



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



<b>Meeting Date</b>	03/20/2019	<b>Department</b>	City Council
<b>Agenda Item</b>	4.7 Accept Minutes of March 6, 2019		
<b>Est. Cost</b>	n/a		

<b>Background Information</b>	The minutes from the March 6, 2019 meeting are attached for the City Council's approval.
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<b>Requested Action</b>	'I move to approve the March 6, 2019 minutes 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 _____

Mayor Hart called the meeting to order at 6:00pm.

## 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

Absent: Marc Rines, District 4; Maryann White, At large;

Also in attendance: City Manager, Christine Landes; City Clerk, Kelly Gooldrup; Piper Panzeri, Thomas Fiorelli, Clare Marron, Phyllis Gardiner, Robert Abbey

Mayor Hart asked for everyone to stand for the Pledge of Allegiance.

Mayor Hart asked for a moment of silence for fallen Berwick Firefighter Joel Barnes.

## 2. PUBLIC COMMENT (anything not on the Agenda)

None

## 3. PETITIONS/PUBLIC HEARINGS

None

## 4. NEW BUSINESS

Councilor Ault moved to move agenda item number four up to agenda item number one.

Councilor Cusick seconded.

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

### 1. SAFER Grant updates from Chief Nelson/Council to possibly establish an ad-hoc committee to look at Fire Department staffing options in the future

At two previous meetings Chief Nelson has briefed the Council on possible staffing options at the Fire Department.

Chief Nelson will be present to again advise the City Council on SAFER grant requirements/limitations in regards to applying and then possibly withdrawing an application due to budget concerns.

There were previous discussions regarding the set-up of a possible committee to review staffing issues at the Fire Department. The City Council is being asked to consider creating an ad-hoc committee for this purpose.

Chief Nelson gave a brief summary of the discussions during the two previous Council meetings. The application must be submitted by March 22 and they award the grants June through August. He stated that we can withdraw our application without penalties.

Mayor Hart commented that in previous meetings there were discussions to form an ad hoc committee. The City Manager's recommendation is that it be an ad hoc committee of five members which would include the fire chief, a councilor, a neighboring community fire

department representative, and two at large members that will convene to review the staffing issues at the fire department.

Chief Nelson commented that there should be a union rep in the ad hoc committee.

Councilor Ault asked City Manager Landes that in the council packet there shows two recommended actions. One motion being the ad hoc committee and the other motion to delay the application for the SAFER grant.

City Manager Landes replied that preliminary numbers in the budget look at about an increase of .6 on the mil rate, which will move it to 22 exactly. That was condensing it down this morning and doing some more cuts. The price tag on a SAFER grant is not what I would look for in this coming budget year. There is a consideration in the budget to have \$300,000 come from fund balance; we are not necessarily going to have that opportunity next year. We don't build the fund balance up this quickly. She would prefer not to commit to the SAFER grant. It is a lot of work, time, and energy for Chief Nelson to put in to that over a two-week period just to say sorry, we are not interested because the budget is already tough.

Mayor Hart stated that it is her understanding that a motion regarding the SAFER grant doesn't have to be made. We can let it rest and pick it up at a future date.

Chief Nelson stated that these grants only come out once per year.

Councilor Berry moved to establish an ad-hoc committee of 6 members to include the Fire Chief, a Councilor, a neighboring community Fire Department representative, two at-large public and one Union Representative members that will review staffing issues at the Fire Department. Councilor Rees seconded.

Councilor Ault asked if a time frame could be added on to the ad hoc committee for completion. City Manager Landes replied that if the recommendation is approved, a purpose submission gets established for the committee to work from. It will probably take eight to ten months to complete.

Chief Nelson stated that with any committee, your first meeting should be setting your time lines and submissions. He requests that the committee establish a timeline rather than the Council. They would keep the Council updated of progress.

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

Mayor Hart thanked Chief Nelson for his work and all he does.

Councilor Ault thanked Chief Nelson for bringing this issue to the Council. He is looking forward to the recommendations that the ad hoc committee will bring forward.

Councilor Cusick thanked Chief Nelson for his work and commented that the budget is tough and he understands that the problem is not going away and we are looking forward to resolving this issue.

