



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



Meeting Date	12/20/2023	Department	City Manager
Agenda Item	4a. Approval of City Council Meeting Minutes from December 6, 2023		
Est. Cost	N/A		

<b>Background Information</b>	Please see attached documentation.		
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Requested Action	"I move to approve the City Council meeting minutes from December 6, 2023."		
City Manager and/or Finance Review			
Council Vote/ Action Taken			
Departmental Follow-Up			

<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 _____



**COUNCIL MEETING MINUTES** *Moving Forward*  
**GARDINER CITY COUNCIL**  
**WEDNESDAY, December 6, 2023**  
**6:00 PM PUBLIC MEETING**

**1. ROLL CALL / PLEDGE OF ALLEGIANCE:**

City Council Present: Mayor Hart, Councilor Cusick, Councilor Grant, Councilor Frey, Councilor Brown, Councilor Greenleaf, Councilor Babcock.

City Staff Present: City Manager Carlton, Hailee Lovely- Deputy City Clerk, Doug Clark- Waste Water Director, Denise Brown- Finance Director, Melissa Lindley- Economic Development Director, Kris McNeill- Code Enforcement Officer.

Other Present: Zach Wanberg, Joe Ducharme, Darryl Brown Jr., James Neal, Jessica Lowell.

- 2. PUBLIC COMMENT:** Zach Wanberg- The city decorations look great, with lights out next to the tattoo studio. The accident that occurred on Friday, there are multiple streetlights out for that crosswalk, which is in front of The Depot. The city should look into vamping up that crosswalk to make it more known. We need more police officers or speed traps, or more constructive ways to stop the speeding issue in the City. The rent increase that just went into effect is hurting everyone, and I fear that Gardiner is on the path of facing hefty increases and losing its renters. The total number of renters in the city is at 40%. He feels that the City of Gardiner can help with this issue. Mayor Hart –We do not have an impact on the State level and what they decide to charge for rent, therefore we do not have a say.

**3. PETITIONS / PUBLIC HEARINGS:**

- a. Public Hearing regarding a change to the City Code chapter 11-Cannabis Establishment Licensing.

*Mayor Hart opened the public hearing at 6:11pm. There being no comment, she closed the public hearing at 6:11pm.*

- b. Public Hearing regarding a change to the Land Use Ordinance 10.26-Electric Fencing.

*Mayor Hart opened the public hearing at 6:11pm. There being no comment, she closed the public hearing at 6:12.*

- c. Public Hearing regarding a change to the Land Use Ordinance 10.32-Battery Energy Storage Systems.

*Mayor Hart opened the public hearing at 6:12pm. There being no comment, she closed the public hearing at 6:12pm.*

- d. Public Hearing regarding a change to the Land Use Ordinance 10.29 -Cannabis Establishments.

*Mayor Hart opened the public hearing at 6:12pm. There being no comment, she closed the public hearing at 6:13pm.*

- e. Public Hearing regarding a change to the Land Use Ordinance 6.3.7 -Public Meeting Requirements

*Mayor Hart opened the public hearing at 6:13pm. There being no comment, she closed the public hearing at 6:13pm.*

- f. Public Hearing regarding a change to the Land Use Ordinance- 10.29.8.1- Structures for Cannabis growing.

*Mayor Hart opened the public hearing at 6:13pm. There being no comment, she closed the public hearing at 6:14pm.*

- g. Public hearing regarding a Liquor License Renewal for The Bench

*Mayor Hart opened the public hearing at 6:14pm. There being no comment, she closed the public hearing at 6:14pm.*

- h. Public Hearing regarding a Cannabis Testing Facility License for MCR Labs

*Mayor Hart opened the public hearing at 6:14pm. There being no comment, she closed the public hearing at 6:15pm.*

- i. Public Hearing regarding a Salvage Yard permit for Browns' Salvage

*Mayor Hart opened the public hearing at 6:15pm. There being no comment, she closed the public hearing at 6:15pm.*

#### **4. NEW BUSINESS:**

- a) First read regarding a change to the City Code Chapter 11 in regards to Cannabis Establishment Licensing.

