



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	01/17/2024	Department	City Manager
Agenda Item	4a. Approval of the minutes from the January 3, 2024 City Council Meeting		
Est. Cost			

Background Information	Please see the attached minutes		
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Requested Action	"I move to approve the January 3, 2024 minutes of the Gardiner City Council"		
City Manager and/or Finance Review	City Manager Approves this 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 _____



**COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
WEDNESDAY, January 3, 2024
6:00 PM PUBLIC MEETING**

****The Gardiner City Council will swear in the new Councilors prior to the start of the meeting**
Gardiner City Clerk swore in the newly appointed Councilors- Shawn Dolley, Veronica Babcock, Terry Berry, Gay Grant.**

1. ROLL CALL / PLEDGE OF ALLEGIANCE:

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

City Employees Present: Andrew Carlton- City Manager, Kathy Cutler- City Clerk, Hailee Lovely- Deputy City Clerk, Kris McNeill- Code Enforcement Officer, Denise Brown- Finance and Human Resource Director, Todd Pilsbury- Chief of Police, Melissa Lindley- Economic Development Director.

Others Present: Jessica Lowell.

2. PUBLIC COMMENT (anything not on the agenda): There were no comments.

3. PETITIONS / PUBLIC HEARINGS 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 6:05. There being no comment, she closed it at 6:05.
- b. Public Hearing regarding a change to the Land Use Ordinance 10.26-Electric Fencing. Mayor Hart opened the public hearing at 6:05. There being no comment, she closed it at 6:05.
- c. Public Hearing regarding a change to the Land Use Ordinance 10.32-Battery Energy Storage Systems. Mayor Hart opened the public hearing at 6:06. There being no comment, she closed it at 6:06.
- d. Public Hearing regarding a change to the Land Use Ordinance 10.29 -Cannabis Establishments. Mayor Hart opened the public hearing at 6:06. There being no comment, she closed it at 6:06.
- e. Public Hearing regarding a change to the Land Use Ordinance 6.3.7 -Public Meeting Requirements. Mayor Hart opened the public hearing at 6:06. There being no comment, she closed it at 6:06.
- 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 6:06. There being no comment, she closed it at 6:06.

- g. Public Hearing regarding a Cannabis Manufacturing License Renewal for Wellness Connection
Mayor Hart opened the public hearing at 6:07. There being no comment, she closed it at 6:07.
- h. Public Hearing regarding a Cannabis Retail License Renewal for Wellness Connection
Mayor Hart opened the public hearing at 6:07. There being no comment, she closed it at 6:07.
- i. Public Hearing on a Medical Retail License Renewal for Marijuanaville
Mayor Hart opened the public hearing at 6:07. There being no comment, she closed it at 6:07.
- j. Public Hearing on a liquor license for Gerards Pizza
Mayor Hart opened the public hearing at 6:07. There being no comment, she closed it at 6:07.
- k. Public Hearing on a liquor license for Johnson Hall
Mayor Hart opened the public hearing at 6:07. There being no comment, she closed it at 6:08.

4. NEW BUSINESS:

- a) Approval of City Council Minutes from December 6, 2023
Councilor Brown and Mayor Hart stated there are corrections needed regarding the Public Comment Section. The City Manager took note and made the changes.
Action: Councilor Greenleaf moved to approve the City Council minutes from December 6, 2023, with changes. Councilor Grant seconded the motion. No further discussion. Unanimously approved.
- b) Second read regarding a change to the City Code Chapter 11 in regards to Cannabis Establishment Licensing.
Action: Councilor Cusick moved to approve the change to the City Code regarding Cannabis Establishment Licensing. Councilor Greenleaf seconded the motion. No further discussion. Unanimously approved.
- c) Second Read regarding a change to the Land Use Ordinance 10.26 in regards to Electric Fencing
Action: Councilor Grant moved to approve a change to the Land Use Ordinance regarding Electric Fencing. Councilor Brown seconded the motion. No further discussion. Unanimously approved.
- d) Second Read regarding a change to the Land use Ordinance 10.32 regarding Battery Energy Storage Systems.
Action: Councilor Greenleaf moved to approve a change to the Land use Ordinance regarding Battery Energy Storage Systems. Councilor Babcock seconded the motion. No further discussion. Unanimously approved.
- e) Second Read regarding a change to the Land Use Ordinance 10.29 regarding Cannabis Establishments
Action: Councilor Cusick moved to approve a change to the Land Use Ordinance regarding Cannabis Establishments. Councilor Greenleaf seconded the motion. No further discussion. Unanimously approved.
- f) Second Read Regarding a Change to the Land Use Ordinance 6.37 regarding Public Meeting Requirements.
Action: Councilor Grant moved to approve a Change to the Land Use Ordinance regarding Public Meeting Requirements. Councilor Babcock seconded the motion. No further discussion. Unanimously approved.

