



GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET



Meeting Date	11/16/2022	Department	City Council
Agenda Item	4c. Agenda item Approval of Council Minutes		
Est. Cost			

Background Information			
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Requested Action	'I move to approve the minutes from the November 2, 2022 regular meeting of the Gardiner City Council"		
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 _____



COUNCIL MEETING MINUTES
GARDINER CITY COUNCIL
WEDNESDAY, November 2, 2022
6:00 PM

The meeting was called to order by Mayor Hart at 6:00 p.m.

1) ROLL CALL/PLEDGE OF ALLEGIANCE

City Council Present: Mayor Hart, Councilor Berry, Councilor Brown, Councilor Cusick, Councilor Frey, Councilor Greenleaf, Councilor West

City Council Present via teleconference: Councilor Rines

City Council Absent: None

Also present: City Manager Andrew Carlton, Deputy Clerk Michelle Snowden; John Cameron, Public Works Foreman; Denise Brown, Finance Director; Kathy Cutler, City Clerk / Tax Collector; Kelly Hare, Utility Clerk; Melissa Lindley, Gardiner Main Street; Jessica Lowell, Kennebec Journal; Ron Trahan

Kathy Cutler introduced Kelly Hare, who will serve as the utility clerk.

2) PUBLIC COMMENT

None

3) PETITIONS / PUBLIC HEARINGS / PUBLIC PRESENTATIONS

a) Victulars License Marijuana Medical Cannabis Retail Shop

Mayor Hart opened the public hearing at 6:04 p.m. and asked for any comments from the public. Mayor Hart closed the public hearing at 6:05 p.m.

b) License Application for a Medical Cannabis Retail Shop – Marijuanaville

Mayor Hart opened the public hearing at 6:05 p.m. and asked for any comments from the public. Mayor Hart closed the public hearing at 6:06 p.m.

c) License Renewal for a Cannabis Testing Facility – MCR Labs

Mayor Hart opened the public hearing at 6:06 p.m. and asked for any comments from the public. Mayor Hart closed the public hearing at 6:07 p.m.

d) License Renewal for a Medical Cannabis Cultivation – Headspace Medical

Mayor Hart opened the public hearing at 6:08 p.m. and asked for any comments from the public. Mayor Hart closed the public hearing at 6:09 p.m.

4) **NEW BUSINESS**

a) **Approval of a Victulars License for Marijuanaville**

Councilor Cusick made a motion to approve the Victulars License application for Marijuanaville and Councilor Greenleaf seconded. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart – yes
The motion passed 8-0

b) **Approval of a Medical Cannabis Retail Shop for Marijuanaville**

Councilor Cusick moved to approve the Medical Cannabis Retail License application for Marijuanaville. Councilor Brown seconded. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart – yes
The motion passed 8-0

c) **Approval of a License Renewal for Medical Cannabis Cultivation – Headspace Medical**

Councilor Frey moved to approve the renewal of a Medical Cannabis Cultivation License application for Headspace Medical. Councilor Brown seconded the motion. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart - yes
The motion passed 8-0

d) **Approval of a License Renewal for a Cannabis Testing Facility – MCR Labs**

Councilor West moved to approve the License Renewal for a Cannabis Testing Facility – MCR Labs. Councilor Greenleaf seconded. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor West – yes, Councilor Cusick – yes, Councilor Berry – yes, Mayor Hart – yes
The motion passed 8-0

e) **Approval of Council Minutes**

Councilor Cusick made a motion to approve the October 19, 2022 meeting minutes with amendments. Councilor West seconded the motion. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf abstained, Councilor Rines via teleconference, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart – yes
The motion passed 7-0-1

f) **Approval of a Large Event for Gardiner Main Street on December 2, 2022 – Tree Lighting Ceremony in Dearborn Park**

Councilor Brown moved to approve the request for a large event in Dearborn Park for the Tree Lighting Ceremony hosted by Gardiner Main Street. Councilor Greenleaf seconded. A roll call vote was conducted: Councilor West – yes, Councilor Cusick – yes, Councilor Berry – yes, Councilor Frey – yes, Councilor Rines via teleconference – yes, Councilor Greenleaf – yes, Councilor Brown – yes, Mayor Hart – yes
The motion passed 8-0 with thanks to the organizer, Gardiner Main Street.

