



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



<b>Meeting Date</b>	10/30/2019	<b>Department</b>	City Council
<b>Agenda Item</b>	4.6 Accept minutes of October 09, 2019 Regular Meeting and October 16, 2019 Workshop Meeting		
<b>Est. Cost</b>	n/a		

**Background Information**

Attached are the minutes from the regular October 9, 2019, 2019 meeting, along with the workshop meeting minutes from October 16, 2019. Subject to Council Approval.

<b>Requested Action</b>	'I move to approve the minutes of October 9, 2019 and the workshop minutes of October 16, 2019, 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 _____	EFFECTIVE DATE _____
	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; Shawn Dolley, District 3; Maryann White, At large; Jon Ault, At large; Tim Cusick, At large; Marc Rines, District 4

Absent: Amy Rees, District 2;

Also in attendance: City Manager, Christine Landes; City Clerk, Kelly Gooldrup; Finance Director, Denise Brown; Librarian, Anne Davis; Public Works Director, Tony LaPlante; Economic Development Director, Tracey Desjardins; Police Chief, James Toman; Fire Chief, Al Nelson; Shay Flanagan, Jim Wentworth, Candace Thompson, Louise Roy, Molly King, Mary Ann Johnson, Peter Johnson, Robert Abbey, Thom Harnett, Rusty Greenleaf, Sam Sheperd, Dawn McKenna Frey, Richard Rambo, Nancy Rines, Debby Willis

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

Mayor Hart asked for any comment from the public.

Shay Flanagan, a resident of 85 Central Street, expressed concerns with speed on Central Street. Police Chief James Toman encouraged residents to contact the Police Department to create a record and history. We could also activate the portable message board on the Street encouraging people to slow down.

Mayor Hart asked for any further comment. Hearing none, we will move on to the next item on the agenda.

## 3. PETITIONS/PUBLIC HEARINGS

- a) Public Hearing on Proposed Amendments to Chapter 9/Snow Removal in Title 13 Health and Safety

This is a Public Hearing regarding Proposed Amendments to Chapter 9/Snow Removal in Title 13 Health and Safety. Mark Eyerman, Contracted Planner for the City of Gardiner worked with the Ordinance Review Committee to propose an amendment to Chapter 9 that would include parking lots (specifically municipal parking lots that are owned or maintained by the city).

Board Chairwoman Debby Willis gave a brief description of the proposed changes.

Mayor Hart opened the public hearing at 6:10pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:10pm.

## 4. NEW BUSINESS

Councilor Ault recommended that item #4 be moved to item #1. Council agreed unanimously.

1. Presentation from the Gardiner Democratic Committee/Donation to the Gardiner Fire Relief Fund

The Gardiner Democratic Committee would like to present \$1,512.15 to the Gardiner Fire Relief Fund. The Gardiner Democratic Committee raised these funds from an annual yard sale. Each year this committee chooses an organization to donate to. The City Council extended their thanks and appreciation to the Gardiner Democratic Committee for this donation that will ultimately help those affected by fire.

2. Update from DOT/Reed & Reed surrounding bridge project

Previously the City Council had asked to have representatives from Maine Department of Transportation and Reed & Reed attend a meeting for an update on the bridge project and the excavation of materials at the former Chapman Fuel site. At this meeting, those representatives will be present with a brief synopsis of the progress and upcoming notable events/dates.

Tony LaPlante introduced Jim Wentworth, Project Manager for Reed & Reed working on the Bridge Projects.

Jim Wentworth stated that starting on October 18, the Maine Avenue Bridge and road will be shut down for fifteen days. The pedestrian bridge will be open during that time. The Maine Avenue Bridge should be complete by December 1.

Jim Wentworth, Tony LaPlante & the Council briefly discussed the on-going bridge project. Louise Roy, a Hydro Geologist with MaineDEP and Molly King, a Senior Geologist for MaineDEP gave an update on the 'big dig' in Gardiner. 5,400 tons of contaminated soil has been removed. Over 2,300 gallons of free oil and almost 7,000 gallons of contaminated water have been pumped out of the hole by Chapman's.

