



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	07/10/2019	Department	City Council
Agenda Item	4.5 Accept minutes of June 19, 2019		
Est. Cost	n/a		

Background Information

The minutes from the June 19, 2019 meeting are attached for the City Council's approval.

Requested Action	'I move to approve the minutes of June 19, 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 _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

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

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; Jon Ault, At large

Also in attendance: City Manager, Christine Landes; City Clerk, Kelly Gooldrup; Public Works Director, Tony LaPlante; Finance Director, Denise Brown; Wastewater Director, Doug Clark; Police Chief, James Toman; Library Director, Anne Davis; Code Enforcement Officer, Kris McNeill; Jessica Lowell, Scott Rivard, and Philip Alexander

2. PUBLIC COMMENT (anything not on the Agenda)

None

3. PETITIONS/PUBLIC HEARINGS

a) FY20 Budget Proposal

This agenda item is the last Public Hearing to hear comment 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. On June 5, 2019 the City Council held a Public Hearing and First Read. The proposed FY20 budget Second Read falls under 4.1 (all attachments are located there also). The Public Hearing was advertised on May 15, 2019.

Mayor Hart opened the public hearing at 6:03pm and asked for any discussion. Seeing none. Mayor Hart closed the public hearing at 6:03pm.

b) Continuation of Medical Marijuana Retail Storefront Moratorium (effective 7/4/2019)

This agenda item is the consideration of a moratorium extension of Medical Marijuana Retail Storefronts (effective 7/4/2019). This moratorium has been in effect since July 9, 2018. As the State of Maine is still finalizing details, and newly proposed rules for the City of Gardiner are being worked on by the Ordinance Review Committee, the City Council is being asked to extend this moratorium for another 180 days (new expiration of 12/31/2019). The original moratorium is attached with noted dates for the proposed extension. As this is only a continuation of an already existing moratorium ordinance, the City Council is not required to hold a first and second read, but only to have a Public Hearing and then consider approval of the agenda item. (The Moratorium is attached under Agenda Item 4.5)

Mayor Hart opened the public hearing at 6:04pm and asked for any discussion. Seeing none. Mayor Hart closed the public hearing at 6:04pm.

c) Liquor License Renewal Canton Village

This agenda item is the Public Hearing to possibly approve a liquor license renewal for Canton Village. The renewal application is attached to item 4. 7. The Public Hearing was advertised on June 11, 2019.

Mayor Hart opened the public hearing at 6:05pm and asked for any discussion. Seeing none. Mayor Hart closed the public hearing at 6:05pm.

4. NEW BUSINESS

1) Second Read to Consider Approval and Resolution of FY20 Budget Appropriations and Direct the Levy of City Services to the City Manager

This is the second read to the FY20 Budget Proposal. 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). Also attached is Resolution 2019-06-19-001. The City Council is also being asked to allow the City Manager to enter into any and all contracts necessary to implement this budget pursuant to the City's purchasing policy.

Councilor Cusick moved to approve the second and final read of the FY20 TIF Funds, Enterprise Funds, and General Funds Budget and to authorize the City Manager to enter into any and all contracts necessary to implement these budgets pursuant to the City's purchasing policy.

Councilor Rees seconded.

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

2) Consider Approval and Resolution to Establish FY20 Appropriations for the Enterprise Accounts

The City Council needs to approve the appropriation of the Enterprise Accounts. The Ambulance Service support is in the sum of \$1,332,493. The Wastewater Service support is in the sum of \$1,694,161.

Councilor Ault moved to approve a resolution appropriating the following amount for the City of Gardiner's Enterprise Funds: Ambulance, \$1,332,493 and Wastewater, \$1,694,161.

Councilor Cusick seconded.

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

3) Consideration of FY20 Tax Due Dates, Setting the Interest Rate, and Authorizing the Tax Club Program

Council needs to approve the setting of tax due dates, the interest rate charged to delinquent accounts, and authorize the Tax Club Program.