g) Approval of a Large Event for Gardiner Main Street on December 3, 2022 – Annual Parade of Lights through Downtown

Councilor Cusick moved to approve the request for a large event requiring the closure of Water Street for the Parade of Lights on December 3, 2022 and waive all associated fees, including the cost of Police Department coverage. Councilor West seconded the motion. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart – yes

The motion passed 8-0

h) Approval of a Small Event for Maine General on December 10, 2022 – Celebration of Lights

Councilor Cusick moved to approve the request from Maine General to host their annual Celebration of Lights at the Gardiner Common on December 10, 2022, with an inclement weather date of December 11, 2022. Councilor Greenleaf seconded the motion. A roll call vote was conducted: Councilor West – yes, Councilor Cusick – yes, Councilor Berry – yes, Councilor Frey – yes, Councilor Rines via teleconference – yes, Councilor Greenleaf – yes, Councilor Brown – yes, Mayor Hart – yes

The motion passed 8-0.

i) Approval of a Small Event for Winter Street Baptist Church on December 17, 2022 – 3rd Annual Carols on the Common

Councilor Greenleaf moved to approve the request for a small event in the Common for the Winter Street Baptist Church 3rd Annual Caroling on the Common, December 17, 2022.

Councilor Frey seconded the motion. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart – yes

The motion passed 8-0

Mayor Hart asked City Council if agenda item O could be taken out of order as the involved party was present. Council agreed.

o) Request from Owner of 19 Partridge Drive to Change Deed Restrictions

City Manager Carlton stated that Mr. Trahan is requesting that the 1700 sq.ft. deed requirement be removed. The subdivision (Ridgecrest) currently has a build requirement of 1200 sq.ft. Councilor Berry asked if all the lots are subject to the subdivision requirements, Manager Carlton responded yes – 19 Partridge Drive is not one of them. City Manager Carlton has received legal consultation regarding the request: a release deed would have to be drawn up and the City would absorb the minimal fee associated with.

Councilor Berry moved to remove the deed restriction of 1700 sq.ft. minimum build from the deed to 19 Partridge Drive and direct the City Manager to sign a release deed on behalf of the City. Councilor Cusick seconded. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart – yes.

The motion passed 8-0

j) Establish a Facility Committee and Appoint Committee Members

City Manager Carlton reported that a contract has been signed with Port City Architecture, which allows us to begin work on developing a plan for City Facilities in Gardiner. This is going to require the creation of a Facilities Committee to do this work and appointment of members.

Councilor Brown moved to establish a Facility Committee and appoint the following members: Jim Toman, Rick Sieberg, Denise Brown, Councilor Terry Berry, Mayor Patricia Hart, Ingrid Stanchfield, and Ken Holmes. Councilor Greenleaf seconded the motion. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart – yes

The motion passed 8-0

k) Approval for the Mayoral Appointment of Simon West to the Kennebec River Rail Trail

The City of Gardiner has a vacancy on the Kennebec River Rail Trail Board of Supervisors.

Councilor Greenleaf moved to appoint Simon West as a Gardiner representative to the Kennebec River Rail Trail Board of Supervisors. Councilor Frey seconded. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes,

Councilor West – yes, Mayor Hart – yes.

The motion passed 8-0

l) Approval for the Appointment of Jacob Waltman to the City of Gardiner Planning Committee

Due to the resignation of Matt Murphy, the Planning Board has a vacancy.

Councilor Cusick moved to appoint Jacob Whitman to the Planning Board. Councilor West seconded the motion. A roll call vote was conducted: Councilor West – yes, Councilor Cusick – yes, Councilor Berry – yes, Councilor Frey – yes, Councilor Rines via teleconference – yes, Councilor Greenleaf – yes, Councilor Brown – yes, Mayor Hart – yes

The motion passed 8-0

m) Advise and Consent to the Change of the Title and Job Description from Economic Development and Planning Director to Director of Economic Development and Public Information

City Manager Carlton reviewed the title and description upon departure of Tracey Desjardins. It is his opinion that having one person focusing on grant writing and serving as a public information officer for the City. Councilor Rines stated his support for this idea and appreciated Manager Carlton’s foresight on the needs of the community. Councilor Berry would prefer to put emphasis on grant writing if scoring during the interview. He shared his enthusiasm about being able to be more competitive with large grants. Manager Carlton reported that once applications begin rolling in, a search committee will be formed.