3. Update from Tony LaPlante regarding city wide paving

Previously the City Council had asked to have Public Works Director Tony LaPlante provide an update on the city wide paving.

Tony LaPlante gave an update on the Marston Road to Capen Road paving project. Work has been done on Washington, Central Street, Spring Street, Hillcrest Street, Adams Street and West Hill Road. We haven't done Church Street yet due to the sidewalk project taking place presently.

4. Palmer Fountain Restoration Preliminary Plan

Recently there has been a committee of interested persons working towards the restoration of the Palmer Fountain/Lady and the Birds at the Common. This committee has recruited several companies and individuals (plumbing, fountain design, local businesses, trusts, etc.) to work together towards the restoration of this fountain. It is estimated that the initial cost will be approximately \$40k with some of that being in-kind donations.

Robert Abbey was present and updated the City Council on the progress and asked for the council's support of placing the Common (Brunswick Square) area on the Historic Register District for the State of Maine. This placement does not require a vote of the city council, however, it is recognized that the council's support of such a registration, will provide an opportunity for more funding sources.

Mayor Hart asked for the item to be put on a future meeting with a public hearing.

5. First Read on Proposed Amendments to Chapter 9/Snow Removal in Title 13 Health and Safety

This is the first read regarding Proposed Amendments to Chapter 9/Snow Removal in Title 13 Health and Safety. Mark Eyerman, Contracted Planner for the City of Gardiner worked with the Ordinance Review Committee to propose an amendment to Chapter 9 that would include parking lots (specifically municipal parking lots that are owned or maintained by the city). The proposed changes are attached under Item 3.a. in the Agenda packet.

Councilor Cusick moved to send the proposed amendments to Chapter 9 Snow Removal in Title 13 Health and Safety to a Second Read on October 30, 2019.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous (Councilor Ault was not present for the vote)

6. Consider the adoption of FY20 Business/License fees schedule

The City Clerk has been conducting some research regarding the fees that the city has changed for business licenses and what is actually a minimum fee required by state statute.

Attached is a spreadsheet documenting the current fees for such licenses in the city, what is being proposed, the difference, how many of that particular license are issued, the proposed revenue and the difference of revenue in such changes. The business licenses marked with \*\*\* are set by state statute and must be adopted.

Also attached are the statutes that reference the type of license and fees. The City Council is also being asked to note Section 60: Additional Areas of Potential Municipal Licensing/Permitting-Under Home Rule Authority. As the proposed list results in a decrease of \$170 of revenue.

Councilor Cusick moved to adopt the FY20 Business/License Fees Schedule as presented.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous (Councilor Ault was not present for the vote)

7. Consider the new law for motor vehicle agent fees

The 129th Legislature- First Session, approved and adopted new public laws and resolves affecting motor vehicles. LD917 Allows municipal agents to charge higher service fees for registrations from \$3 to \$5 for renewals and \$4 to \$6 for new registrations. LD1528 allows an out of rotation plate fee to increase from \$15 to \$25, increase the transfer registration fee for a

trailer under 2,000 pounds from \$5 to \$8, and increase the duplicate registration fee from \$2 to \$5. The City Council is being asked to consider the approval of these fees as permitted by state statute.

Councilor Berry moved to approve the increase of motor vehicle fees as noted by the passage of LD917 and LD1528 by the 129th Legislature.

Councilor Dolley seconded.

Mayor Hart asked for any discussion.

Councilor Ault voted in favor, but expressed concerns for residents having to pay more when times are already tough for some.