## **2. Presentation by Piper Panzeri/Gardiner Main Street**

Gardiner Main Street Executive Director Piper Panzeri will be present to brief the City Council on activities and events that have occurred over the past year.

Gardiner Main Street, along with other major non-profits, have been asked to present to the City Council as part of the upcoming review of the FY20 budget.

Robert Abbey explained that Dawn Thistle is our President, but due to illness is unable attend the meeting. As past president, he will be representing Dawn. He explained a little bit about what Gardiner Main Street represents. Two years ago we adopted five transformation strategies which is one of the concepts that Main Street America suggests that local Main Streets adopt. The five things we adopted are Cultural Connections: accessible arts and craft community, Johnson Hall, Art Walk, Maine maker's local artisans. Wellness and recreation: we are committed to projects that connect and promote wellness and all its forms such as trails and outdoor recreation. Local business: to expand our craft and foods movement and advocate for new and existing businesses. Welcoming community: to continue positioning Gardiner as a family, friendly, safe and walkable welcoming community. History and heritage: we emphasize the history of the community. At the present, Piper Panzeri is responsible for the Dingley Block. She will explain what is going on with these buildings. Our board consists of President, Dawn Thistle; Past President and chair of Streetscape, Robert Abbey; Treasurer, Martha Mosier; Secretary, Janet Slade; Director of Communication, Melinda Hann; Promotions Team Chair, Clare Marron; Stacy Caron, Nicole Cooley, Kristy Gould, Patricia Hart and prospective member Alan Claude.

Clare Marron, chair of the promotions team, explained that they are about community engagement and enjoyment. We do this with about six to eight volunteers who meet every month. We plan twelve months of events in those meetings. Some events are small like Gardiner game night, Halloween and early bird shopping which don't take a lot of planning but do take a large amount of volunteers. Our larger events like River Fest and Swine and Stein. Those events take us a year to plan. We have seen an increase in attendance at all of our events. The promotions team has been able to mobilize volunteers. This has worked so well that we have often been asked to help other people organize volunteers for other events. This past year we worked with the Kennebec Valley Chamber of Commerce to bring the Great Race to Gardiner. Our volunteers in 2018 worked upwards of 2120 hours using more than one-hundred volunteers. So with the support from the City, our sponsors and donors we are able to have a dedicated staff that holds the volunteers together and provides mostly free events. We are always looking for volunteers so please feel free to stop down to my shop called Monkintree to speak with me.

Robert Abbey explained about streetscape.

Piper Panzeri, executive Director, highlighted two successes. Our social media partnership with the City of Gardiner which we use to promote as a destination. The second is the sale of Dingley Block on Water Street. In fiscal year 2017-2018 the committee voted to focus on three areas of downtown growth: arts, food and craft beverages. Gardiner Main Street created a website to drive traffic called Discover Gardiner. They hired a firm to help campaign for Gardiner Main Street which ran from August 2018 to December 2018 and the campaign generated between 9,000-13,000 impressions with every post. In 2017, Gardiner Main Street Board of Directors agreed to accept from Camden National Bank, the responsibility of Stewardship of the Dingley Block on water Street. Five buildings and three lots were procured for one-dollar from Camden National Bank. Camden secured the structural integrity of the buildings in a 2012 renovation. Over the past two years, Gardiner Main Street maintained the buildings, paid utilities and taxes on the properties. We worked toward a goal of reintroducing the properties to the Gardiner community with purchasers committing to Gardiner growth and a full restoration. Gardiner Main Streets Board of Directors chose price

points for the buildings that allowed for first floor development within one years' time. We took out a loan in the Spring of 2018 to repair two badly leaking flat roofs that had not been repaired during the 2012 restoration. We were able to pay back that money with the sale of the buildings. Gardiner Main Street did not profit in any way from the sale of the buildings. All buyers have committed to complete redevelopment of each floor of all five buildings. 149 Water Street LLC purchased the parking lot across from the library and three buildings closest to those lots. The first floor Water Street side of the building will be an a Bitliffs American Café which includes a coffee house and restaurant bar. In February, 149 Water Street LLC leased the waterfront park side of the building to Bateau Brewing LLC. Alan Claude LLC purchased the two buildings closest to Reny's. The buildings had to be sold together as they share a common third floor space. The two Water Street fronts will house the official Alan Claude Gallery and another retail or gallery. We were awarded a Brownsfields mitigation grant for the last lot that we do own.

