

**REGULAR COUNCIL MEETING
GARDINER CITY COUNCIL**

Wednesday, November 5, 2008

City Council Chambers

Corrected Minutes

6 p.m. Executive Session

7 p.m. Business Meeting

Attendees: Brian Blanchard, Michael Giberson, Chuck Leblanc, Jeff Kobrock, Andrew MacLean, Phil Hart, Richard Nickless, Richard Rambo

1. CALL TO ORDER

Mayor Andrew MacLean called the meeting to order at 6:08pm

2. ROLL CALL

Councilor Martha Mentall was not present for this meeting.

3. EXECUTIVE SESSION – LEGAL ADVICE

The City Council voted unanimously to go into executive session pursuant to Title 1 MRSA section 405(6)(E), to receive advice from City Solicitor Erik Stumpfel concerning contemplated litigation relating to the property at 173 Highland Avenue in Gardiner. Following receipt of the attorney's advice, the executive session adjourned at 6:49 p.m.

Mayor MacLean called the meeting back to order in public session at 7 p.m..

3.A FOLLOW-UP TO EXECUTIVE SESSION

Councilor Rambo made a motion to direct the City's solicitor to file a dangerous building complaint in Kennebec County Superior Court against Peter Wlodylo with respect to the property at 173 Highland Avenue, with the requested relief limited to an order requiring correction of the public safety hazards identified in the Wright-Pierce inspection report dated October 2, 2008. Councilor Nickless seconded the motion. The motion was approved by unanimous vote.

4. PETITIONS, COMMUNICATIONS, RESOLUTIONS, & PUBLIC HEARINGS

4.1. Consideration of Comments from the Public on Issues that Do Not Appear Elsewhere on the Agenda (Please limit comments to five minutes.)

No public hearing.

5. CONSENT AGENDA

6.1 Consideration of October 2008 Warrants and Councilor Blanchard signing Warrants

Councilor Leblanc made a motion to accept, followed by Councilor Nickless with a second motion. Unanimous vote.

CITY OF GARDINER – WARRANTS

DATE	WEEK#	TYPE OF WARRANT	AMOUNT	CHECK RANGE	COUNCILOR
10/3/2008	14	PAYROLL	\$32,404.21	76653-76682	Blanchard
10/3/2008	14	PAYROLL DEDUCTIONS	\$2,883.66	76683 & 76684	Blanchard
10/3/2008	14	QUARTERLY PAYROLL	\$336.51	76685-76689	Blanchard
10/1/2008	14	MTHLY PAYROLL DEDUCTIONS	\$16,088.53	76690-76698	Blanchard
10/2/2008	14	ACCOUNTS PAYABLE	\$8,291.00	16041-16043	Blanchard
10/8/2008	15	ACCOUNTS PAYABLE	\$509,950.55	16044-16130	Blanchard
10/9/2008	15	ACCOUNTS PAYABLE	(\$43,905.44)	16050	Blanchard
10/9/2008	15	ACCOUNTS PAYABLE	\$43,905.44	16139	Blanchard
10/10/2008	15	ACCOUNTS PAYABLE	\$30,610.17	16140-16171	Blanchard
10/10/2008	15	ACCOUNTS PAYABLE	(\$332.93)	16148	Blanchard
10/10/2008	15	ACCOUNTS PAYABLE	\$332.93	16173	Blanchard
10/9/2008	15	ACCOUNTS PAYABLE	(\$4,238.09)	16078	Blanchard
10/10/2008	15	PAYROLL	\$30,307.67	76699-76728	Blanchard
10/10/2008	15	PAYROLL DEDUCTIONS	\$2,883.66	76729 & 76730	Blanchard
10/17/2008	16	PAYROLL DEDUCTIONS	\$83.74	76731	Blanchard
10/17/2008	16	PAYROLL	\$32,030.33	76732-76764	Blanchard
10/17/2008	16	PAYROLL DEDUCTIONS	\$2,883.66	76765 & 76766	Blanchard
10/22/2008	17	ACCOUNTS PAYABLE	\$1,227,661.96	16174-16285	Blanchard
10/24/2008	17	PAYROLL	\$30,025.41	76767-76798	Blanchard
10/24/2008	17	PAYROLL DEDUCTIONS	\$2,883.66	76799 & 76800	Blanchard
10/31/2008	18	PAYROLL	\$33,597.59	76801-76830	Blanchard
10/31/2008	18	PAYROLL DEDUCTIONS	\$112.00	76831	Blanchard

6. NEW BUSINESS

6.1. Presentation Of First Quarter FY09 Finance Report

Jeff Kobrock spoke and introduced Sandy Runyon and Denise Brown. Sandy stated that Council received copy of the finance report for the first 3 months of fiscal year 09. Sandy mentioned he is still working on last year. He said that the auditors will be in to look at June 08 numbers mid-December. He discussed highlights of the report. He stated revenues are on target. Councilor LeBlanc mentioned that the report looked like what they were looking for all along. Councilor Rambo said it looked great. Councilor Blanchard liked the format also. There was a short discussion regarding Unifund reports, Budgets and purchasing.

6.2. Review Action Plan for Strengthening Finance Functions

Jeff Kobrock spoke and said the action plan was adopted over the summer. He said that the plan was fully implemented and thought it would be a good time to run through it. He stated that the action plan was a wonderful set of goals that has worked for the city. Councilor Rambo said that the action plan looked great, but wanted to know how the water & sewer billing consolidation was going for January 1st. Jeff Kobrock said that the target date will be moved to July 1st and that there will be a report in the packet in the next week or two. Chuck Leblanc mentioned that the key is segregation of duties. He thinks the new process implemented will work now. Denise Brown mentioned that she is keeping a spreadsheet of all checks. This is what the auditors are looking for. Sandy Runyon mentioned that the auditors will want to meet with the audit committee before the audit in December.