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

#### 8. Confirm the City Manager's Request for a Substitute Manager in times of need

The City Manager requested the City Council to consider appointing a substitute manager that may be used in times of need should the City Manager be absent. The current City Manager is available via phone, email, or text, however, there is occasionally an issue that requires immediate attention and decision making. As Librarian Anne Davis and Police Chief Toman have tenure with the city and are well adversed in each department, the City Manager is asking for their appointment as substitute managers in times of need. The City Charter addresses this by stating the following: The following officers and boards, except as herein otherwise provided, shall be appointed by the Mayor with the advice and consent of the City Council in regular session, provided however, that in the event that a vacancy occurs among the following officers and boards and no appointment by the Mayor is approved by the City Council within 45 days of the creation of such vacancy, then any member of the City Council may thereupon appoint a person to fill said vacancy, with the advice and consent of the City Council in regular session. 1. City Manager 2. City Clerk 3. Trustees of the Gardiner Public Library 4. Trustees of the Gardiner Water District 5. Superintendent of Cemeteries 6. Superintendent of Parks and Recreation 7. Director of Civil Emergency Preparedness 9. All officers and boards whose appointments or elections are not otherwise specifically provided for in this charter.

Councilor Cusick moved to advise and consent to the Mayor the appointment of Librarian Anne Davis and Police Chief James Toman as substitute managers in times of need due to the absence of the present City Manager.

Councilor White seconded.

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

#### 9. Consideration of multiple Victualers licenses: Sweet Carolynn's, Gardiner Area Youth Football, Able Body Functional Fitness, Frosty's Donuts

Victualer licenses are required to be approved annually.

Councilor Berry moved to approve a Victualers license for Sweet Carolynn's, Gardiner Area Youth Football, Able Body Functional Fitness, and Frosty's Donuts.

Councilor Cusick seconded.

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

10. Accept minutes of September 18, 2019

Councilor Dolley moved to approve the minutes of September 18, 2019 as presented.

Councilor White seconded.

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

- **CITY MANAGER REPORT**

- Reminder that the next bill for sewer use will increase by 4%
- Reminder that next week is the TIF work session

- **CITY COUNCIL REPORT**

Councilor Ault

- All set

Councilor Cusick

- Asked Tony LaPlante if Brunswick Hill be paved in the near future.  
Tony LaPlante responded that he has had discussion with MDOT and are looking negotiations.

Councilor White

- All set

Councilor Berry

- All set

Councilor Dolley

- All set

Councilor Rines

- All set

Mayor Hart

- Congrats to City Manager Landes on her Presidency of Maine Municipal Association.
- Congrats to Economic Development Director, Tracey Desjardins on her Presidency of the Maine Community Development Association.
- Congrats to the City Tax Collector, Kathy Cutler on her Presidency of the Northeast Region Tax Collectors and Treasurers Association
- There was a ground breaking for Maine General Medical Offices
- There was a ribbon cutting with Bateau Brewing/Bintliff
- There was an City employee appreciation gathering last week
- Extended an invite for Swine & Stein this weekend

- **EXECUTIVE SESSION**

1. Pursuant to M.R.S.A. § 405 (6)(A) Annual Review of the City Manager

Councilor Berry moved to enter into executive session pursuant to M.R.S.A. § 405 (6)(A) regarding the Annual Review of the City Manager.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 7:10pm.

Councilor Berry moved to exit out of executive session pursuant to M.R.S.A. § 405 (6)(A) regarding the Annual Review of the City Manager.

Councilor Rines seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 8:25pm.

Mayor will finalize review decisions as directed by Council.

- **ADJOURN**

Councilor Dolley moved to adjourn.

Councilor Ault seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous 8:27pm.

*(Draft minutes until the October 30, 2019 Council Meeting)*

Mayor Hart called the meeting to order at 6:02pm.

## **1. ROLL CALL**

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

Absent: City Manager, Christine Landes

Also in attendance: City Clerk, Kelly Gooldrup; Economic Development Director, Tracey Desjardins; Finance Director, Denise Brown; Debby Willis, Raegan LaRochelle, Kevin Bunker, Colin Frey

## **2. NEW BUSINESS**

### **1. TIF/CEA Work Session with EDD Tracey Desjardins**

Economic Development Director, Tracey Desjardins gave a brief overview of the PowerPoint presentation.

There was discussion with question and answer commenced around the room between the Council and Economic Development Director Desjardins.

