

**REGULAR MEETING AGENDA
GARDINER CITY COUNCIL
WEDNESDAY, AUGUST 6, 2014
COUNCIL MEETING 7:00 P.M.**

7:01 – Roll Call – All City Councilors Present

ADDENDUM - Consideration of Mike Adam's Request for Extension of Deadline for Partridge Drive Property

Mike Adams requested an extension to complete the house. The house is 100% complete except the driveway. It was his understanding that the driveway did not have to be completed. The garage is done and working on the landscaping for August 8 deadline. He was not aware it had to be paved; thought the house had to be done not the entire property. CEO Barb Skelton did speak with Mike about the driveway last Thursday. As of August 6, there are five outstanding items—pavement, loom & seed, debris removed, dormer and the garage floor needs concrete in order to meet the value in the P&S. Council discussed the previous timelines given and if the house was habitable. Mayor Harnett reminded everyone that this was the third extension request from the Adams. Mike Adams asked the city to remove language from the P&S about the city taking back the property because the banks will not finance him with the language as stated.

Motion to allow the Adams until September 30, 2014 to complete the project, including seeding, haying and stabilizing the lawn, to the satisfaction of the CEO with \$1,000 penalty if fail to meet deadline OR return the 2nd parcel to the city by Councilor Phil Hart, second by Councilor Heath.

Motion to amend that the second lot will not be transferred until the project is 100% completed Councilor Berry, amendment seconded by Councilor Heath.

Motion to amend that the topsoil will remain on the second parcel until the project is complete by Councilor Pat Hart, amendment seconded by Councilor Heath.

Vote – 7 in favor, 1 opposed

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

George Trask asked what we are doing with the church on Brunswick Ave. Mayor Harnett said we are working with the CEO on it.

Public Hearing and Consideration of GMS Special Event Permit for Bike Coalition

Kim True, Bike Coalition of Maine, is very excited to come to Gardiner. Department Heads have reviewed and requested that a fire lane remains open if streets are shut down. GMS would like the \$2K donation to go through them and they will reimburse

the city for any services. Motion to approve by Councilor Pat Hart, second by Councilor Johnston. Unanimous Vote.

Consideration of First Reading of AROD Land Use Amendment for 46 Church St

Nate Rudy, CEO and the applicant, David Boucher, were present. The Planning Board has reviewed the project and it is up to the Council to determine if this project meets the requirements of AROD. It is a local hard cider company that will locally produce hard cider. 46 Church Street fits the project, as well as the community and the history. They are looking to grow and create a destination. This would be lite manufacturing and retail which is allowed in AROD. There will be a tasting room in the parish hall. The operation is a Monday through Friday 8 am to 4 p.m. operation. The truck that will be used is smaller than an oil truck. They will be looking to expand within 1 ½ years and it will be in the Gardiner area. The building is beautiful but needs help. The stain glass and organ will be kept. The building will look the same on the outside. Councilor Johnston suggested the applicant consider changing the applicant to include some Saturdays to be open for events. The applicant amended the application to include being open up to 5 Saturdays.

Public Comment. Nate Mitchell, 61 Church St, is concerned about the traffic and aesthetic value. How is this supposed to draw in people for business? Residents will lose property value. Resident Renee Grant said a brewery would be a draw. There are wine and beer trails in the state and people travel for novel ideas like this business. George Trask said this will affect people in that area. If they are already talking about expanding, why not help him find another spot? Lite Manufacturing doesn't belong downtown. Resident at 25 Maple has been away for 7 months and returned to find the train station as a marijuana dispensary and a brewery would be an alcohol dispensary which we don't need in our town. Rick McCormick, owner of Mainiac Brewery, is in favor of project. Gardiner had a winery; this project is bringing back history. They chose Gardiner for this project; we need to welcome them to the neighborhood. Clare Marron, resident and business owner, stated this is a small batch producer, not a dispensary. This is not being rushed. It has been a two-year project. She looks forward to having this business in Gardiner. Resident Nathan Grant said property owners would be worse off if no one fixed the church up and is in support of the project. Gerry Doyle supports the plan. Dan McGrath, 42 Church St, asked what is happening to the three doors on the east side of the building. He is not in favor of the project but asked the Council to consider if they really want a brewery or not. It would be the same issue in any church in the neighborhood.

Councilor Pat Hart asked the Planning Board Chair to Comment. Debbie Willis said that the applicant has gone through the process and the planning board did their part. This is an opportunity for the AROD ordinance. City Manager Morelli confirmed that the Church is aware of what the church will be used for.

Councilor Barron made a motion to move this to a second reading in two weeks with legal counsel present, second by Councilor Johnston. Unanimous Vote

RECESS

CONSENT AGENDA

NEW BUSINESS

Consideration of Mayoral Appointments

Planning Board – there are four openings. Motion to appoint Joel Alexander, Ronald Condon, and Pamela Mitchel to the Planning Board by Councilor Johnston, second by Councilor Barron. Unanimous Vote

Historic Preservation – Motion to appoint Geri Doyle, Clare Marron and Hal Norvell by Councilor Pat Hart, second by Councilor Barron. Unanimous Vote

Gardiner Public Library Trustee – There were three applicants for one opening—Deb Sparrow, Charity Williams, and Deb Files. Anne Davis said it is an advocacy position and thanked all of the applicants for their interest. Vote done by Secret Ballot- Deb Sparrow.

Parks & Recreation – Three applicants for two openings: John Donohue, Jack Fles and Dale Staples. Vote by Secret Ballot – reappointing Jack Fles and Dale Staples

Housing – Motion to appoint John Donohue by Councilor Berry, second by Councilor Phil Hart. Unanimous Vote

Audit – Motion to appoint John Ault by Councilor Barron, second by Councilor Heath. Unanimous Vote

Motion to table appointments for Ambulance Advisory, Conservation, Board of Appeals and Board of Assessment to the 8/27 Council Meeting by Councilor Barron, second by Councilor Berry. Unanimous Vote

Consideration of Accepting the Highland Avenue Final Design

Ransom Engineering presented the final design for the Highland Ave project showing the 3 phases. Tony LaPlante said the project is ready to be put out to bid. Councilor Hart requested that property owners be notified if their property is affected by changes. A copy of the plans will be at city hall for review. Motion to accept the Highland Ave design by Councilor Barron, second by Councilor Johnston. Vote – Unanimous.

Consideration of Consent Agreement for Gardiner Federal Credit Union

The Credit Union would like to use the driveway exiting onto Brunswick Avenue and not Marston Road for their new building. This is a City jurisdiction, not DOT, and it has been reviewed by Planning Board. Motion to approve Consent Agreement by

Logan Johnston, second by Scott Williams. Unanimous Vote

CITY MANAGER UPDATE

CITY COUNCIL UPDATE

Mayor Harnett has been working with Scott and will use Don Garrish to do a goal setting session with Council.

Councilor Pat Hart reminded everyone of the Comp Plan Public Hearing on 8/27/14 and commented that the gas company has been working on the street very early and asked PW to look into.

Councilor Phil Hart apologized for missing the last meeting. Councilor Berry thanked Scott for doing a good job on the budget. Mayor Harnett is happy to see lot sales.

Motion to enter Executive Session, per 1 M.R.S.A § 405 (6)(E) Legal Matter, by Councilor Heath, second by Councilor Williams.

Open Session

Consideration of a Settlement Agreement with Brady Palmer. Motion by Mayor Harnett to authorize City Manager to sign the settlement agreement, second by Councilor Heath. Unanimous Vote

ADJOURN 10:20 p.m.