Councilor Berry moved to approve the tax due dates of September 16, 2019 and March 16, 2020 with a 9% interest rate on delinquent accounts, and allow residents to participate in the

Property Tax Club Payment Plan for FY20. And, to also authorize the acceptance of prepayments for taxes not yet committed, with 0% interest accrued.

Councilor White seconded.

Mayor Hart asked for any discussion.

Councilor Ault asked why the interest rate is to be set at nine percent.

City Manager Landes responded that last year was eight percent. The City receives a postcard from the State with a recommended rate. Most municipalities use the recommended rate.

Councilor Ault asked if the Council would discuss the possibility of lowering the rate

Councilor Berry reminded Councilor Ault that it is high, but the Council has the authority to waive or eliminate any cost individually if a taxpayer is in need.

Councilor Ault thanked Councilor Berry for the reminder and encouraged taxpayers to take advantage of the tax club.

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

4) Consideration of Carryforward Requests

Each year the City Council is required to formally approve any carryforward request for purchases or projects that were budgeted for but were not yet expended in the current fiscal year. The Finance Director reviews all requests with the department heads and forwards a list to the City Manager. The City Manager reviews and makes any necessary adjustments. The final list is brought before the City Council for approval. Some of these funds may be fully or partially spent before year end, and if so, the amounts will be adjusted accordingly. The final amounts after any adjustments will be put in a separate account called "Assigned Fund Balance" and will be used in the following fiscal year for the intended purpose. The Proposed Sheet of Carry forward Requests is attached. The two category amounts are \$6,500 in Public Works for engineering work and \$3,000 in training expenses. Public Works will need some engineering work in the next fiscal year. The training budget line will be used for the upcoming Maine Municipal Association Annual Conference, where the City Manager will be inducted as President of the Association and there will be several attendees from the city to see that event and stay for a day of training. The City Manager and Finance Director have reviewed all of the requests from Department Heads and recommend approval of the attached list.

Councilor Cusick moved to approve the City Manager's list of recommended carry-forward items in the amount of \$9,500 from FY19 to FY20.

Councilor White seconded.

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

5) Consider a moratorium extension of Medical Marijuana Retail Storefront Moratorium (effective 7/4/2019)

This agenda item is the consideration of a moratorium extension of Medical Marijuana Retail Storefronts (effective 7/4/2019). This moratorium has been in effect since July 9, 2018. As

the State of Maine is still finalizing details, and newly proposed rules for the City of Gardiner are being worked on by the Ordinance Review Committee, the City Council is being asked to extend this moratorium for another 180 days (new expiration of 12/31/2019). The original moratorium is attached with noted dates for the proposed extension.

Councilor Dolley moved to extend The City of Gardiner's Moratorium on Medical Marijuana Storefronts for another 180 days: expiring on December 31, 2019.

Councilor Berry seconded.

Mayor Hart asked for any discussion.

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

6) Consideration of Approval for a Victualer License: Two Gramps Brewing & A1 Diner

A Victualers License is an annual license issued to any restaurant/business that prepares or serves food or drink to the public on or off their premises. Two more businesses have submitted their request for approval: Two Gramps Brewing and A1 Diner. The City Clerk will provide a copy of any application upon request.

Councilor Berry moved to approve the Victualers License for Two Gramps Brewing and A1 Diner.

Councilor Rines seconded.

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

7) Consideration of Approval for a Liquor License Renewal for Canton Village

This agenda item is the consideration of the City Council to approve a liquor license renewal for Canton Village. The renewal application is attached. This Public Hearing was advertised on June 11, 2019.

Councilor Cusick moved to approve the liquor license renewal for Canton Village.

Councilor Dolley seconded.

