



GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET



Meeting Date	01/09/2019	Department	City Council
Agenda Item	4.8 Accept minutes of December 19, 2018		
Est. Cost	n/a		

Background Information	Attached are the minutes from the December 19, 2018 meeting.
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Requested Action	'I move to approve the minutes of December 19, 2018, 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 Harnett called the meeting to order at 6:00 pm.

1. ROLL CALL

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

Also in attendance: City Manager, Christine Landes; City Clerk, Kelly Gooldrup; Barb Skelton, Tony LaPlante, Dorothy Washburne, Andrew MacLean

2. PUBLIC COMMENT (anything not on the Agenda)

Mayor Harnett asked for any comment from the public. Seeing none, we will move on to the next item on the agenda.

3. PETITIONS/PUBLIC HEARINGS

a.) Public Hearing and Second Read of Proposed changes to the E911 Ordinance

CEO Skelton gave an overview of the proposed changes. This item was brought to my attention several months ago by Firefighter, Eric Davis. We made some minor changes to the addressing ordinance to identify that the E911 addressing officer is the appropriate body to assign road names and addresses. The largest change is to have an appeals process.

Mayor Harnett opened the public hearing at 6:05pm and asked for and comments from the public. Seeing none. Mayor Harnett closed the public hearing at 6:05pm.

City Manager Landes added that CEO Skelton will bring more changes in the next calendar year. Also there was a typo on the effective date on the agenda sheet. It should read 30 days after the fact not 10 days.

4. NEW BUSINESS

1. Possibly Approve the Proposed Changes to the E911 Ordinance

Councilor Cusick moved to accept the proposed changes to the E911 Ordinance as presented.

Councilor White seconded.

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

2. Discussion surrounding downtown trees and overall care for City trees
(possible policy)

This agenda item was requested by Councilor Ault at a previous Council Meeting. There was discussion about how to possible care for and replace trees within the City.

Councilor Ault thanked City Manager Landes and CEO Skelton for bringing this up in a timely manner. He was not aware that this was up for Ordinance Review since the summer.

CEO Skelton responded that the Ordinance Review Committee has been working on it since March. The draft we are basing it from came from conservation commission 15 yrs ago.

Councilor Ault asked about the care plan act in Chapter 2.

CEO Skelton responded that some of the changes were based on conversation with Tony LaPlante surrounding Water Street trees. The City had a budget to spend on public trees and it didn't appear that a lot of time was spent on it. The CEO was appointed the Tree Warden. We have had issues with Gypsy Moth and Brown Tail Moth.

Councilor Ault asked if this is in response to the concern that we plant the trees and move on without proper continued maintenance.

CEO Skelton said that when she first started working here, they were working on trying to get trees planted that the City already owned, but had not been tended to or planted.

Councilor Ault asked if this policy will continue past the two years that is being proposed in the policy.

CEO Skelton commented that it is pending the budget, but hopes that it will.

Councilor Ault commented that he appreciated the work that was put in to this policy.

Councilor Hart asked CEO Skelton to remind everyone about the removal of hazardous trees.

CEO Skelton responded that initially it was brought to the City Council because Tony LaPlante and herself were having a lot of contact with property owners and spending a lot of time trying to figure out if trees were on City property or private property. We were trying to create a policy on removing trees and who is responsible. In doing research, we found a policy had been written, but she couldn't find any documentation that it was ever presented to City Council.

Mayor Harnett asked for any further comments from Council. Recognizing that we will have two public hearings on this in the New Year, are there any members of the public that would like to comment at this point or have any questions?

Dorothy Washburne commented that the makeup of the advisory committee puzzled her as she didn't know anyone on the committee. She didn't think any of them have any tree maintenance experience.

City Manager Landes asked what committee Dorothy was referring.

Mayor Harnett responded it was the Tree Oversight Committee. (1.3.1 bottom of page 1)

CEO Skelton responded that one of the reasons the Police Chief was chosen was for Public Safety, Public Works Director, City Manager, Finance Director were for financial reasons. Tree Warden is a staff person to give them information.

Dorothy Washburne replied that if there is someone in the city who is an arborist on the committee.

City Manager Landes said we could certainly look into that.

Dorothy Washburne also noted a section for no topping, limbing, slashing, wiring, attaching things to trees seemed to be missing from this ordinance.

City Manager Landes suggested we move forward to a first and second read in January and then looking at it again as needed.

Dorothy Washburne commented although this is an ordinance just for trees, the City has been negligent on the maintenance. There has been with little to no maintenance down at the waterfront since 2008.

3. Discussion surrounding an extension for the Johnson Hall Pledge Agreement

City Manager Landes commented that in April 2017, the City and Johnson Hall entered into a Pledge Agreement for the City to pledge \$150,000 (one hundred fifty thousand) and said funding would only be made upon financial close of construction financing for the improvement project. This Pledge Agreement is effective until December 31, 2018. The City has an option to extend the termination date upon mutual agreement in writing. A representative from Johnson Hall will be present at the meeting to discuss the project in regards to how much progress has been made and what the future plans look like.