- g) Second Read regarding a change to the Land Use Ordinance 10.29.8.1 regarding Structures for Cannabis Growing.
Action: Councilor Brown moved to approve a change to the Land Use Ordinance regarding Structures for Cannabis Growing. Councilor Cusick seconded the motion. No further discussion. Unanimously approved.
- h) Approval of a Cannabis Manufacturing license renewal for Wellness Connection
Action: Councilor Cusick moved to approve a Cannabis Manufacturing license renewal for Wellness Connection. Councilor Grant seconded the motion. No further discussion. Unanimously approved.
- i) Approval of a Cannabis Retail license renewal for Wellness Connection
Action: Councilor Grant moved to approve a Cannabis Retail license renewal for Wellness Connection. Councilor Babcock seconded the motion. No further discussion. Unanimously approved. Changes to the motion were made.
- j) Approval of a Victualers license for the Knights of Columbus
Action: Councilor Greenleaf moved to approve the Victualers license for Knights of Columbus. Councilor Dolley seconded the motion. No further discussion. Unanimously approved.
- k) Approval of a Liquor license for Gerards Pizza
Action: Councilor Grant moved to approve the Liquor license for Gerards Pizza. Councilor Babcock seconded the motion. No further discussion. Unanimously approved.
- l) ~~Appointments to the Ambulance Advisory Committee~~
-Tabled, no action necessary.
- m) Approval of a Victualers License renewal for Gerards Pizza
Action: Councilor Greenleaf moved to approve the Victualers license for Gerards Pizza. Councilor Dolley seconded the motion. No further discussion. Unanimously approved.
- n) Approval of the regular meeting dates for 2024 for the Gardiner City Council
Action: Councilor Grant moved to approve the regular meeting dates for 2024 for Gardiner City Council. Councilor Brown seconded the motion. No further discussion. Unanimously approved.

- o) Advise and consent on Phase 2 of the Wastewater treatment plant upgrades and to move forward with applying for USDA-Rural Development funding.
City Manager Carlton- Last City Council meeting we had a presentation over this and now we are looking for the approval to move forward with phase 2 and applying for funding through USDA-Rural development. The estimated project amount is 2.9 million. Looking at grant funding opportunities and working to offset as much as we can. With USDA-RD we will potentially receive up to 20% of the project grant funded.
Action: Councilor Cusick moved to Advise and consent on Phase 2 of the Wastewater treatment plant upgrades and to apply for funding through USDA-RD. Councilor Berry seconded the motion. No further discussion. Unanimously approved.
- p) Approval of a Medical Retail License renewal for Marijuanaville
Action: Councilor Cusick moved to approve the medical Retail License renewal for Marijuanaville. Councilor Brown seconded the motion. No further discussion. Unanimously approved.
- q) Approval of an in-kind donation to the Great Race by waiving all City Fees.
City Manager- The Great Race is coming in June 2024, and Gardiner is the last stop. This is a massive event. By approving this, it would waive all police coverage, fire coverage and City fees. This event could potentially bring upwards of five thousand people. Mayor Hart replied that this is all being planned by nonprofits, and Peter Prescott who has put a lot into this. By donating in-kind the City of Gardiner will be a large sponsor and be included in the race press.
Action: Councilor Berry moved to approve an in-kind donation to the Great Race by waiving all City Fees. Councilor Grant seconded the motion. No further discussion. Unanimously approved.
- r) Appointment of Matt Drost to the Gardiner Water District Board of Trustees
Action: Councilor Greenleaf moved to approve the appointment of Matt Drost to the Gardiner Water District Board of Trustees. Councilor Brown seconded the motion. No further discussion. Unanimously approved.
- s) Approval of a liquor license for Johnson Hall
Action: Councilor Brown moved to approve the Liquor license for Johnson Hall. Councilor Babcock seconded the motion. No further discussion. Unanimously approved.
- t) Approval of a victualers license renewal for River Road Variety
Action: Councilor Grant moved to approve the Victualers license for River Road Variety. Councilor Greenleaf seconded the motion. No further discussion. Unanimously approved.
- u) Advise and Consent to a Donation to Chrysalis Place
City Manager- Chrysalis Place has found themselves in need of a new vehicle to haul their goods. We would like to donate two thousand dollars out of the special revenue account. Councilor Greenleaf- They serve a tremendous amount to the City of Gardiner. Their current truck is beyond repair. Peter Prescott was able to donate his truck to them, half of the amount paid by him, with hopes of the other half getting fundraised, which reached twelve thousand dollars thanks to generous donors. This would be a great asset to them. Councilor Grant would like to remind everyone that Chrysalis Place serves not only Gardiner, but West Gardiner, Randolph, Pittston, and Chelsea as well. This would give them a real boost, filling the need and showing them that the communities are here to help.
Action: Councilor Greenleaf moved to approve the donation to Chrysalis Place. Councilor Cusick seconded the motion. No further discussion. Unanimously approved.