**Action: Councilor Grant moved to approve the first read regarding a change to the City Code Chapter 11 in regards to Cannabis Establishment Licensing. Councilor Greenleaf seconded the motion. No further discussion. Unanimously approved.**

- b) First Read regarding a change to the Land Use Ordinance 10.26 in regards to Electric Fencing  
**Action: Councilor Greenleaf moved to approve the First Read regarding a change to the Land Use Ordinance 10.26 in regards to Electric Fencing. Councilor Babcock seconded the motion. No further discussion. Unanimously approved.**
- c) First Read regarding a change to the Land use Ordinance 10.32 regarding Battery Energy Storage Systems.  
**Action: Councilor Cusick moved to approve the First Read regarding a change to the Land use Ordinance 10.32 regarding Battery Energy Storage Systems. Councilor Greenleaf seconded the motion. No further discussion. unanimously approved.**
- d) First Read regarding a change to the Land Use Ordinance 10.29 regarding Cannabis Establishments  
**Action: Councilor Frey moved to approve the First Read regarding a change to the Land Use Ordinance 10.29 regarding Cannabis Establishments. Councilor Brown seconded the motion. No further discussion. Unanimously approved.**
- e) First Read Regarding a Change to the Land Use Ordinance 6.37 regarding Public Meeting Requirements.  
**Action: Greenleaf moved to approve the First Read Regarding a Change to the Land Use Ordinance 6.37 regarding Public Meeting Requirements. Councilor Babcock seconded the motion. O further discussion. Unanimously approved.**
- f) First Read regarding a change to the Land Use Ordinance 10.29.8.1 regarding Structures for Cannabis Growing.  
**Action: Councilor Cusick moved to approve the First Read regarding a change to the Land Use Ordinance 10.29.8.1 regarding Structures for Cannabis Growing. Councilor Frey seconded the motion. No further discussion. Unanimously approved.**
- g) Approval of a Liquor License renewal for The Bench  
**Action: Councilor Greenleaf moved to approve a Liquor license for The Bench. Councilor Frey seconded the motion. No further discussion. Unanimously approved.**

- h) Approval of a Cannabis License Renewal for MCR Labs  
**Action: Councilor Frey moved to approve a Cannabis License Renewal for MCR Labs. Councilor Brown seconded the motion. No further discussion. Unanimously approved.**
- i) Approval of a Salvage Yard permit renewal for Browns Salvage  
*Kris McNeill – Brown’s Salvage had a successful inspection with changes to the road and pad. No issues.*  
**Action: Councilor Brown moved to approve the Salvage Yard Permit Renewal for Browns Salvage. Councilor Babcock seconded the motion. No further discussion. Unanimously approved.**
- j) Approval of City Council Meeting Minutes from November 15, 2023  
**Action: Councilor Frey moved to approve the City Council Meeting Minutes from November 15, 2023. Councilor Greenleaf seconded the motion. No further discussion. Unanimously approved.**
- k) Approval of a Mayoral Proclamation for Wreaths Across America  
**Action: Councilor Greenleaf moved to adopt the Mayoral Proclamation for Wreaths Across America. Councilor Cusick seconded the motion. No further discussion. Unanimously approved.**
- l) Request from City Assessor Curt Lebel for a Tax Abatement  
*This is to abate personal property tax for \$8.88 from the year 2022. This was a tax amount that should not have taken place.*  
**Action: Councilor Frey moved to approve the Tax Abatement. Councilor Babcock seconded the motion. No further discussion. Unanimously approved.**
- m) Presentation from Hoyle Tanner Regarding Phase 2 Wastewater Treatment Plant upgrade  
*Please see attached presentation.*  
*Councilor Grant: Is there some sort of yearly maintenance plan, and do we have a maintenance schedule? Doug Clark: All our machines have maintenance schedules that came with them. The state has a waste discharge license which tells us what to do and when to do it. January we will come back and debate.*
- n) Approval to send Street Opening Permits to ORC for review  
*City Manager Carlton- We allow certain companies and homeowners to connect to services and install services. We issue this permit and there is nothing else to it. We are looking to add language to the permit that says This permit is valid until October 15<sup>th</sup>. City Council agreed to send this to ORC for review.*

