

4. CONSENT AGENDA

4.1 Consideration of Council Minutes 11/1, 12/6, 12/13, 1/3, 1/17, 1/24, 2/7.

Motion by Councilor Rambo and Seconded by Councilor Nickless.

Vote: 8-0 Unanimous Vote.

5. NEW BUSINESS

5.1 Discussion of Bid Process

Mayor MacLean says this is a memo for Councilor Dellert and Blanchard dated from last meeting from Chuck Applebee dated February 1st, I have since had a conversation with George Trask concerning this item.

4.1 Consideration of Accepting January 2007 Warrants.

#27	01-04-07	03128-03131	\$5,101.02
#29	01-17-07	01002-01138	\$135,185.74
#30	01-25-07	01288-01352	\$321,939.80

4.2 Consideration of Appointing Councilor Blanchard to sign January 2007 Warrants.

Motion by Councilor Rambo and seconded by Councilor Leblanc to accept Consent Agenda Items 4.1-4.2.

Vote: 6 in favor 0 – opposed Motion: passes

Councilor Hart mentions that Warrants are important and to look thru them.

5. NEW BUSINESS

5.1 Discussion of Arcade Lot Snow Removal Procedures.

Manager Kobrock states there is significant information regarding city practices for snow removal in the Council Packet. For years the process has been the same, there is nothing unusual about this specific snow removal procedure. It is unfortunate the number of cars that were towed but not completely unusual. However, the City is always interested in doing better in the future. We have sympathy for the people who were towed.

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Chuck Applebee said, the lot is divided in half and done separately each night. 11 signs were placed by 10:00 am for the midnight snow removal. The normal procedure for placement of signs would put them out not any later than 3:00 pm.

Chief Toman said every effort was made to locate vehicle owners, they researched three databases and found only one vehicle owner listed with a phone number. Five towing companies were contacted and the only one willing to do the work was Mainely Towing. Each year multiple vehicles are towed and the towing companies are entitled to charge different prices.

Numerous comments were made by the public.

How much snow is required for snow removal?

How can 16-18 people who were towed miss the signs?

Somebody didn't do their job right and we are taking the fall. No one was looking at this from a human viewpoint.

Two signs were there and we were unsure of where to park. Two of our vehicles were towed and we could not afford to pay for them so we had to sell one of the vehicles to get the other one out.

Councilor Rambo notes the inability to locate any of the vehicle owners was unfortunate and believes a better policy should be in effect. He believes we should share the cost of towing.

Councilor Hart states the policies are the responsibility of the Council, not the employee's fault. He thinks the Public Works crew spent three hours doing very little while waiting for vehicle owners to be contacted. He figures it would be cheaper to send them home.

Councilor LeBlanc said that November through April, most communities have a parking ban. Be it a public parking lot or thoroughfare, you are still responsible. Some saw the signs, others did not.

Councilor Rambo **Motion** Reimburse up to ½ of the towing cost but not storage fee. **No second.**

A final public comment is made that legal action will be taken.

5.2 Consideration of Order 01-02, Disposition of Tax Acquired Property.

Manager Kobrock said the City came into possession of property 4 Beech St. The lien foreclosure process is a regulated, legalistic process. Due to automatic foreclosure on Dec 18th it became City property. Normally the City seeks an agreement with the former property owner, in this particular case because of the condition of the property, Council needs to provide direction. A Pine Tree Legal attorney representing the former property owner was interested to find out if it was done according to statute.

Dee Burgland noted a 30 day notice was sent to the former property owner before a lien was placed on the property. The Post Office tried to deliver it three times, the original came back unclaimed. The City Attorney has reviewed them after and the proper procedure was followed.

Dave Cichowski noted this property is the result of deterioration by neglect and he deemed it unlivable.

The former property owner would like to recover property inside, Manager Kobrock states what a liability it presents to the city, but the city will work this out.

Mayor MacLean observed we would consider a proposal from the former owner, along with all others.

Vote: 6 in favor 0 – opposed Motion: passes.

5.3 Consideration of Awarding Bid for Webber Building Demolition.

Manager Kobrock noted the Council has never taken any action regarding this city property. The building has no real value. St. Laurent & Sons submitted the low bid for demolition.

Councilor Hart motioned and Leblanc seconded to accept the low bid.

Jason Simcock said this has been discussed at length with Waterfront Committee.

The City Manager said we find no redeeming value to this building and need to come up with a site plan for reuse of the area.

A public comment was made suggesting a parking lot or possibly museum or historical society.

Vote: 6 in favor 0- opposed motion: passes.

5.4 Consideration of Resolution 07-03, CDBG Housing Assistance Grant Application.

Motion by Councilor Hart , Seconded by Councilor Nickless to accept resolution 07-03.

Vote: 6in favor 0- opposed Motion: passes.

6. CITY MANAGER REPORT

Manager Kobrock said, regarding the Libby Hill Expansion Business Park, there are holes in previous survey work, authorized additional work at a cost of \$3,000 to \$5,000. Feels it is prudent to do, speak up if you want us to stop the work.

The Council room is under renovation and budgeted at \$10,000. We will be removing paneling so we will not be meeting for a couple of weeks in Council room.

He would like to bring annual goal statement to March 7th meeting and believes it provides budget direction.

The Cobbossee Stream Trail design is going out to proposal, we were awarded a grant two years ago but the funding was deferred.

We are posting temporary staff positions, one of which is a Sewer Clerk and now a new Utility Clerk Position since the departure of Francis Grey.

Anne Davis says the laptops are not finished so it would be helpful to leave them for the night.

7. COUNCIL DISCUSSION

Councilor Rambo said the last two meetings have been very interesting for the new Mayor.

Councilor Nickless asked about the Maine Turnpike Authority's proposal for a service plaza. He noted that there is no obligation to provide public utilities to a project over a private line of such extreme length.

Mayor MacLean said it was a tough agenda tonight and thank you for your flexibility. Expect further appointments by end of month for Boards and Commissions.

The Downtown Gardiner Celebration this year will be an opportunity to pull together as a community.

8. EXECUTIVE SESSION per MRSA, Title 1, Chapter 14, Section 405 (6) (C)

Real Estate

Motion by Councilor Hart and seconded by Councilor Nickless to authorize City Manager to repurchase lot 12 from Microtechnologies for an amount not to exceed \$69,300 and to execute documents associated with the real estate transfer.

9. ADJOURNMENT

Mayor MacLean adjourned the meeting at 9:55 pm.

Respectfully submitted,

Kim Dalton
Council Clerk