- v) Acknowledgement of Chief Todd Pilsbury retiring in place.

City Manager Carlton- Todd worked for the city for 24.5 years, with a total of 35 years in law enforcement. This allows him to retire in place and still work for the City of Gardiner.

Councilor Greenleaf- Thank you Chief.

Action: Councilor Grant moved to approve the acknowledgement of Todd Pilsbury retiring in place. Councilor Brown seconded the motion. No further discussion.

Unanimously approved.

- w) Proclamation for Colin Frey

Action: Councilor Cusick moved to approve the proclamation for Colin Frey making January 5, 2024 “Colin FreyDay”. Councilor Greenleaf seconded the motion. No further discussion. Unanimously approved.

5. CITY MANAGER REPORT:

This recent storm caused a lot of frustration with communication. There will be a debriefing in the morning. It was great to see the community pull together. We have been sending out resources as we received them. I submitted a damage report to FEMA. They were on site this week. We had a lot of debris removal around the city and down on the waterfront. We did lose the roof on the Salt Shed down at public works. I don't think that will be covered because we have insurance, but we did temporarily fix it, so we do not lose our salt. Our Wastewater employees were here around the clock, 24 hours a day they stayed at the plant. They are unsung heroes, no one sees what they do but everyone knows it happens. There was a ton of overtime there, generators ran around the clock. Our generator at City Hall did go down so we outsourced one and are still waiting for parts for our generator. We cannot exist here without power for our public safety folks. Our costs related to the storm totaled a little over \$85,000.00 that I submitted in damages. We will see how this process plays out. This is a time-consuming process that we won't get any answers on for quite some time. We had to have this in on the 27th, but I submitted it the Friday before. KVCOG is applying for a FEMA grant to start Emergency Management work throughout the county. In which we need to submit a letter of support, which would be very helpful. Melissa Lindley, Kris McNeill, and I met with Hannaford this week to talk about their plans for re-opening. They are committed to reopening as soon as possible but given the amount of infrastructure needing to be replaced, it is going to take some time. There is no timeline at this point due to the time needed for fixture. We received 2 bids for the reevaluation. We reviewed those this morning and will be bringing you a recommendation in February. Tomorrow we will be signing the newly negotiated PD contract, which will go into effect on July 1, 2024. RFP coming for Real Estate Services to sell Tax Acquired Properties. We have some tax acquired property we need to sell, given the changes with the law they recommend we hire a real estate firm. We will be putting that out, reviewing them and then bringing you a recommendation. It is being encouraged by MMA and the State to do this. Christmas will be coming down over the course of the next couple of weeks. There was a fire at 18 Fountain St. I have to say it was a heck of an effort by not only the fire dept but the police dept as well. Chief Pilsbury was out there hauling hose, helping in any way he could. The house is not livable but is salvageable. I have heard a lot about traffic lights here at the bottom of Church Street. I will be digging into the history of that as well as the costs. I know we have a missing decorative streetlight and a streetlight out over the Depot. We are

working on these, but are at the mercy of the contractors, as soon as we can get them in, they will get replaced. Reminder about the Council Orientation on January 20th from 8am-2pm. This is designed for the dept heads to take you through their departments and show you what they do daily. The Mayor and I attended our holiday parties, which were fantastic, and very well attended. Each department held their own, and it was great to see the comradery. We have our last one coming up this week due to the storm. There will be a Facility Committee meeting on January 24, 2024. 2:00pm. Mayor Hart- Harrison was already being discussed with FEMA for the original issue, then it slumped down again from the recent storm. Will this be a separate claim? City Manager Carlton replies that it will be separate, and the goal is to have this fixed as soon as possible, but there is no timeline. Councilor Grant- Did the neighborhood meeting on Harrison Ave happen yet? City Manager Carlton- It has not yet, we are waiting for better information from the engineers. So that we have a better timeline with what is going on. It is a cumbersome process. Councilor Brown- Are all the businesses open now? City Manager Carlton- Not all of them.

6. CITY COUNCIL REPORT:

Councilor Brown: Thank you to the city for all the work to get businesses up and going, and special thanks to Mayor Hart. This storm was a very sad experience for everyone.

