilor Berry moved to adjourn.

Councilor Dolley seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 6:39pm

(Draft minutes until the June 19, 2019 Council Meeting)

9. Discussion surrounding ED/Planning Director Position

Mayor Hart asked for an agenda discussion item surrounding the vacant ED/Planning Director position. The City Council is invited to add to the discussion surrounding next steps and what role the City Manager can play in the process.

City Manager Landes announced the resignation of Thomas Fiorelli. It was posted Monday. She is taking the responsibilities temporarily and would like a stipend.

The Council Discussed the need for a full time position, whether it could be subcontracted and the possibility of having the Planning piece of the position contracted.

Anne Davis and Debby Willis, members of the Board of Trade, asked that the item be put on another agenda so the public can have an opportunity to weigh in on the discussion. Also expressed how important the Economic Development Director position is for the City to keep growing and moving forward.

Councilor White moved to allocate a weekly stipend for the City Manager of \$135.00 to fill the duties of the Economic Development Director until another decision is made.

Councilor Rines seconded.

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

▪ CITY MANAGER REPORT

- Please welcome Kris McNeill, our new Code Enforcement Officer.
- Last week, Mayor Hart and I met with KVCOG regarding some grant opportunities. We also talked about a possible parking study downtown being conducted by KVCOG.
- Friday is the closing for the Housing Project on Summer Street.
- 21 Adams Street will be cleaned up with the next couple weeks.
- There are reduced priced event tickets available for Build Maine.

The Council agreed that going forward; Department Heads will not have to attend the Council Meetings unless they are on the agenda.

▪ CITY COUNCIL REPORT

Councilor Ault: Thanked everyone for the hard work regarding the budget process.

Councilor Cusick: Thanked everyone for the great budget discussion tonight.

Councilor White: Agreed with Councilor Ault and Councilor Cusick. In regards to the Memorial Parade, are we marching, where do we meet, what time, etc.

Councilor Berry: Thanked City Manager Landes for resolving an issue a resident had regarding the sewer.

Councilor Rees: Thanked the Council for doing a great job handling difficult situations in such a respectful way and also thanked everyone during the budget process.

Councilor Dolley: Thanked to the staff and council

Councilor Rines: Thanked the Department Heads

Mayor Hart: Thanked Department Heads and staff, the Memorial Parade: the council will walk in the parade, meet time at 9:00am, start time is 10:00am, we all understand that that will not be a City meeting and we will not be discussing any city business, welcome Kris McNeill.

5. EXECUTIVE SESSION

1. Pursuant to 1 M.R.S.A. § 405 (6)(F): Discussion regarding a Sewer Abatement Request

Councilor Berry moved to remove under executive session, number one.

Councilor White seconded.

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

2. Pursuant to 1 M.R.S.A. § 405 (6)(E): Consultations between the City and its Attorney regarding a Code Enforcement Issue

Councilor White moved to enter executive session pursuant to 1 M.R.S.A. § 405 (6)(E): a code enforcement issue. 9:47pm

Councilor Berry seconded.

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

Councilor Dolley moved to exit executive session at 10:16pm

Councilor Rines seconded.

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

▪ ADJOURN

Councilor White moved to adjourn.

Councilor Rees seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 10:17pm

(Draft minutes until approved during the June 19, 2019 Council Meeting)