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

8) Proposal from Chief Toman regarding a radio enhancement, safety of the officers, and possible purchase of a new radio system

The Gardiner Police Department is experiencing significant challenges (dead spots) communicating via portable radio when an officer is located inside buildings in the downtown/historic district. Recently an incident occurred where an officer could not call for assistance with his portable radio due to his location within a building. Stop gap measures have been in place for years in an attempt to save money and we've been unable to secure grant funding to fix the communication issue. The current stop gap measure has its own limitations and it requires all officers to carry multiple pieces of radio equipment instead of just one in order to communicate. The proposed system upgrade will allow only one piece of equipment to be carried and a one button push to talk system. This will have the radio always

choosing the strongest and best signal in a way that is seamless and instantaneous to the end user regardless of the officer's location. Due to the unexpected nature of this request, the use of undesignated fund balance is recommended. Further, it is requested that the current 30 day bid process be waived due to emergent/officer safety issue and it is also requested that this project be awarded to Radio Communications Management (RCM). RCM is the company that was awarded the Libby Hill tower job and they are intimately familiar with the current infrastructure of our system.

Following a video presentation, there was discussion around the room between the Council, Chief Toman, Anne Davis, City Manager Landes, Scott Rivard and Chief Nelson. Councilor Berry was concerned about the cost of the upgrade and why it is not being put out to bid.

The Council was also concerned with the high cost being requested after just approving the budget and recommended a discussion immediately if there is a need going forward with any department.

Councilor Rees moved to waive the bid process and approve the purchase of a new radio system from RCM with an amount not to exceed \$50,000; the funding to be taken from the undesignated fund balance.

Councilor Ault seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. 7-0-1. Abstained by Councilor Berry.

9) Council to review Economic Development Director Job Description and Duties

As the city is moving through the interview process and hiring of a new Economic Development Director, the City Council is being asked to review the current job description. This is an opportunity to adjust those duties as necessary and make any other recommendations or changes as appropriate.

City Manager Landes stated that the ad was posted in numerous agencies and websites. We received four applications and the decision was made to reach out to all four last Friday. Of those four, two still had interest in being interviewed. They will be interviewed Monday afternoon. If neither applicant is the right fit, we will repost the ad and keep looking. Councilor Berry expressed his concern with the salary of the position and whether it really needs to be a full time position.

Anne Davis, representing the Gardiner Board of Trade, commented that they are one hundred percent behind hiring a full time position.

10) Accept minutes of May 22, 2019 and June 5, 2019

Councilor Cusick moved to approve the minutes of May 22, 2019 and June 5, 2019 as presented.

Councilor Dolley seconded.

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

▪ CITY MANAGER REPORT

- New Police Officer, Sean Dixon
- New Planning and Administrative Assistant, Angie Sencabaugh
- Granted an approval to submit a grant for the waterfront access, with the condition that we get legal access to those areas. We are working with the Water District as they own some of that property.

- **CITY COUNCIL REPORT**

Councilor Ault: All set

Councilor Rees: Encouraged the public to look into Efficiency Maine.

Councilor White: Reminded the public that on Friday is the start of the Waterfront Concert with Fireworks and the River Fest on Saturday with a talent show and Fireworks, Requested a Dog Ordinance Meeting, and requested an update on the red house on Central Street.

Chief Toman responded that with the new Code Enforcement Officer being brought up to speed, they will be scheduling a Dog Ordinance Meeting in the near future.

City Manager Landes responded that just prior to the Council Meeting, a meeting was held in regards to the red house on Central Street. An update was given and further research and action will be taken.

Councilor Berry: Encouraged people to look into Efficiency Maine as well. I hope I didn't offend anyone with my comments about radios, etc. I appreciate everyone's input, but I have an obligation to share my thoughts as well. Thank you.

Councilor Cusick: All set

Councilor Dolley: All set

Councilor Rines: Encouraged everyone's attendance during the Friday and Saturday events in Gardiner.

Mayor Hart: Last weekend was the Trek across Maine; ORC is meeting on Monday to talk about the Marijuana rules, thanks to everyone for the budget, thanks to Chief Toman for coming for to improve safety.

- **EXECUTIVE SESSION**

None

- **ADJOURN**

Councilor Dolley moved to adjourn.

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 7:26pm

(Draft minutes until the July 10, 2019 Council Meeting)