

City Council Meeting
5/14/14

6:45 p.m. EXECUTIVE SESSION per 1 MRSA, Title 1, Chapter 13, Section 405 (6) (C) Real Estate

Motion by Councilor Heath, second by Councilor Barron to enter Executive Session. City Manager was provided with direction.

6:58 pm EXECUTIVE SESSION per 1 MRSA, Title 1, Chapter 13, Section 405 (6) (C) Real Estate

Motion by Councilor Johnston, second by Councilor Barron to enter Executive Session. Discussion of City's options.

ROLL CALL – All Councilors Present

PETITIONS, PUBLIC HEARINGS (Public comment for anything not on agenda)

Public Hearing and Consideration of Liquor License Renewal for Pasta'z

Motion to approve by Councilor Berry, second by Council Phil Hart Unanimous Vote

Public Hearing and Consideration of Liquor License Application and Outside Consumption Permit for Water St Grill

The Water Street Grill is under new ownership, Nick Moody, and seeking approval. Nick Moody has been working with Gardiner PD to change perception of the bar. Councilor Johnston made a motion to approve, second by Councilor Heath. Unanimous Vote

Public Hearing and Consideration of River Festival Special Event Permit

Patrick Wright, GMS, explained that Gardiner Area River Festival has added more events this year, including a beer tent. The intent is to hold the beer tent open from 12 pm to 1 p.m. along with concerts. The Wharf, owned by Tim Connolly, has offered to sponsor the tent and would like to maximize the amount of time. Councilor Phil Hart asked how the area restaurants feel about losing business. Jack Fles, 46 Water St, has been involved with planning the event and feels that this would help bring a "wow" factor to the event. Councilor Hart is concerned that the local businesses will lose business. Mr Fles believes that this will help fill the waterfront and bring people to Gardiner. Councilor Heath asked how to observe the noise ordinance after 10 p.m. City Morelli received an opinion from the city attorney that the ordinance does not apply. Councilor Johnston thanked the group for all the planning but concerned it might be too much for the first year to hold an event until 1 a.m. Mr. Connolly has held several outdoor events. In the bar business, it is found that business makes the money is later; they overstaff for these events. The band he has in mind for the last act is more of dance, classic rock music. Chief Toman plans on having four officers assigned to the waterfront and has concerns. Chris Bigelow, Music Works, spoke about the sound levels and did not feel there would be any issues. Councilor Pat Hart asked who pays for the police coverage. City Manager said that the estimate cost to the city in OT costs for police, fire and public works is \$2620 for the whole day. Chief Toman said there is a potential for issues due to late night. They would come back in the morning to take down everything. Motion to Approve permit, including waiving ½ fees incurred, by Council Johnston, second by Councilor Williams. Councilor Pat Hart is concerned that the Chamber/Whatever Festival got away from boat races and beer because of incidents but is not ok with the event past 11 p.m. Councilor Johnston made a motion to amend to the event ending at midnight, second by Councilor Williams. Unanimous Vote

Public Hearing and Consideration of Special Events Permit for Waterfront Concert

Mike Miclon, Johnson Hall, would like to hold 3 free concerts this summer. Motion to approve waterfront concerts with outside vendor permits by Councilor Berry, second by Councilor Pat Hart. Vote: 7 in favor, 1 against.

Public Hearing and first reading Proposed Changes to the Land Use Ordinance: Adaptive Reuse Overlay District

Planning Board Chair, Debbie Willis, stated that the Ordinance Review Committee saw this ordinance as a chance to change the use of larger buildings. Mark Eyerman, Planning Decisions said this is good for the city. Councilor Phil Hart asked why this would just be in HDR zone, not the rest of the City. Debbie explained this is just cracking the door open by starting in HDR. Dorothy Washburn, resident, said she understands the ordinance but asked if there is a list of properties that would fit

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the criteria. Phyllis Gardiner, resident said it is important to expand the tax base and get buildings back into use. Resident, Phil Barter, opposes the ordinance--zoning is not being treated fairly. John Shaw, 3 Dennis Street, said he is in support of AROD. Lisa Liberatore, business owner and entrepreneur, supports the ordinance. It will bring people to our community. Gerri Doyle, resident, was in support of AROD. Mayor Harnett read an email from Kirk Money. Councilor Pat Hart agreed that there were a lot of good points made. Councilor Johnston made a motion to accept the first reading of AROD, second by Councilor Pat Hart. Councilor Heath asked if Ordinance Review could incorporate some of the comments made by Mr. Mohney. Unanimous Vote.

Public Hearing and first reading of an ordinance amendment to the Ambulance Advisory Board ordinance - tabled

OLD BUSINESS

Discussion of Partridge Drive - Tabled at the request of Mr. Adams

FY15 Budget

Resident George Trask asked why Gardiner pays for more the Boy's and Girl's Club per capita than other towns, there should be a formula; why do we need all those people at the library; we need to cut. Resident, Terry Maschino, asked Council to keep looking for cuts. Ralph Clark, Pierce St, is concerned about the spending and we need to look at non-profits. Kim Spear, S Gardiner mobile home owner, thinks there is a fairness issue with the taxes. Her mobile home is being taxed at 106%. Marge Burgess feels there are some programs that may help people we could look into. Clare Maron thinks we can't afford to cut services that help attract people to the community. Phyllis Gardiner said you gain more by building on revenue than slicing and dicing. We have a lot of forces commenting together. We can't go backwards, we need to keep going forward.

- Assessing Presentation

Curt Lebel, City Assessor, explained the process of fairly assessing properties. If there is a problem, there are processes such as abatements and an appeal process.

Recess

Budget Discussion by Council.

Councilor Pat Hart has heard from a lot of people and would like to consider hiring freeze, budget freeze, taxes are too high, stay under 2%, and does not want to cut funding to Johnson Hall, Boys & Girls Club and Gardiner Main Street. Councilor Logan Johnston said people want us to be sure we are using every dollar to the best of our abilities. Councilor Barron said that very few people have contacted him with ideas, but he would like to keep it at 2.5%. Mayor Harnett said that Council does not hear from a lot of different people. A hiring freeze is symbolic but the current opening is law enforcement. Councilor Phil Hart has no interest in cutting paving, but the Boys & Girls Club needs to be looked at. People don't show up. Non-essential services could be cut, but do not cut Mt. Hope cemetery. Councilor Heath and Councilor Johnston would like to think things through to deal with the future. Councilor Williams supports 2.5% but not 7% tax increase. Councilor Berry has heard from both sides. The Boys & Girls Club is our future. Trend is to move back to cities. City Manager Morelli showed Council that in 3 years taxes have only gone up 1.25% and has stayed below the cost of inflation.

NEW BUSINESS

Consideration of Bundled Billing Rates & Increasing Ambulance Service Rates Tabled

Consideration of MSAD11 Budget Referendum Warrants

Motion by Councilor Johnston, second by Councilor Pat Hart. Unanimous Vote

Consideration of Nominating City Manager as MMA LPC Candidate for Senate District 21

Motion to approve by Councilor Heath, second by Councilor Phil Hart. Unanimous Vote

CITY MANAGER UPDATE none

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CITY COUNCIL UPDATE none

ADJOURN 12:45 am

Submitted by Deirdre Berglund, City Clerk