- o) Approval to send Bonding for Road damage during construction to ORC for review  
*City Manager Carlton- When you get large construction projects, it leads to potential road damage in the city. We would like to send this to ORC, so that Planning Board can put a stipulation for a performance bond for public roadway damage on a project in case damage occurs on our roads. City Council agreed to send this to ORC for review.*
- p) Presentation from Efficiency Maine regarding C-PACE municipal participation  
*James Neal from Efficiency Maine presented information regarding municipal participation in the Commercial Property Assessed Clean Energy program (C-PACE). The program stimulates the implementation of energy savings improvements for commercial properties with 100% private market capital and requires no investment from the Municipality. To participate in the C-PACE Program the City must adopt a C-PACE Ordinance as required by the Maine C-PACE Act.*
- q) Approval of a Mayoral Proclamation for Tina Wood  
**Action: Councilor Greenleaf moved to adopt the Mayoral Proclamation for Tina Wood. Councilor Grant seconded the motion. No further discussion. Unanimously approved.**

## 5. CITY MANAGER REPORT:

Met with FEMA last Friday regarding Harrison Avenue and I finally feel as though we are making progress. We have a new Program Manager and are now having weekly meetings on Fridays. Right now, we are in a standstill as we are waiting for a final scope of work from Weston and Sampson. The RFP for the reevaluation is due on December 12<sup>th</sup> with an expectation of a couple of bids. The plan is to bring forward a recommendation by the end of January. There will be a facility meeting set up in January to discuss options for site locations, with more to come on this. As we are all aware Doug Clark the Wastewater Director is retiring at the end of January. I have had some advertisements out now for a couple of months with almost no response. So, in the absence of any candidates at this point, the plan is: 1. Hire Quality solutions to provide us a PE/Grade 4+ operator a couple of days a week to manage the plant and compliance/ testing. Etc. I will manage the personnel and finance pieces, and John Cameron will take over all collection system issues. I plan to spend portions of a few days a week over at the

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plant. Thank you to Public Works and Buildings and Grounds for the awesome lights around the city, and the job on the first storm of the season. We have some amazing events here in Gardiner coming up, make sure to check those out. Thank you, Gardiner Rotary, for hosting the city employees for an amazing breakfast the other morning.

## 6. CITY COUNCIL REPORT:

**Councilor Brown:** Thanks to the city and Police Dept and Fire Dept, and everyone who helped with parade. When is the Audit due and when does that come to us? City Manager Carlton- We should hear about it soon, with a presentation hopefully December 20<sup>th</sup>.

**Councilor Greenleaf:** The city looks beautiful, and we had outstanding attendance at the events.

**Councilor Cusick:** Compliments to the city. Thank you, Councilor Brown. Never experienced so many people in the city at one time.

**Councilor Babcock:** Thank you to everyone who helped with the events. Witnessed the accident that happened this weekend. Thank you to the Police and EMS who responded so quickly.

**Councilor Frey:** What an amazing weekend, all the events were special. Amazing community. Happy Holidays.

**Councilor Grant:** The downtown sidewalk committee is reviewing the location of the accident. Working to find short-term solutions as well as long term for this issue. I received an idea from a citizen, City of Augusta makes available a bucket of sand, which is delivered to the citizens, versus them having to go retrieve their buckets themselves. The city is looking into it.

**Mayor Hart:** What a wonderful weekend, thank you to everyone in the city, for the amazing events put on. There is a Goldfinch party on Sunday, and a Gardiner Main Street event, A Mix at Winter Market.

## 7. EXECUTIVE SESSION

- a) Enter into Executive Session pursuant to 1 M.R.S.A 405 (6)(D)-Labor Negotiations

**Action: Councilor Cusick moved to enter into executive session at 6:15pm. Councilor Greenleaf seconded the motion. No further discussion. Unanimously approved. Out at 6:25pm.**

- b) Enter into Executive Session pursuant to 1 M.R.S.A § 405(6)€-Consultation with the City Attorney

**Action: Councilor Greenleaf moved to enter into Executive session at 7:59pm. Councilor Brown seconded the motion. No further discussion. Unanimously approved. Out at 8:36pm.**

**8. OTHER BUSINESS**

- a) Approval of a three-year agreement from July 1, 2024 to June 30, 2027, between the City of Gardiner and the Gardiner Police Officer's Association

**Action: Councilor Cusick moved to approve the three-year agreement between the City of Gardiner and the Gardiner Police Officer's Association. Councilor Brown seconded the motion. No further discussion. Unanimously approved.**

**9. ADJOURN**

**Action: Councilor Grant moved to adjourn the meeting at 8:37pm. Councilor Brown seconded the motion. No further discussion. Unanimously approved.**