

REGULAR COUNCIL MEETING
GARDINER CITY COUNCIL

Wednesday, October 1, 2008
City Council Chambers

7 p.m. Business Meeting

1. CALL TO ORDER

7:04pm

2. ROLL CALL

Present Councilor Hart, City Manager Kobrock, Mayor MacLean, Councilor Giberson, Councilor Nickless, Councilor Mentall, Councilor Blanchard, Councilor Rambo

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.)

A resident of Gardiner named Harvey Devane spoke about a letter he received from the city about the Veteran's exemption not showing on the current tax bill. He was stating he was offended by grammatical errors in the letter. Mayor MacLean stated that the Council accepted Mr. Devane's comments on the letter.

3.2. Public Hearing for Riverfront Bond Grant Application

Jeff spoke about the Riverfront Bond Grant application. He stated that we have submitted the letter intent and we are between the letter of intent and the application for the grant.

4. CONSENT AGENDA

4.1. Appointment to Audit Committee

Andy spoke about Charlie Batchelder and how he has been suggested for the Audit Committee. Councilor Hart made a motion, seconded by Councilor Nickless.

Unanimous vote

5. NEW BUSINESS

5.1. Consideration of Order 08-35 Creation of Recycling Advisory Committee

Judy Dorsey spoke about the construction of the Recycling Committee and the hopes to have the report done at the end of October. Judy stated that the report will have two recommendations, each city has to have a recycling committee, and that all incentives should be in their plan. She spoke about the purpose of the committee and how it is to help guide the Council in decisions. She also stated that she has a long list of people to be on the committee. Judy volunteered to be the chair of the committee and all the others that volunteered are from different districts so the committee will know all the different angles through out the city. She also said that the committee would like to help businesses and schools to start recycling. Another request the committee has is to have a Councilor be a liaison between the recycling committee and the Council.

Councilor Hart asked if there were any trash haulers on the committee. Judy said no there was not. She stated that there is a gentleman that volunteers to help with the committee that works for Riverside Disposal and he has been a wonderful help on different views but they don't have time to do this. Councilor Nickless asked if the committee has considered having the residents take their recycling to a different facility beside Hatchill. Judy said the committee has considered that but the most effective for recycling is curbside.

Motion by Councilor Blanchard to create the Recycling Committee and seconded by Councilor Rambo.

Councilor Rambo also spoke about how it has been 15 years since someone has addressed this and this is great. Judy also stated there will be goals for amounts of recycling in the reports for communities. It will go by tons, and they would also like to create a processing facility for recycling. Councilor Nickless hopes that the committee considers a new

facility for recycling. Judy also spoke about haulers not charging for recyclables. Councilor Mental said that if everyone lived in a single family house it would be wonderful but people with apartment buildings can't get their tenants to recycle. Judy said that cities normally exclude apartment building for recycling with a certain number of apartments, they are classed as a business and the landlords would be responsible. She also said that they aren't the first priority right now, but there are two individuals on the committee that are apartment building owners. Judy also said that for a community this size we need more than one drop off area for recycling.

Unanimous vote.

5.2. Report on Partnership with Maine Drug Enforcement Agency

Chief Toman spoke about their partnership with the Drug Enforcement Agency. Gardiner has had a drug problem and it is the Police Department's job is to combat that. The Drug Enforcement Agency offers the municipality additional training, equipment (vehicles, tools..). Chief Toman said that what Gardiner police officers have seen in the city is that all crimes have descended from drugs. The DEA asked that Detective Gioia focuses 20 hours to the fight on drugs. Chief Toman stated that Det. Gioia will be able to do this, but DEA can call on Gioia to help on drug cases if he is available. Councilor Hart stated that he has a concern about the fact that Chief Toman told the Council last year that Gardiner needed a detective full time, and now he is to put 20 hours into drug cases. Detective Gioia spoke about the fact that he is already spending this time on drug related items, and this will give him the resources to do a better job on the fight on drugs. Det Gioia also said that the only time he leaves the city is to submit reports to Augusta. Councilor Blanchard said it was a very clever way of using your resources and thinks that it's very wise and should happen immediately if not sooner, but form a sort of working group for a Gardiner to bring public awareness about the drug problem. Mayor MacLean stated that this is wonderful way at capitalizing on your detective work. Councilor Nickless think it's a good idea but would like to see a report of accomplishments. Det Gioia answered confirmed that there are multiple sellers in Gardiner. Mayor MacLean stated that we know that drug use is going on in Gardiner and he's glad we have made progress.

