

**SPECIAL COUNCIL MEETING  
GARDINER CITY COUNCIL**

**Wednesday, July 30, 2008  
City Council Chambers**

**6 p.m. Workshop – Presentation of FY 07 Audit  
7 p.m. Business Meeting**

**1. CALL TO ORDER**

**7:10 pm**

**2. ROLL CALL**

**Councilor Blanchard, Councilor Giberson, Councilor LeBlanc,  
Councilor Hart, Councilor Mentall, Councilor Nickless, Councilor  
Rambo, Mayor MacLean**

**3. PETITIONS, COMMUNICATIONS, RESOLUTIONS, & PUBLIC  
HEARINGS**

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

**No public comment**

**Mayor MacLean moved Item 5.6, Consideration of Boys & Girls Club  
out of order. City Manager Jeff Kobrock explained the contract was  
drawn up by the City solicitor.**

**Motion to accept 5.6 Boys & Girls Club Contract for services by  
Councilor Hart, seconded by Councilor Mentall, VOTE - Unanimous**

**3.2 Public Hearing for JANELLES LIQUOR LICENSE renewal**

**4. CONSENT AGENDA**

## **5. Consideration of Liquor License renewal for Janelle's Family Restaurant**

**Motion to Accept by Councilor Nickless, Councilor Mentall, unanimous**

## **6. NEW BUSINESS**

### **6.1. Discussion of Revaluation Implementation Options**

Mayor MacLean opened the floor for comments, no presentations would be necessary, just discussion. The Assessor and two representatives from Vision were available for comments. Councilor Mentall questioned why there is no response from Vision on fixing errors. Assessor, Curt Lebel, noted the responses are later than anticipated due to amount of hearings. All property owners that requested changes or hearings should hear by first week in August. Curt did acknowledge that reply letters were not able to be done due to volume. Vision held 437 informal hearings including additional days at the request of the City. As a result of the hearings, 596 adjustments were made approximately \$10 million drop in value or 2.61% which is average after a reval. Properties that may not have had a hearing did get adjusted if necessary. Vision got in to 75% of the homes and had to make estimates which may have been a result. Parcels on the Kennebec River were done as was an adjustment to all properties and it was found that an adjustment to larger parcels was necessary. Of the 500 properties, the average adjustment was 8%, a reasonable amount well within the 10% limit on the law. Councilor LeBlanc wants to make sure the letters will be clear that the amount does not include exemptions. The only residents that will receive a letter are the parcels affected and the residents that attended a hearing or made an inquiry. Councilor Rambo wanted to know if there are any notations made on quality. Yes, condition does make a difference. Councilor Rambo has concern that with using 2006 data and referenced the City of Portland deferring the reval. Curt explained that the situations are not the same because had we done the reval in 2006, revaluation is distribution, not raising revenue. Councilor Blanchard questioned why most the taxes are the same and there is no evidence to show that not all taxes are going up. Curt said the City has been using Trio data from late 90's. Councilor Rambo questioned has a problem with using the sales data from 2 years ago since the market has tanked. Curt clarified median sale prices dropped by 11%, not sales by 11%. An Assessor needs evidence to prove the sales market has dropped. Councilor Rambo referenced a paragraph in the Opinion from the Councilor asked if Curt is convinced that his data is accurate. Curt said that as of April 1, 2008, yes his data was accurate. Councilor Rambo wants to know what it would hurt to implement at 85%