Andrew MacLean, President of the Johnson Hall Board of Directors was present and thanked the Council for considering the extension. He appreciated the city's financial pledge to the project. He noted that 'We have crossed the three-million-dollar threshold towards our four point eight-million-dollar goal. All elementary students in the district were able to see the polar express this year. We had our second annual festival of trees. I will respond to any questions now.'

Mayor Harnett asked for any questions from the council.

Councilor Hart congratulated Andrew MacLean on a successful year. When do you anticipate taking out the construction loan and completing the fundraising?

Andrew MacLean responded that it is hard to say. We would be prepared to come back to council to advise when we are approaching a dollar goal and that we are comfortable proceeding with a signed construction contract.

Councilor Ault asked Andrew MacLean to speak to the percent of the public phase.

Andrew MacLean responded that it should be in the 75% or 80% of the goal before going to public phase. Our focus right now is to find matching funds.

Councilor Ault commented that my neighbors didn't know there was a capital campaign.

Andrew MacLean replied that as he understands, when we get to the final push of the campaign, such as buying seats, it will be much more advertised.

Mayor Harnett asked for any further comments. Seeing none. I will entertain a motion.

Councilor Berry moved to extend the Pledge Agreement with Johnson Hall, Inc. with a new expiration of December 31, 2020, with permission granted to the City Manager to sign the extension.

Councilor Dolley seconded.

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

4. Delegation of Authority for 2019

City Manager Landes explained that yearly, the City Council approves and signs a Delegation of Authority order that allows some normal course of business transactions to occur, without the need to bring them to the City Council.

Councilor Hart moved to approve and sign a Delegation of Authority order, effective January 1, 2019 to December 31, 2019.

Councilor White seconded.

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

Unanimous.

5. Appointment of the City of Gardiner Registrar of Voters for a Two-year Term

City Manager Landes explained that the municipal officials of each municipality shall appoint, in writing, a qualified registrar of voters by January 1 of each odd-numbered year. The registrar shall serve for 2 years and until a successor is appointed and sworn in. The Registrar of Voters shall be sworn and the oath recorded as provided by Title 30-A, Section 2526, Subsection 9.

Councilor Ault moved to appoint Kelly Gooldrup as the City of Gardiner Registrar of Voters for a two-year term.

Councilor Cusick seconded.

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

Unanimous.

6. Review Statements of Interest for City Council Candidates to fill District 2 (Patricia Hart) seat/Determine Interview Schedule

City Manager Landes explained that attached were three Statements of Interest to fill the upcoming vacant District 2 seat of Mayor-Elect Hart. Originally it was stated that these applications would be reviewed in an Executive Session. Due to public interest, particularly District 2 voters, the City Council will review these Statements of Interest in an open meeting.

The person chosen by the City Council will fulfill the remainder of Mayor-Elect Hart's seat and will need to follow the same process (collecting signatures) as any other candidate (Fall 2019) should they choose to run for the same seat.

The City Council is being asked to formulate a plan of action as to how interviews (if applicable) will occur. Also, the Council will be asked to set a date for a secret ballot election conducted with the City Council casting the only ballots (per Charter).

*NOTE: December 19th at noon is the deadline for Statements of Interest. A possibility exists that more Statements of Interest will be submitted. If this occurs, copies of those will be brought to the Council meeting that evening.

Councilor Hart said that in the past people from the public shared their views and then Council voted in secret ballot and it all happened in the same night.

Mayor Harnett asked if this will be on the agenda for January 9th.

City Manager Landes said it can be, but be prepared for a long night as it is already a long agenda. Although it would be best as there is a goal setting session on February 2nd that the Manager would like the new Council member to attend.

Councilor Ault is in support of the process as well. How will the agenda be going out to the public? Will they be expected to be here to speak? I would like to hear from them.

City Manager Landes said she will reach out to all applicants.

7. Accept minutes of November 28, 2018

Councilor Hart extended thanks to Kelly Gooldrup and moved to approve the minutes of November 28, 2018, as presented.

Councilor Cusick seconded.

Mayor Harnett noted a correction needed to item one in the minutes: Junkyard 'overlook' should be 'oversight'.

Councilor White also noted the word 'Councilor' was missing in front of her name in the same item.

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

● CITY MANAGER REPORT

-At the last meeting you moved to send the LED lighting project to a first read for this evening. Unfortunately, due to some advertising deadlines and some sickness in the office this did not get advertised in time. I did speak with Infinity Lighting and they were okay with a two week push out. We will have the first and second read in January.

-Ironmine Hill Trailer Park has officially closed. The City has received the money. The Tax Collector sent the new owners the list of tenants and the City is no longer plowing that section.

-January 7, 2019 at 6:00pm at Johnson Hall will be an Inaugural Meeting. Please join us for light refreshments and speeches from the outgoing Mayor and incoming Mayor.

-January 25, 2019 at 11:00am there will be a ribbon cutting for new tower that is up and running.