Councilor Greenleaf: Thank you to the city staff and citizens that helped.

Councilor Cusick: Chief, congratulations and welcome back. It's great to sit here and see what wonderful staff we have. I'm proud to be a Councilor of this wonderful City. We have such great employees, who do such a great job.

Councilor Berry: Thanks, Chief Pilsbury, and City staff. The Fire fund we used to have, is that gone? And if not, how much do we have in there? Mayor Hart- It is managed by United Way because they know how to deal with grants and resources in that aspect. City Manager Carlton- The fire fund currently stands at nine thousand for citizens of Gardiner. Is there anyone in the city who does grants or loans, as this relief money gets unfolded and how do we access it? City Manager Carlton replied that Melissa Lindley- Economic Development Director has been sending information out as we get it, and everything is available on our website. Councilor Berry- Is there any money out there for residents that have an issue with flooded basements where most people don't have flood insurance. City Manager Carlton replied that he will check into that and see what he can find. The Governor does have a website with all that information.

Councilor Babcock: Thanks to the City staff and our community who stepped up to help one another during the storm. The communication was great. It makes me proud to live in this city where people really do care about others.

Councilor Dolley: Happy and excited to be here, and I think we are going to do some great work.

Councilor Grant: I say the same thing about all the City services and everyone stepping up. South Gardiner portion there was a lot of water on the road, but I haven't heard about anyone having water in their basements. I think everyone acted quickly and had good intentions and I'm proud of how everyone



carried on. I echo the question about the Fire Fund, would like to know if that was still available to citizens. Mayor Hart- It is very much an active fund. You can donate directly to United way for the Gardiner Fire Fund, and they will put it in that pot. We raised money here for the Dominoes fire, and at that point they switched it over to United Way. They know a bit more about the process. Denise Brown- Finance Director applies on behalf of the citizens. That really helps people in need, especially during those tragic events. Councilor Grant- United way does great work but it's a step outside of Gardiner so I am glad there is a contact person in City Hall. City Manager Carlton- Chief Sieberg called right after the recent fire asking if we could help them out, so we put them in a hotel room for the night, and Finance Director Brown filled out the Fire Fund application for them. The Red Cross will step in at some point.

Mayor Hart: It's been a wild couple of weeks. Leading up to the flooding. The flooding, the response and now the recovery process. Thank you to the community and everyone for stepping up. Everyone communicated what businesses were open, showed up and helped wherever was needed. Business owners are trying to recover lost revenue, lost appliances, lost time, and about 30% of their sales from the Christmas season. They have been through trauma. The more we can do to support them, makes for a faster recovery for them. Gardiner Main Street will be planning an event to bring everyone together and celebrate the strength of the community. There are small business loans that are starting to trickle out. The Governor's office has a website that came out nine days after the incident. We had a lack of information from the State and County. The state provided no information. The misinformation that swirled around here and elsewhere was unbelievable and like nothing I have seen before. I cannot understand why the State of Maine could not give out emergency management information to the locals. I did receive a call from Governor Tom Hartnett's office who put in a complaint on our behalf to the general council, in which they had the head of MEMA call me and they said the County is supposed to be taking care of this. The lack of help left a huge void. They need to keep sending messages across the board. Many of the businesses are now open but call them in advance before you show up, or peek through the windows to see if they are open. Johnson hall would like to have City Councilors do a walk through. I got to see it today and it will knock your socks off. It looks amazing. Councilor Grant asked Mayor Hart about whether the Council would be doing some goal setting for the coming year or not. Mayor Hart responded that she needs to establish a date and is looking into February. City Council will be hearing from her

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shortly on that topic. I would like to set up an ADHOC committee to respond to the floods. This is frustrating because this is the second time in 7 months this has happened, and it will happen again, so we want to be ready for it next time. Welcome back Chief, we missed you while you were gone. Councilor Grant- I hear your frustration and passion regarding the message about the State. This needs to go to someone who can and will do something about it. We, the Council, or the City should write a letter to MEMA, Kennebec County, and the Governor's office and maybe even ask other communities to sign the letter. This was the second highest flood since 1987 and this should not go unnoticed. Someone needs to step up and bring this up the chain of command like during covid, which they did an excellent job with. Mayor Hart- We did not hear from our State Representative, State Senator, County Representative, Commissioner Representative, no one. They all will be getting a letter. Congratulations to our new councilors, I'm looking forward to serving with you, I'm glad you stepped up, thank you. I love the new name plates. We now know who represents what.

7. EXECUTIVE SESSION

8. ADJOURN

Action: Councilor Greenleaf moved to adjourn the meeting at 7:04 pm. Councilor Dolley seconded the motion. No further discussion. Unanimously approved.