and possibly do another adjustment next year? Curt explained that as long as there is equity across the board, he could lower the values. The City will still get the same amount of money needed for the municipal budget, county budget & MSAD11 budget. It is his job to make sure people are equitable. If we don't implement the reval, the city is liable for \$500,000 for owners who know they were getting reduction. If he implements at 90%, exemptions will be lowered. When exemptions are cut, additional taxes are being added to everyone. It was explained that if the budget had stayed the same, 34% would have received a decrease. Because of the increase in the budgets, only 18% will see a decrease. The City needs to be aware of what happens if we don't implement at 100%. Although it can be dropped to 90%, as long as everyone is at 90%. Councilor Blanchard would like to know if we could see the month by month sales data for the previous year. Curt explained that looking back to the last reval 1997, the City was level with the State's valuation. There was a big swing 2002-2007 where the state's valuation went up and the local valuation was behind. At the end of the reval, we will be level. This did effect the county assessment increase this year. Councilor Nickless questioned why we would implement at 85%, not 100%. If everyone is at 85%, that will not make anything different for the taxpayer. The Trio values are only at 60% of the market value. Councilor LeBlanc agrees with Councilor Nickless and that losing an exemption for the taxpayers is more concerning. Councilor Mentall agreed that the taxpayers have the same piece of pie no matter what rate you put it at. The recession is not the fault of Vision or the Assessor. If the voters defeated the school budget, it would have made a difference. Councilor Hart's concerned that if the houses are overvalued, they are paying too much. At the hearings, were numbers just picked out of the sky or was there fact finding done as the result. Talking about it is a moot point because Vision and the Assessor won't budge on their values. Councilor Rambo disagreed with Councilor Hart and that Curt would be open to suggestion of lowering the values across the board. Councilor Rambo commented that a cushion would benefit the tax payers in case Vision did have bad data. Curt assured the Council that an investigation into the property was done as a result of the hearings checking land and measurements. The commitment has to be distributed among the small amount of parcels, however, from his experience, the tax payers are more concerned with taxes than value which is a reflection of the budget. Councilor Nickless asked what would happen to the potential "abatements".

Mayor MacLean asked the members of the public, Jeff Cray, to speak. He complimented the process, but asked for more public awareness to explain the process. Ralph Clark feels that people feel the values are just too high and a reduction across the board would be fair. Mayor MacLean explained that we have spent a lot of time and that we are dealing with the reval at an unfortunate time. We need to let the taxpayers know that we do recognize their concerns and that deferring the reval is not a viable option and that the

Assessor would be comfortable lowering the values. However, we are at the end of July and have to produce tax bills. Councilor Blanchard commented that people have always tried to get their taxes lowered and that the Council should cower down to the \$500,000 potential abatements. He does not feel he has enough evidence to implement the reval. Jeff Cray disagreed that lowering percentage of value will not change anything. Curt stated he can legally meet his requirement if the Council wants him to come in at 90%, because it changes the exemptions. The Mayor asked if the Council would be comfortable with the values at 90%. Councilor Hart said for a \$20 difference in a taxes, it is not worth it. Councilor Blanchard stated it is a trade off of a psychological view of a “reduction” versus a minimal decrease in homestead. Councilor Nickless stated he would not vote to increase taxes for Veterans and Widows.

Mayor MacLean stated there is not enough evidence to warrant a change so the reval will be fully implemented.

## **6.2. Consideration of Common Master Plan**

Jason Simcock explained that this is a follow up to the May 7 meeting. The plan needs to be accepted to move forward with grants for the playground. Kent Associates has been looking into traffic studies and that is a top priority. The Council was given the questionnaires and what was used to come up with their recommendations. A full plan is available on the web. Parking is a concern and converting the OC Woodman lot to green space and parking would help.

Councilor Hart asked how much money we how much money we would be committing the City to if we accept the plan. Jason explained this is a capital project and LWCF grant funding is available. The LWCF playground grant application would need a \$25,000 match. The budget for the whole project is \$400,000 – 500,000, and may take a number of years to implement. Tiff and grant money would be the first step. Jason explained that without a plan, we would not be able to seek grants. This is a plan that would be implemented in stages. Mayor MacLean reiterates this is a design plan to accept, not a spending plan.

Motion to accept by Councilor Nickless, seconded by Councilor Rambo.