Councilor Ault commented that he was impressed with the progress and dedication of Gardiner Main Street. He asked where the Gardiner Main Street office now.

Piper Panzeri replied that when the building was sold, it was with agreement to stay on the 2<sup>nd</sup> floor at 149 Water Street. With the renovations and dust being unhealthy, we temporarily on Mechanic Street in the Cattywampus studio.

Councilor Ault asked if they are planning to return to 149 Water Street beyond the six months.

Piper Panzeri replied that they are not sure what will happen after the six months as of yet. We do know that there are event spaces planned in that building.

Councilor Rees asked what the plan is for the remaining lot once the mitigation is complete.

Piper Panzeri responded that the Board has not determined that yet.

Mayor Hart commented that she is honored to serve on the Board for Gardiner Main Street as an ex-officio member.

Piper Panzeri stated that there will be a press release next week about the sales. We wanted to make the Council aware of what was happening first.

Mayor Hart thanked everyone for coming to speak and all their hard work.

### **3. Historic Preservation Committee Appointments**

For the past few months the Historic Preservation Committee has been experiencing an issue with being able to hold a meeting due to a lack of a quorum. A Historic Preservation Commission shall be established consisting of 7 members and 2 alternate members, who shall be residents of Gardiner. An alternate member shall become a voting member when so designated by the Commission Chairperson due to the absence of a primary member. Members of the Commission shall demonstrate an interest in the historical and architectural development of the city and shall be appointed with due regard to the proper representation of such fields as history, architectural history, architecture, landscape architecture, planning, engineering, archeology, law and building construction to the extent that such professionals are available in the community. Consideration shall also be given to appointment of at least one member who is a resident of a designated historic district.

Members shall be appointed by the Mayor for a term of 3 years, except that the initial appointments shall be staggered so that subsequent appointments shall not recur at the same time. The Mayor shall act within 60 days to fill a vacancy, including expired terms. A

member may be removed by the City Council for the following reasons: Unable to continue being an active member due to physical or mental incapacity. The violation of state or federal criminal statutes. A vacancy shall be created when any one of the following occurs: Member moves his/her residence from the city, Member resigns, Member is removed for cause by the City Council, Death of a member, A Commission member has 3 consecutive absences. Exception may be agreed to by the Commission.

Attached is an application from Kristopher McNeill for your consideration. Current appointed members include: Clare Marron, Eileen Hagerman, Geri Doyle, Hal Norvell, Janet Slade, Melian Mulherin: Alternate, Robert Abbey, Robert Lash, and a vacant Alternate. Robert Lash, Melian Mulherin, and Eileen Hagerman have not attended several meetings.

City Manager Landes stated that it come to the attention recently that the Historic Preservation Commission has not been able to attain a quorum. Recently, it has been very frustrating for the applicants. I, along with the City Clerk and Code Officer Barb Skelton met to try and determine who had been at meetings, what their level of participation was and who is still currently on the Commission and attending the meetings. We have since heard from Robert Lash who has asked to stay on, so I am asking Council to remove his name from the dismissal. You also have an application in your packet from Kristopher McNeill. Mayor Hart asked if anyone has reached out to Melian Mulherin and Eileen Hagerman. City Manager Landes replied that they have not responded to Code Enforcement Officer, Barb Skelton after several attempts.

Councilor Cusick moved to dismiss Eileen Hagerman and Melian Mulherin from the Historic Preservation Committee and to appoint Kristopher McNeill to the Historic Preservation Committee for a term of three (3) years.

Councilor Dolley seconded.

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

Councilor Ault opposed.

#### **4. Review upcoming tax acquired properties being sent to bid**

Recently the list of tax foreclosed properties was reviewed by Councilor Berry, CEO Skelton, City Manager Landes, Assessors Agent Lebel, and Tax Collector Cutler. The following four properties are being sent to the City Council for their review and acceptance of sending them to bid with the recommended minimum amounts.