Kevin Bunker gave an overview of the Summer Street Affordable Housing TIF.

Discussion continued with question and answer between the Council, Kevin Bunker and Economic Development Director Desjardins.

Mayor Hart warned the room against a debate as this is an informational workshop.

Discussion continued with question and answer between the Council, Raegan LaRochelle, Kevin Bunker and Economic Development Director Desjardins.

Mayor Hart thanked everyone for coming to share information and answer questions.

## **• ADJOURN**

Mayor Hart closed the work session at 7:09pm.

*(Draft minutes until the October 30, 2019 Council Meeting)*





# City of Gardiner


Tax Increment Financing

Council Workshop

October 16, 2019

BY: TRACEY DESJARDINS

ECONOMIC DEVELOPMENT DIRECTOR/PLANNING



The City has established seven tax increment financing districts under the terms of applicable state laws, which are accounted for in the TIF Fund. Additionally, the City enters into property tax abatement agreements in the form of credit enhancement agreements (CEA's) with local businesses and individuals, as authorized by the State of Maine Department of Economic and Community Development, for the purpose of attracting or retaining businesses within the City, promoting economic development through real estate development and job creation, as well as infrastructure improvements. The CEA's outline conditions for the reimbursement of a percentage of the tax revenues generated through the increased values of certain parcels within the district. For the fiscal year ended June 30, 2019, the City remitted a total of \$46,292.42 in credit enhancement payments. The following details each TIF district within the City as well as the terms and amounts of credit enhancement agreements within each TIF district.

## Harper's II LLC TIF:

- ▶ Established on March 23, 2001, for the purpose of economic development in the Libby Hill Business Park. The TIF will help offset the specific costs of the high-tech facility by paying for a portion of the marginal increase in debt service. This district was amended in 2011 to 30 years, and increased by 24.86 acres to include all Business Park roads and infrastructure areas. There is a 34% credit enhancement agreement on this TIF through 2020. Total credit enhancement payments made during the year by the City to the developer totaled \$19,068.58. District expires FY2030.