6.3. Update Revolving Loan Fund

Jason Simcock spoke and mentioned that he has included a few new reports in the packet due to the transition this year to KVCOG. The city is fully compliant with the revolving loan fund. Jason ran through the RLF statistics over time and the improvements that have been made. He mentioned KVCOG is also helping the city look at other funding programs. The city will have over \$400,000 to lend to area businesses. He reviewed a couple of the unpaid loans and gave the councilors a status on each. Councilor Rambo mentioned the advances over the years with the revolving loan fund. He asked Jason if we require a business plan to give a loan and is anyone reviewing

these applications with some lending expertise. Jason said yes, and explained the process. There have been some recent changes in the approval process with the addition of KVCOG.

Brian Blanchard asked if anyone knew anything about the railroad property. Jason Simcock said that he's heard a few things about the property, but nothing definite. Jason met with the owner to discuss the potential of a restaurant being started in this location.

Councilor Leblanc said that he wanted to go back to what councilor Rambo mentioned. He thinks the city should look at giving smaller loans instead of larger ones to reduce the financial risk. George Trask asked how much money is the city going to lose on the two loans that have failed? Jason Simcock said approximately \$67,000. Jeff Kobrock spoke and said that there is no hope of recovering money from the Up the Creek loan, but we may get some of the funds from Kennebec Brewing. Jeff said the potential loss is probably \$30,000.

Councilor Hart stated that the city knew that these loans are risky, and we need to concentrate on the good loans and the positive things this has done for the city. He personally thinks the program has been a success. Mayor MacLean agreed with Phil, and said that most of the loans have been performing loans. He said that the EDC has acted as the underwriting committee on these loans. He believes that this committee has the expertise to help with approval.

6.4. Discussion of Term Limits

Mayor Maclean mentioned that Councilor Leblanc wanted to add this item to the agenda, because he thinks that people being in office too long can reduce effectiveness and thinks that there should be limits. Councilor LeBlanc said that he's not looking to say people can't re-run, but they shouldn't be able to run for too many consecutive years. He said that new people can rejuvenate the council. He thinks there should be a 10 year limit.

Councilor Hart spoke and he said that he read that term limits don't work. You end up with too many inexperienced people having to make tough decisions. He said that evidently the public will decide the change according to yesterday's election. He said that the council is very

fortunate to have Jeff, because previously the councilors were bullied to leave council.

Councilor Rambo said he is against term limits. He thinks that's part of the reason why so little gets done in Augusta. There is a huge learning curve. Councilor Blanchard thinks term limits work. He said if you look at the legislature, there are people that have been there for years and they've got nothing done. Councilor Giberson said that being the newest on the council he tends to listen to the councilors that have been on the council the longest are helping him to understand how the city works.

Councilor Nickless said that he wouldn't be opposed to term limits as long as the community votes on this. George Trask said that he would like to see who ever put the item on the agenda be identified on the agenda. He said that term limits don't work; the ballot box does.

Mayor Maclean asked if any other municipalities have term limits in Maine? Jeff Kobrock said that there are a couple, but not many.

6.5. Consideration of Sewer Abatements

Jeff Kobrock spoke, and explained sewer abatements and how the process works.

Councilor Hart made a first motion followed by a second by Rambo. Councilor Blanchard asked the purpose of Sewer Abatements. Jeff Kobrock said that the ordinance requires reporting of \$100 or more. There was a discussion about why sewer gets abated.

Unanimous vote.

Consideration of Order 08-39 Authorizing Local Match for Safe Routes to School Grant in the amount of \$87,000.

There was a first motion made by Councilor Rambo, followed by a second motion by Councilor Nickless.

Unanimous vote.

6.6. Certification of MSAD11 Election Results

Motion by Councilor Nickless followed by a second by Councilor Leblanc.

Unanimous vote.

7. CITY MANAGER REPORT

Jeff Kobrock spoke and sent around an order for everyone's signature regarding the septic system that was replaced. The police department served the original, so it has to be signed again.

Jeff also mentioned that sewer liens will be moved to an annual process rather than a quarterly. It's cheaper, and easier to keep track of.

He also mentioned the library being able to offer MP3 downloads. It's a new opportunity from the State of Maine. If we were not to become an initial subscriber, we will have to pay \$2,000 for this instead of \$1,000 that we can pay right now to enter the program. Anne Davis and Jeff feel this would be a great opportunity to join the program. There were no objections.

Jeff spoke of holiday schedules. He said that the city will be closed the Friday after Thanksgiving, the Friday after Christmas and the Friday after New Year's Day. Employees will have to take a vacation day for the day after Christmas and New Years. They can work with the approval of their supervisor.

Jeff reminded council that there will be two workshops in the next two weeks on the 12th and the 19th. Andy said that he has mentioned this early to the council. The first workshop is an orientation. The second is review of the FY08 goal statement.

COUNCIL DISCUSSION

Councilor Blanchard said that he will try to attend at least one of the meetings. Councilor Giberson had nothing to say. Councilor Leblanc said that he would like to see council reintroduce an employee appreciation day for the employees. He said they should pick a day to do this. The second thing that he wanted to mention is that he didn't run again for Council because he will be leaving for Georgia to go to school. He is changing careers, and felt that it would be better for the community for him not to run because he will be gone. Phil Hart said that he thinks the employee recognition is a great idea.

8. ADJOURNMENT

Meeting adjourned at 9:23pm

Respectfully Submitted
L. Jewell, Deputy Clerk