-Councilor Berry asked about bonding verses leased purchase in the LED light discussion. The City of Gardiner does not get rated in bonds nor do we pay to get rated for bonding. So taking out a bond doesn't negatively affect the City.

-On Sunday, Councilor Rines and I attended a surprise party for the former owners of the A1 Diner. I did elaborate to all the attendees to join us during our January 9, 2019 meeting where we will have a resolution for those previous owners.

-The Dog Committee is scheduled to meet the end of January. We have a couple more candidates that I have asked Kelly to reach out to so expect a review of that ordinance that Council passed a couple months ago. Pros and Cons will be even on that Committee.

-Councilor Berry and Mayor Harnett please come in to the office to sign warrants.

-Dispatch talks and solutions are still in the works. We are waiting for offers from Somerset County for PSAP, Waterville and Lisbon for dispatching. Yesterday, Mary Sabins; Vassalboro Town Manager, Chief Toman, and I met with the Kennebec County Commissioner. We voiced our concerns.

-There has been a lot of talk amongst municipalities as to how their legislative body feels about a local option sales tax.

Council Berry said he thinks it will pit municipalities against one another.

Councilor Ault doesn't know enough about it.

-Bryan Batchelder wants to be the sealer of weights and measures, no cost to us. I will bring in his appointment to the January Meeting.

-In a previous meeting one of the Councilors asked about having Election Clerks volunteer as opposed to paying them an hourly wage.

Councilor Berry said it was him as he didn't know.

Title 21A Section 503 states that clerks are entitled to receive a reasonable compensation determined by the Municipal Officers. So they have to get paid.

-Economic Development Director is down to two candidates. Both of those candidates will be visiting the City in the next couple of weeks.

-The Kenney Awards will be on January 25, 2019. Councilors have an invite as the City has purchased a table with eight seats.

-On Monday we are closing at noon to customers. However, the staff has the option to work or use vacation time for the afternoon.

● **CITY COUNCIL REPORT**

Councilor Hart: There is a lot going on. The January 7 meeting will be that notice go out so folks know what is going on?

City Manager Landes responded that it will go out like a regular agenda.

Councilor Hart: It has been great to see all the children. Many thanks to my friend, Mayor Thom Harnett. Our last meeting and it has been a pleasure.

Councilor Ault: Have a great holiday season and I look forward to next year. Thom will be greatly missed.

Councilor White: Well wishes to Mayor Harnett and thank you for making my first term as a Councilor enjoyable. Good luck to you. Happy Holidays everyone.

Councilor Rines: Happy Holidays. It has been an honor to work with Mayor Harnett. On Sunday I had the privilege to Honor Mike Giberson and Neil Anderson from the A1 Diner. The new owner is Aaron Harris. I encourage everyone to go to A1 Diner and support his new venture.

Councilor Dolley: As City Manager Landes mentioned, there has been a problem with speeding on Lincoln Avenue. There was a cat killed about six weeks ago. A vehicle sped through with children getting off the bus. I have spoken with Chief Toman about this and signage has been placed on the street. A sign will be put on the street to determine speed and see if further actions are required after that. I do want to mention the holiday party, which was a blast, particularly the entertainment. I met new people. I will miss the March 20 and April 10 upcoming 2019 Council Meeting dates. I was hoping we could move one of the meetings.

Councilor Cusick: Seconded what Councilor Dolley said about the Christmas party. I felt bad for Councilor Hart. I didn't realize what happened and glad you are okay. Thank you to Tony LaPlante and the Public Works Department. We had a little storm the other day and I was up bright and early, roads were clear when I left for work. Thank you to Mayor Harnett for your service to the City. I will miss you and good luck on your new venture. It has been a pleasure. Happy Holidays and Merry Christmas.

Councilor Berry: Happy Holidays. Thank you to Mayor Thom Harnett for the last 5-6 years. You have allowed us to voice our opinion. Wish you all the best in your future endeavors in Augusta. When we have an executive session, there doesn't seem to be mechanisms to determine how it turns out.

City Manager Landes said Councilor White asked the same question. Please reach out to me or the other Department Head to find out otherwise it means another executive session.

Councilor White asked if it should be by phone calls.

City Manager Landes replied yes, phone calls, no emails.

Mayor Harnett: The holidays have gotten off to a great start in the City of Gardiner. I took home a trophy in a contest at Two Gramps. The parade had 30 entries. The Holiday party was fun, particularly the 12 days of Christmas rendition. I look forward to the swearing in of the new Mayor and reelected Councilors on January 7, 2019. One of the first pieces of legislation I have introduced is to the current revenue sharing that is going up to 5 percent is set to take effect on July 1, 2019 and I have put in an L.D .to do retroactive to January 1, 2019.

- **ADJOURN**

Councilor Cusick moved to adjourn.

Councilor Berry seconded.

Mayor Harnett asked for any further discussion. Seeing none. All those in favor. Unanimous 7:06PM

(Draft minutes until approved during the January 09, 2018 Council Meeting)