

**Regular Meeting Minutes
Gardiner City Council
Wednesday, November 19, 2014
Council Meeting 6:00pm
Open Session Begins At 7:00pm**

Call to Order: Mayor Thom Harnett calls the meeting to order.

Executive Session #1:

- Motion by Robert Johnston to go into Executive Session Pursuant to 1 MRSA, Title 1, Chapter 13, Section 405 (6) (C) Real Estate. (Tax acquired property) (6:00pm)
- Seconded by Richard Heath
- Unanimous vote
- Motion approved

Corresponding motion after coming out of executive session:

- Motion by Robert Johnston to instruct the City to issue a quitclaim deed to Nationstar for property located at 56 Lincoln Avenue
- Seconded by Richard Heath
- Unanimous vote
- Motion approved

Executive Session #2:

- Motion by William Barron to go into Executive Session Pursuant to 1 MRSA, Title 1, Chapter 13, Section 405 (6) (A) Personnel Matters (City Manager contract renewal) (6:10pm)
- Seconded by Terry Berry
- Unanimous vote
- Motion approved

Corresponding motion after coming out of executive session:

- No action taken

Executive Session #3:

- Motion by Richard Heath to go into Executive Session Pursuant to 1 MRSA 405(6)(C) &(E) to Discuss the City's Interests and Legal Rights & Duties of City Council Relative to KRDA/First Park (6:15pm)
- Seconded by Robert Johnston
- Unanimous vote
- Motion approved

Corresponding motion after coming out of executive session:

- No action taken

Executive Session #4:

- Motion by Terry Berry to go into Executive Session Pursuant to 1 MRSA, Title 1, Chapter 13, Section 405 (6) (C) Real Estate. (Partridge Drive) (7:00pm)
- Seconded by Robert Johnston
- Unanimous vote
- Motion approved

Corresponding motion after coming out of executive session:

- Motion made during the November 5th, 2014 meeting stands

Executive Session #5:

- Motion by Robert Johnston to go into Executive Session Pursuant to 1 MRSA 405(6)(C) &(E) to Discuss the City's Interests and Legal Rights and Duties Regarding a Revolving Loan Fund Transaction (7:15pm)
- Seconded by Phil Hart
- Unanimous vote
- Motion approved

Corresponding motion after coming out of executive session:

- Motion by Robert Johnston to authorize City Manager and Economic Development Director to protect the City's interests with regard to collateral on the loans with Alex Parker's Steakhouse
- Seconded by Phil Hart
- Unanimous vote
- Motion approved

Pledge of Allegiance: Completed.

Roll Call:

Members Present: Mayor Thomas Harnett, Council Member Terry Berry, Council Member Scott Williams, Council Member Richard Heath, Council Member Phil Hart, Council Member William Barron, Council Member Robert Johnston, and Council Member Patricia Hart.

Petitions, Public Hearings:

Public Comment:

Phyllis Gardiner update on Duct Tape Council:

- March 12th – planning citywide volunteer recruitment and appreciation
- Nominations for Brian Rines Community Award

- December 6th – Johnson Hall’s 130th birthday party with cake competition

Public Hearing and Consideration of Special Event Permit - Days of Light

Public comment: Patrick Wright of Gardiner Main Street

Program includes December 1st tree lighting and holiday parade on December 6th.

- Motion by Terry Berry to approve Special Event Permit for Days of Light and waive any fees as recommended by the City Manager.
- Seconded by William Barron
- Unanimous vote
- Motion approved

Consideration and Second Reading of General Assistance Ordinance Amendment

- Motion by Robert Johnston to accept General Assistance Ordinance Amendment
- Seconded by William Barron
- Unanimous Vote
- Motion approved

New Business:

Land Use Ordinance First Reading

Presented by: Debby Willis, Chair of Gardiner Planning Board

The following changes to the Gardiner Land Use Ordinance were voted to approve by a 7-0-0 vote at the August 25th, 2014 meeting of the Ordinance Review Committee and were forwarded to the Planning Board for review. The Planning Board voted to recommend they be approved on October 14, 2014 by a 7-0-0 vote and are forwarding them on to the City Council for approval.

- Add to Section 2.1.1 – Code Enforcement Officer Timeline For Issuing Building Permits
- Add to Section 2.3.2.2 – Add 2 Alternative Members To Planning Board
- New Section 6.11.3.11 – Add Provision For Waiver Of Submission Requirements (CEO & Planning Board Reviews)
- New Section 6.13.3.6 – Add Provision For Waiver Of Submission Requirements (Site Plan Review)
- New Section 14.5.8.1 – Add an Informal Sketch Plan Meeting To Subdivision Process
- Re-number current wording in Section 14.5.8 – Re-number working under current section 14.5.8 to 14.5.8.2

Public present for comment: Jack Fles, resident of Gardiner

- Motion by Patricia Hart to move Land Use Ordinance Changes to second reading
- Seconded by Scott Williams
- Unanimous vote
- Motion approved

Review of Voter Survey Responses

Background-

On Election Day, the City conducted a survey about city services, the budget and property taxes. The City received 349 responses. While this is not a random sample survey and therefore cannot be considered a statistically accurate representation of the views of Gardiner residents as a whole, it does provide relevant information for Council to consider in its upcoming discussions about goals and the FY16 budget process.

Presented by Council Member Patricia Hart

Discussion Regarding Partridge Lot Sale

Removed from agenda

Discussion of First Park/KRDA Legal Opinion

Removed from agenda

Discussion on Status of Revolving Loan Fund Recipient

Removed from agenda

Certification of Elections Results:

Passed around for Council Members to sign.

Cobbossee Sewer Interceptor Project:

Background:

Council has already approved the Cobbossee Sewer Interceptor Project costs, as well as the funding as follows:

Rural Development Grant	\$246,000
Rural Development Loan	<u>\$574,000</u>
Total Project Costs	\$820,000

However, legal counsel requires City Council to formally authorize the City Manager to execute the contract with St. Laurent & Sons, Inc.

- Motion by Robert Johnston to authorize the City Manager to execute the contract with St. Laurent & Sons, Inc
- Seconded by William Barron
- Unanimous vote.
- Motion approved.

Discussion in regard to possible trail.

Present for comment: Douglas Clark, Wastewater Superintendent, Barbara Skelton, Code Enforcement Officer

City Manager Update

City Council Update

Adjourn

- Motion by William Barron to adjourn
- Seconded by Scott Williams
- Unanimous vote
- Motion approved

Respectfully submitted,

Ruth S. Glaeser, Interim City Clerk