- a. Map 038 Lot 011 Minimum Bid \$2,500 57 Mt Vernon Street
- b. Map 036 Lot 021 Minimum Bid \$2,000 21 Adams Street
- c. Map 009 Lot 003 Minimum Bid \$2,000 210 Costello Road (clean-up clause)
- d. Map 015 Lot 005 H Minimum Bid \$6,500 56 Marks Lane (clean-up clause)

Kathy Cutler, Tax Collector, asked the Councils permission to put three tax acquired properties out to bid. If approved, the bid packets will go out tomorrow with a deadline of March 15, 2019 so the results could be reviewed at the next Council meeting. We are hoping to get these properties back on tax rolls by April 1<sup>st</sup>.

21 Adams Street structure is not there any longer. The City has had that demolished so it is just land.

57 Mt Vernon Street is just a piece of land as well.

210 Costello Road has structure that will need to be demolished and the property cleaned up. We have included that caveat in the bid packet, so anyone taking that bid packet out will know the requirement. We would allow four to six months to get the property cleaned up because of the time of year. It is hard to get in there where the ground is frozen with snow. City Manager Landes asked that 56 Marks Lane be excluded from the approved list as there may be another interested party that was not notified of the foreclosure, so the Tax Collector would like to do more research on that property.

Kathy Cutler stated that the agenda packet also includes a tax sheet on each property.

Councilor Ault asked if Vision Solutions has changed as he can no longer access the program to view the property information as he could in the past.

Kathy Cutler replied that the City has a new website. If you go to the Assessing page, then click on the online assessing database. Customers and realtors look at it all the time.

Councilor Berry asked if the \$2,000 minimum bid on 21 Adams Street includes what the City paid to clean the lot up.

Kathy Cutler responded that it does not. We are not looking to recoup the money because it wasn't money out of the City's budget. It was money that came from selling Iron Mine Hill Trailer Park.

Councilor Berry asked how much was spent to clean it up.

Tony LaPlante responded that he believes it was \$4,950.00.

Councilor Berry recommended that the minimum bid be higher. There are not many pieces of land for sale in Gardiner.

City Manager Landes stated that the motion needs to be very clear on the amounts if you choose to change the minimum bid prices.

Councilor Berry moved to approve the above noted properties be sent to bid, with the recommended minimum bids and specific property clean-up requirements as follows:

a. Map 038 Lot 011 Minimum Bid \$2,500 for 57 Mt Vernon Street

b. Map 036 Lot 021 Minimum Bid \$6,500 for 21 Adams Street

c. Map 009 Lot 003 Minimum Bid \$2,000 210 Costello Road (clean-up clause)

d. Map 015 Lot 005 H located at 56 Marks Lane will not be put out to bid at this time.

Councilor Cusick seconded.

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

##### **5. Consideration of a request from the Sidewalk Committee regarding Spring Street reconstruction**

Per the Council's request, the sidewalk committee met on 2/27/19 to discuss a plan as to how to proceed with addressing sidewalk issues. The committee reviewed the project plan developed twelve years ago. The plan identified a section on Spring Street that needed a rebuild near the Knights of Columbus continuing to Mt. Vernon Street. Since the plan was developed the sidewalk conditions have changed from Bridge Street to the Knights of Columbus Hall. Evaluating the data, the committee voted unanimously to rebuild this sidewalk. This project will be funded from the existing sidewalk funds. The committee will

reconvene in mid-April to prioritize the sidewalks to be reconstructed under the current plans, and with available funding.

Tony LaPlante, Public Works Director and Sidewalk Committee member, explained we have a several hundred thousand dollar, several streets impacted, project under way. Back in November, the Council wanted to discuss some concerns about Spring Street. The Sidewalk Committee met last week and came to a unanimous vote to reconstruct the rest of Spring Street sidewalks. The Committee will reconvene to prioritize what the next best steps are with other streets going forward. We are here tonight asking the Council to agree with the Committees decision to redo the full Spring Street sidewalk. We will be back in early summer with our next committee meeting update.

Councilor Ault moved to approve a reconstruction of Spring Street sidewalk, from Bridge Street to the Knights of Columbus Hall.

Councilor Cusick seconded.

Tony LaPlante commented that it should read from Bridge Street to Mt. Vernon Street.

Councilor Cusick withdrew his second.

Councilor Ault changed the motion to read as follows: I move to approve a reconstruction of Spring Street sidewalk, from Bridge Street to Mt. Vernon Street.