# City of Gardiner Harpers II TIF



Harpers TIF Location

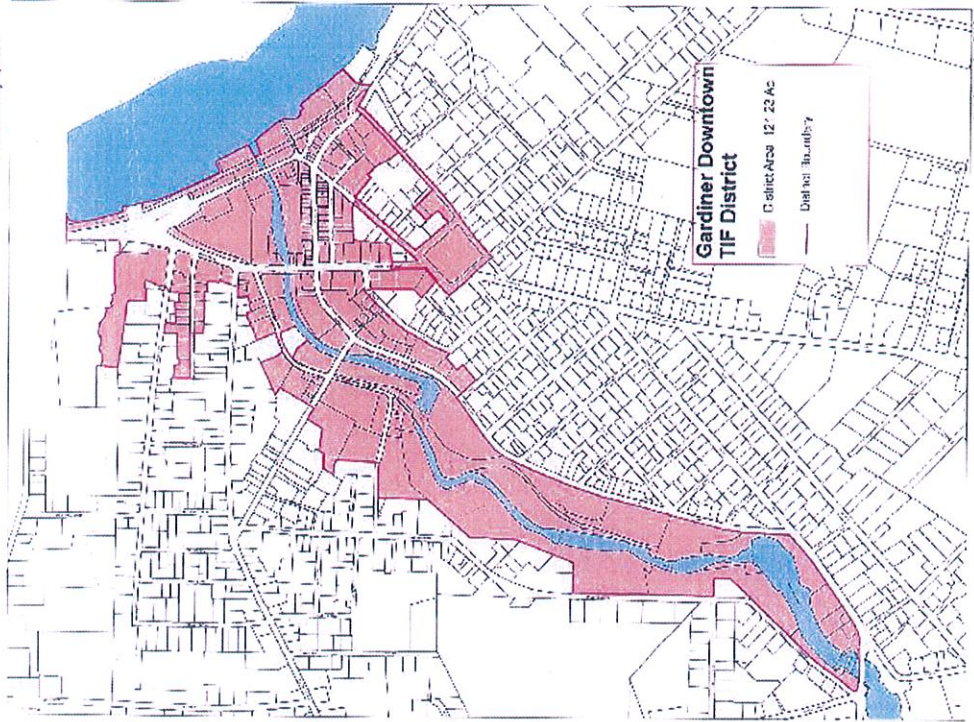


# Downtown TIF:

- ▶ The City established the **Downtown Municipal Development Tax Incremental Financing District** on March 20, 2003, for the purpose of improving the downtown area. The TIF will fund debt service payments for a bond issued for downtown improvements. The TIF was designated for 10 years or until the project costs are expended. This district was amended in 2009 to 30 years, and increased in size to include City owned areas including the City Common, and portions of Church and School Streets leading to the downtown area. During fiscal year 2015, the City adopted a Credit Enhancement program for the downtown, which may result in credit enhancements for qualified properties.
- ▶ Current active credit enhancement agreements include Johnson Hall Redevelopment LLC, 8 years at 100% reimbursement for years 1-3 and 100% reimbursement over and above \$19,000 annual real estate taxes in years 4-8. Total credit enhancement payments made during the year by the City to the developers totaled \$5,531.90.
- ▶ District expires FY2032

Map: DCCD Annex, 11/08  
Approved: March 31, 2007  
As Amended: July 7, 2008  
As Amended: May 12, 2017  
As Amended: May 1, 2018

## Gardiner Downtown TIF District



## Pine State Trading TIF:

- ▶ Established March 30, 2004, for the purpose of economic development in the Libby Hill Business Park. The TIF will help offset the costs of a new building by paying for a portion of the project. The TIF was designated for 10 years and 50% of the captured assessed value will be applied to the Credit Enhancement Agreement. This district was amended in 2011 to 30 years, and increased by 24.86 acres to include all Business Park roads and infrastructure areas. Fiscal year 2014 was the final year of the credit enhancement agreement for this district and, therefore, the City now retains 100% of the tax payments to be used in their entirety towards economic development. District expires FY2030. CEA expired FY2013.

**City of Gardiner Pine State Trading Co. TIF**



Pine State TIF Location



## EJ Prescott TIF:

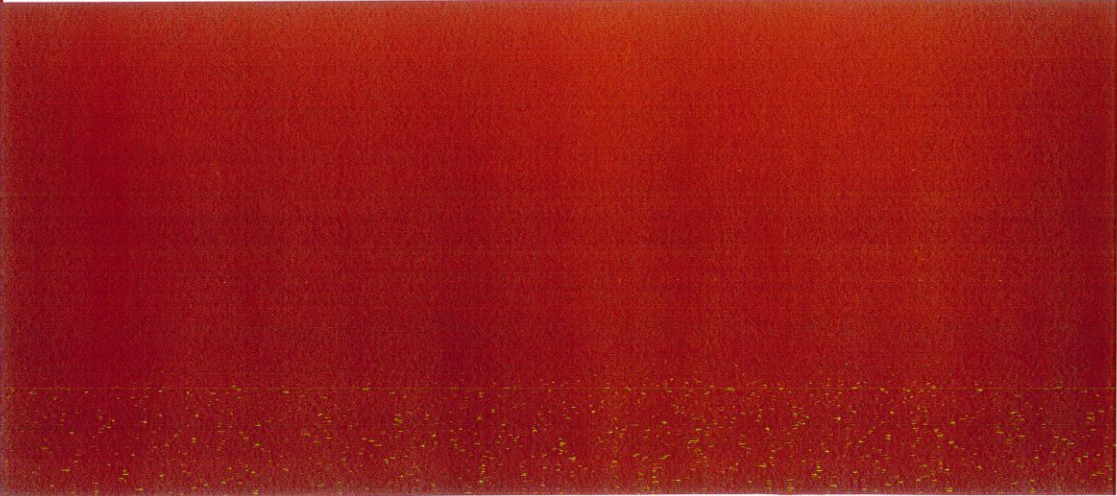
- ▶ Established in March 2005. . The TIF was designated as follows: 75% of the captured assessed value to be paid to developers for years one through six and 50% for years seven through ten. This district was amended in 2011 to 30 years, and increased by 24.86 acres to include all Business Park roads and infrastructure areas. Fiscal year 2015 was the final year of the credit enhancement agreement for this district and, therefore, the City now retains 100% of the tax payments to be used in their entirety towards economic development. District expires FY2034. CEA expired FY2014.