Discussion: Councilor Rambo wants to make sure the traffic is plan is considered. Councilor Blanchard wanted to know if the Police Chief had given any input on if there was a history of accidents around the park. He had a requested it and wanted to know if it had been done and what was the history of events.

Dorothy Washburne has strong feelings against replacing the bandstand with shingle style which doesn't match Gardiner architecture. The bandstand is

solid, with the exception of the roof and the floor being rough. The foundation was replaced in 1992. The current bandstand is more historic than the one that is proposed. Brian Kent asked them to look at the plan as a blueprint, not a spending plan. The playground was the highest priority. A survey had been done by Citizens for the Common Good. 300 people were surveyed with 90% wanting it on the common. DOT was involved in looking at the crosswalks and that the park does slow the traffic down and materials can be used to make it aware. Public Works told Kent Associates that the band stand had to be replaced and they took that without investigating. Councilor Hart does not understand why there is no concern about the spending involved. Councilor Nickless would like to see it moving and getting a playground there.

**Vote: 7 – 0 with Councilor Blanchard abstaining from the vote.**

### **6.3. Consideration of Libby Hill Business and Marketing Plans**

Jason Simcock explained that this is a continuation from a meeting in May. The plans go hand-in-hand. Approving the plans will allow us to set a price for the lots. For Phase II business plan, it is recommended that we sell \$1 per developable square foot with 10 year debt service. For marketing, Jason is suggesting we use an outside consultant for marketing. We are doing some internally—such as, web site and ground breaking ceremony with Senator Collins. Councilor Hart wants to know if the profit after 10 years would include the marketing costs, etc. Jason did not include department budget in figuring the profit. Councilor Hart is concerned that we may have to incur the costs of the debt and how much we Tiff, which takes money out of the general fund. Jeff explained that we followed the same process that we have with the other plans.

**Motion to accept by Councilor Mentall, seconded by Councilor Nickless.  
Vote - Unanimous**

### **6.4. Consideration of Order 08-28 Creating Audit Committee**

Kathy Tyson, RKO auditor, recommended we follow industry standards and create an audit committee.

**Motion to accept by Councilor Hart, seconded by Councilor Mentall**

Discussion Councilor Blanchard wanted to know what we had for financial committees within the City. Mayor MacLean suggested discussing a financing committee outside of the Audit Committee to the goal discussions. Councilor Hart would like to know how this committee would pick up something going on. Jeff explained this is an independent oversight of the audit process and results.

**Vote: Unanimous**

### **6.5. Consideration of Authorizing Tax Club**

**Research was done by Office Manager, and although it will be possible to do this, it is very late to be doing this. Mayor MacLean asked the City Manager to look at and have a plan to be presented by next year's budget.**

### **6.6. Consideration of Authorizing Arcade Lease Renewal**

**Motion to accept by Councilor Mentall, seconded by Councilor Leblanc.**

**Councilor Hart if we have a plan to do away with this lease and make parking more accessible. Not currently.**

**Vote: Unanimous**

### **6.7. Consideration of Amending Order 08-24 Tax Due Dates**

**The previous order was adopted, but we are making it clear that interest is charged.**

**Motion to accept by Councilor Rambo, seconded by Councilor Leblanc.  
Vote – Unanimous**

## **7. CITY MANAGER REPORT**

**Anne Davis would like to expand Library services with Augusta and Waterville Libraries. Jeff will be on vacation August 4 – August 25.**

## **8. COUNCIL DISCUSSION**

**Councilor Blanchard wished Jeff well on his vacation. Councilor Hart will also be on vacation. Councilor Mentall would like to see a fence around the playground. Councilor Rambo handed out an article on WiFi and that over 400 small towns are successfully doing it. Councilor Rambo looked to minutes and reminded the Jeff that he was supposed to bring WiFi back to Council. Mayor MacLean wanted to verify schedules for meetings in September.**

## **9. ADJOURNMENT**

**10:05pm**