Councilor Cusick moved to approve the change in title to Director of Economic Development and Public Information Officer and approve the corresponding job description. Councilor Frey seconded. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart – yes.

The motion passed 8-0

- n) **Advise and consent to City Manager to have two trees removed on Mechanic Street**
- Mechanic Street has a bump-out where two trees are growing and cause a hazard during winter plowing. Councilor Brown inquired about plans for any other greening on Mechanic Street and City Manager Carlton stated that he is not opposed to greenery in the City, just on that street where trees break up sidewalks and snow plow trucks often get damaged by those trees. Councilor Greenleaf asked if Johnson Hall was going to remove the bump-out, Manager Carlton responded that he is waiting on the final plans from the engineer regarding that. Councilor Greenleaf made a motion to remove the two trees in the Johnson Hall bump-out, seconded by Councilor Brown. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick - yes, Councilor West - yes, Mayor Hart – no.
- The motion passed 7-1.

5) CITY MANAGER REPORT

- Manager Carlton reported that Thursday, November 3, 6:00 – 8:00 p.m., City Hall will be open for early voting only. That is also the last day for absentee voting. City Hall will be closed Tuesday, November 8 to the public as all front counter staff will be working at the polls.
- Tuesday, November 8, work begins on Highland Avenue storm drain – should only be a week worth of impact. MSAD 11 has been notified. Once complete, Public Works will move to Mount Vernon Avenue to address sewer issues.
- Kennebec County Jail residents scraped paint from the wastewater plant and South Gardiner Fire Station. Hoping to paint in the Spring.
- DOT finished the elbow on Arcade Street for the Cobbossee Trail. Looks great; the trail is one step closer to completion.
- Along with Denise and Doug, met with Michelle Gibson from Hoyle Tanner to complete the wastewater needs survey for DEP. DEP will submit surveys to the Federal Government for money. Michelle will also look into needs for sewerwater.
- Public Works & Buildings and Grounds have been preparing for winter
- Currently working with the vendor to repair approximately 50 street lights that are out. This will be fixed at no cost to the City. The management software for lights finally came online last week (has never worked correctly). We should be able to use the software for street lights.

6) CITY COUNCIL REPORT

- Councilor West – NONE
- Councilor Cusick offered his thanks to Manager Carlton and the Public Works department for paving the end of School Street.
- Councilor Berry – NONE
- Councilor Frey asked about the increased level of panhandling and fundraising groups at the intersection of Bridge Street and what, if any, options we have to manage the traffic. Manager Carlton stated there is not much we can do until it significantly impedes traffic. There is significant case law on this topic. Councilor Berry reported that the City of Portland experienced this, took a case to Superior Court, and lost.
- Councilor Rines via teleconference wanted to encourage everyone to vote.

- Councilor Greenleaf asked if Public Works is currently fully staffed, to which Manager Carlton answered no. A vacancy recently occurred. Applications are being reviewed.
- Councilor Greenleaf requested a mayoral proclamation for Katie Schide Day as she will be in town and participating in the Gardiner Rotary Turkey Trot. Mayor Hart agreed and a proclamation will be made at the next meeting.
- Mayor Hart mentioned that there was a large showing of trick or treaters out on Halloween, 600 – 700 kids were out on High Holborn Street. The Gardiner Main Street Trick or Treat event on October 28 was well attended and it appeared everyone had a good time. She also commented that Water Street looks great with the holiday decorations up.
- Mayor Hart attended Red Ribbon Day at the middle school, she was very impressed with the youth in our city.

7) **ADJOURN**

Councilor Cusick moved to adjourn, Councilor Berry seconded. A roll call vote was conducted: Councilor Brown – yes, Councilor Greenleaf – yes, Councilor Rines via teleconference – yes, Councilor Frey – yes, Councilor Berry – yes, Councilor Cusick – yes, Councilor West – yes, Mayor Hart – yes. The motion passed 8-0 and meeting was adjourned at 6:57 p.m.

Respectfully submitted,

Michelle Snowden

Michelle Snowden
Deputy City Clerk