**City of Gardiner EJ Prescott TIF**

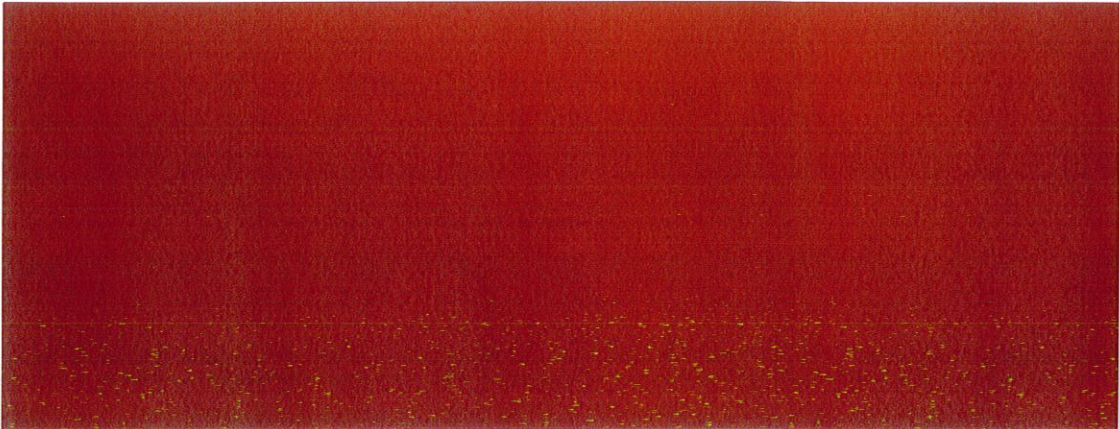
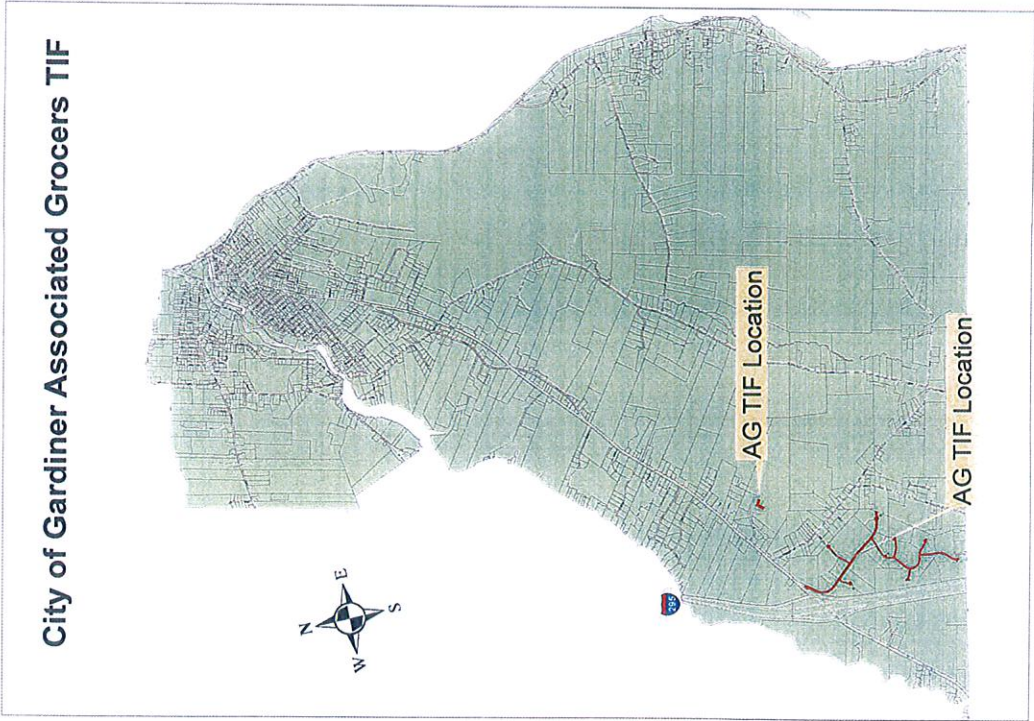