Councilor Cusick seconded.

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

## **6. Introduction of Thomas Fiorelli/City of Gardiner Economic Development Director/Planner**

Thomas Fiorelli will be present to introduce himself to the City Council. The Council will have an opportunity to ask questions and welcome him to the team.

Thomas Fiorelli introduced himself. His background is in terms of education is a bachelor in Planning and a master's in public administration. I have been pursuing a PHD in landscaping and architecture. I also hold a graduate in ecological design. My focus has been in Brownfield Mitigation. I am looking forward to introducing adaptive reuse in Gardiner.

Mayor Hart welcomed Thomas and is looking forward to his working on the development needs of the community.

Councilor Rees welcomed Thomas Fiorelli and said she is looking forward to working with Thomas.

Councilor Ault stated 'here-here'.

Mayor Hart thanked Thomas for coming and told him to feel free to call on the Councilors for any help.

Thomas Fiorelli thanked the Council and told them he will definitely be calling them for guidance.

## **7. Accept minutes of February 20, 2019**



Mayor Hart thanked the City Clerk for getting the minutes to the Council so quickly for review and approval.

Councilor Dolley moved to accept the minutes of the February 20, 2019 meeting as presented.

Councilor Rees seconded.

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

#### ▪ CITY MANAGER REPORT

- I am still trying to track down the local sales tax bill the Council requested at a previous meeting.
- I have not heard back from Mayor Rollins in regards to joining the Mayors Coalition. I have reached out to him twice, one being a text message. I will continue trying.
- Last week there was a Duct Tape Council meeting to discuss how to make the upcoming Bridge Project a positive experience.
- We were asked by the Maine Service Center Coalition to possibly testify on March 20, 2019 in regards to revenue sharing. I did reach out to the Mayor and I will draft a letter that will be signed by myself, Mayor Hart and Finance Director Brown advocating for an increase in revenue sharing.
- Next week I will be in Washington DC representing the Maine Municipal and the City of Gardiner at the National League of Cities. I will be meeting with Senator Collins, Senator King, Representative Golden and Representative Pingree to address some of the issues in the State of Maine. Some of the other cities that are attending are Brewer, Augusta, Auburn, Bath, and myself for Gardiner, along with the Town Manager in Vassalboro.
- Friday we are meeting to draft legislation regarding dispatch.
- Our Planning Assistant, Michael Foster; has been with us since last fall has given his notice as of today. He will be going to Old Orchard Beach as Assistant Planner. His last day with the City of Gardiner will be March 22, 2019.

#### 5. CITY COUNCIL REPORT

Councilor Ault: I enjoy when non-profits come to the Council to speak with us. It helps clarify what they do and all their efforts within the community. I really enjoy the new website.

Especially the mobile accessibility. I want to encourage the Council to adopt a food sovereignty ordinance. That has been on the scene at a lot of our neighboring communities.

Councilor Cusick: Welcome Thomas. I look forward to working with you. I think you will do great things for the City of Gardiner. Tony please thank your crew. They are doing a great job.

Councilor Berry: all set

Councilor Rees: all set

Councilor Dolley: all set

Mayor Hart: Congrats to Johnson Hall for a really fabulous fundraiser over the weekend called Murder at the Mansion. There was a fun mixer at Sweet Carolyn's. Game night is coming up soon. We receive our reminder tonight from Gardiner Main Street. Curves is closing. They sent out an announcement to all their members. They had close to four hundred members and were in business sixteen or seventeen years. I am hoping we can do a Resolution for them. I did have the

opportunity to attend the funeral for Harold Shapiro. It was an honor to be there along with former Mayor McLean and passed along our condolences. With the passing of Berwick Firefighter, Captain Barnes, it reminds me of how special it is to live in a tight community where people are willing to put their lives on the line day in and day out.

## 6. EXECUTIVE SESSION

### 1. Pursuant to 1 M.R.S.A § 405 (6)(A): Six-month review of City Manager Landes/Manager and Council

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 at 7:13pm. Councilor Cusick seconded.

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

Councilor Rees moved to come out of Executive Session at 7:50pm.

Councilor Dolley seconded.

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

No action taken.

## 7. ADJOURN

Councilor Ault moved to adjourn.

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 7:51pm

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