5.3. Consideration of Commitment to Middle School Sidewalk Project

City Manager Kobrock gave an overview on the long standing matter was that MDOT is requiring \$170,000 for the sidewalk and meaningful part of the \$990,000 was to be paid to the overlay and the reconstruction. They also need a response this month. He also stated that a stand alone sidewalk is not a feasible approach from Joel Kittridge, and if we are to do nothing we can expect MDOT to submit an overlay. Councilor Rambo asked, if the school district has \$150,000 in reserve, and we wouldn't be worried about this if there wasn't a school involved, then why can't we pass this bill onto the school? Jeff said that was not possible. Mayor MacLean asked Jeff if MDOT is looking for feed back on the \$170,000, and the meaningful amount of 990,000? His sense is that the majority of this Council is undecided on the city giving \$170,000 and the meaningful amount of \$990,000. Jeff also said the overlay would include enough shoulder for a bike lane and we need to decide what our best procedural approach is. City Manager Kobrock agreed with Mayor MacLean 100%, it's not within our means to commit to this amount. MDOT is working with a real big mess right now they are in crises mode right now. He thinks the city needs to work in reality. He also stated that we have got there attention and we can use that as leverage. MDOT has not done any studies on the bike lane idea because the road varies, but they do recognize the overlay. We have tried really hard to listen to them and we have showed them that we are committed. Councilor Hart states that they are going to spend \$500,000 on the overlay and the big trucks are going to ruin it. Councilor Mentall asked if they are going to redo the bridge. Mayor MacLean stated that the bridge is a high priority, and we are looking for a motion for the City Manager to write the letter about the approach to the overlay with the bike path by the end of the month, and whatever we do at the next meeting will be our response to the project.

Councilor Rambo motion for City Manager to write a response to MDOT and Councilor Mentall seconded. Unanimous vote.

5.4.Consideration of Ordinances 08-36 Updating the General Assistance Ordinance

Councilor Mentall motioned to accept with a seconded by Councilor Hart. Unanimous vote.

5.5. Consideration of Order 08-37 Sewer Abatements

Councilor Rambo motion to accept and Councilor Mentall seconded.

Unanimous vote

6. CITY MANAGER REPORT

Peter Wlodylo filed a complaint against the city which asked for damages and a temporary restraining order and it was dismissed the day after it was filed with one word DISMISSED. We hope to get a conditional permit extension out in the mail. There is a draft letter that has come back from Erik's review of 90 days. Fall clean up is coming up. As we come up on elections all political signs should not be placed on municipal property, as soon as we are aware of them we remove them.

7. COUNCIL DISCUSSION

Councilor Blanchard appreciates the detail to Mr. Devane, we have a professional level to live up to and we need more eyes looking over each other's shoulders. Councilor Rambo Met with Denise Brown and the new procedures. He also wants a manager review done while all Councilor are here, and inquired about the quarterly financial reports. City Manager Kobrock thinks that the report will be out Nov. 5th then on the second meeting of the month. Councilor Nickless invites the Council to an auction for Downtown. Councilor Hart stated that the DOC has taken over the jails and the fees will stay the same. Councilor Giberson had nothing to add. Mayor McLean commented on the farmers market and how it looks wonderful up on the common, it's a positive thing for the community, and also how wonderful the downtown looks. We need to remind everyone to shop local.

Mr. Devane asked to apologize for calling people stupid. Mayor MacLean stated that we all should be concerned about friends and neighbors for this winter. United way and Goodwill industries have collaborated to coordinate a canister campaign called Heat Helpers. Mayor MacLean will keep the Council posted on the status of the campaign and hopes that everyone will keep their eyes and ears open for anyone in need. Councilor Hart encourages people to do Christmas baskets.

8. ADJOURNMENT

8:50 pm

Respectfully submitted,

E Carleton