**EJ Prescott TIF Location**



# Associated Grocers TIF:

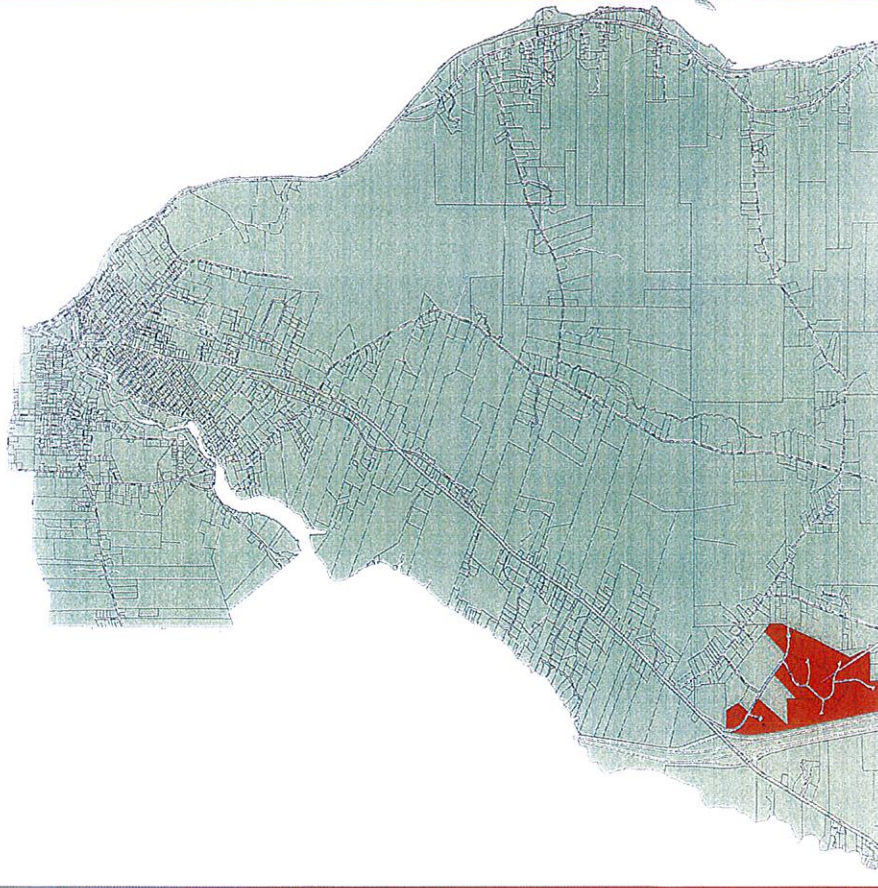
- ▶ Established in 2006, encompassing the facilities 40,000 square foot expansion completed in 2005. This district was amended in 2011 to 30 years, and increased by 24.88 acres to include all Business Park roads and infrastructure areas, as well as fire suppression system which supports the property. This property is owned by Stag Industrial Holdings and is occupied by Core Mark. FY11 was the final year of the credit enhancement agreement for this district due to foreclosure sale and, therefore, the City now retains 100% of the tax payments to be used in their entirety towards economic development. District expires FY2035.
- ▶



## Libby Hill Area Wide TIF:

- ▶ The City established the **Libby Hill Area Wide Tax Incremental Financing District** in the spring of 2009. This thirty year TIF includes all the remaining lots within Libby Hill Phase I and Phase II that were not already in a separate TIF agreement as of that date. Credit enhancement agreements are decided on a case-by-case basis. Any captured assessed value will be applied to debt service on Libby Hill and economic development expenditures. A credit enhancement agreement in place with Black Diamond is currently suspended due to unfulfilled requirements by the developer. Current active credit enhancement agreements include Dennison Lubricants, 10 years at 25% reimbursement, and William Lovely, with 50% reimbursement. Total credit enhancement payments made during the year by the City to the developers totaled \$21,691.58.
- ▶ Expires FY2039.

**City of Gardiner Libby Hill Area Wide TIF**



Proposed TIF Location

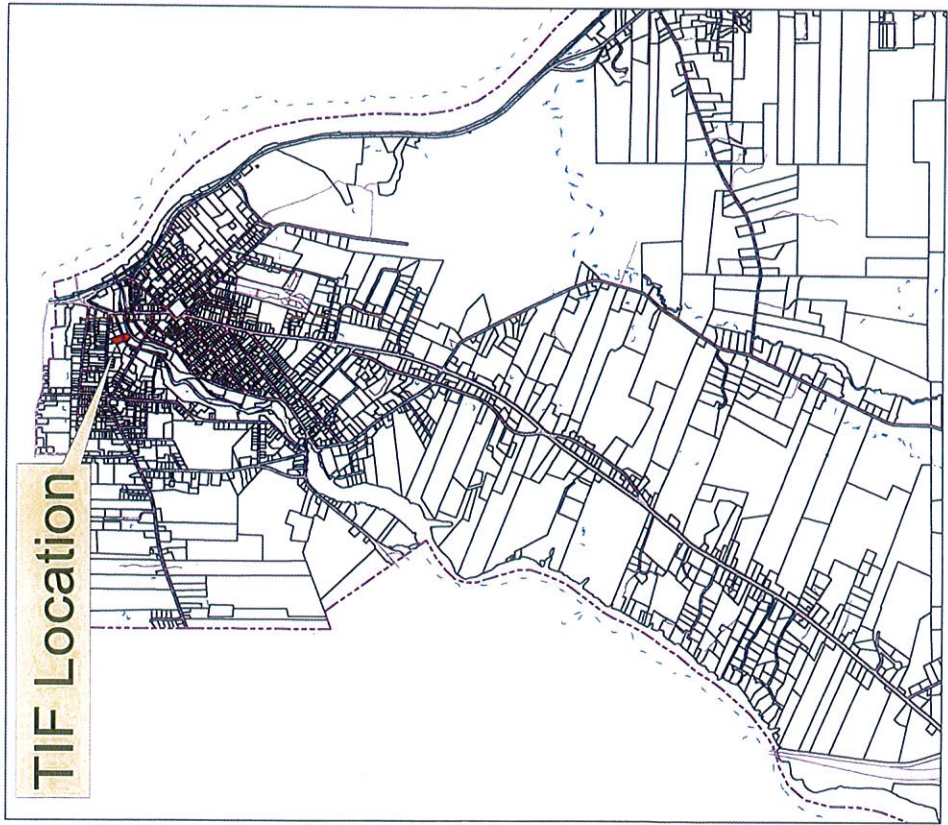
# Summer Street Affordable Housing

## TIF:

- ▶ The City established the **Summer Street Affordable Housing Municipal Development and Tax Increment Financing District** on October 6, 2016, to assist with the proposed development of a senior housing project and a workforce housing project. The TIF is for thirty years. The District was amended in FY2019 and now encompasses 1.75 acres located at 58-60 Summer Street and 59 Summer Street. An area of the District was removed and returned to the Downtown Tax Increment Financing District for construction of a Kidney Dialysis Center upon approval from the Maine State Housing Authority and the Departement of Economic Development. No captured assessments were retained for fiscal year 2019 in this district as the properties within the district remained tax exempt under City ownership.

Summer Street Affordable Housing  
Development District

TIF Location



October 25, 2017