

City of Gardiner  
City Council Meeting  
September 9, 2009

**1. CALL TO ORDER**

**2. ROLL CALL**

All Members of the council are present with the exception of Councilor Trask

**Addendum Agenda**

Consideration of Resolution of 09-35 and Consideration of Resolution of 09-36

Motion to Accept Addendum Agenda made by Councilor Rambo, with a second from Council Nickless.

Vote: Unanimous vote

**3. EXECUTIVE SESSION – 1 M.R.S.A § 405 (6)(F) Poverty Abatement**

6:04 to 6:38 Motion to go into Executive Session made by Councilor Nickless, with a second by Councilor Rambo

Councilor Hart made the motion to grant the poverty abatement in the amount of 465.00 with a second from Councilor Nickless

Unanimous Vote

**4. EXECUTIVE SESSION – 1 M.R.S.A § 405 (6)(F) Poverty Abatement**

6:39 to 6:40 Motion to go into Executive Session made by Councilor Rambo with a second by Councilor Holmes.

Councilor Holmes made a motion not to grant the Poverty Abatement with a second by Councilor Rambo.

Unanimous Vote

**5. EXECUTIVE SESSION – 1 M.R.S.A § 405 (6)(A) Personnel**

6:41 to 6:43 Received advice from the acting City Manager

**6. EXECUTIVE SESSION – 1 M.R.S.A § 405 (6)(E) Real Estate (Councilors refer to email)**

6:44 to 6:45 Councilor Johnston made a motion to go into Executive Session with a second from Councilor Rambo

Councilor Johnston made a motion to authorize the City Manger to enter into an agreement with Wayne Cross in the amount of 1000.00, with a second from Councilor Rambo

Unanimous Vote

## **7. PETITIONS, COMMUNICATIONS, RESOLUTIONS, & PUBLIC HEARINGS**

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

Rich Kinderlan from the Gardiner Fire Department is representing the Gardiner Professional Firefighters Association would like to announce that they are getting ready to kick off their yearly telemarketing campaign. This year they have teamed up with the high school to raise money for the purchase of automatic defibrillator machines to install in the high school. On October 5 calls will start to go out for the fundraiser, and this year it is all digital so there will be no call tracking issues. Interim City Manager Ann Davis asked if this year there could be more public relations on the fund raiser, so there are no questions on where they are calling from.

#### Addendum Agenda

The Mayor Andrew MacLean presented Chief Toman with Resolution 09-36, and Police Officer Michael Durham was presented with Resolution 09-35.

### **7.2 Public Hearing for Liquor License Renewal for Greenshark Billiards**

No public Comment

## **8. CONSENT AGENDA**

**8.1 Consideration of Minutes** [6/3](#), [6/10](#), [6/24](#), [7/15](#), [7/22](#), [8/19](#), [8/26](#)

**8.2 Consideration of Order** [09-46](#) Victualer's License

**8.3 Consideration of Liquor License Renewal for Greenshark Billiards**

Motion to approve all items at once made by Councilor Johnston, with a second from Councilor Rambo

Unanimous Vote

## **9. OLD BUSINESS**

### **9.1 Consideration of Boiler Replacement Option ([Memo](#) / [Study](#) / [Options](#))**

Motion to instruct staff to design and purchase a pellet boiler for the Public Works garage and that we put out to bid a new oil fired boiler for the Fire Department not to exceed 72,000.00 for the combination of the Public Works boiler and the engineering for the Fire Department boiler, made by Councilor Johnston seconded by Councilor Holmes.

Vote was unanimous

### **9.2 Consideration of Order [09-38](#), Contract for Backup EMS Services**

Councilor Nickless made the motion to approve the contract for the backup EMS services with a second from Councilor Johnston

Vote was unanimous

### **9.3 Second Reading of Order [09-27](#), Proposed Ordinance Revision**

9.3 Second Reading of Order 09-27 Proposed Ordinance Revision  
Motion made by councilor Johnston seconded by councilor Nickless

Vote was unanimous

Councilor Johnston would like to make a motion to have an emergency Ordinance change so that it can take place in a timely fashion and waive waiting period to handle it in a timely fashion and Oak Grove can get going and order their equipment and get their system going, if we don't it will be quite a delay, seconded by Councilor Nickless.

Vote was unanimous

### **10. NEW BUSINESS**

#### **10.1 Consideration of Order [09-43](#), Ratifying PW Teamsters Contract (Councilors check email)**

10.1 Consideration of Order 09-43 Ratifying PW Teamsters Contract  
Motion to accept made by Councilor Rambo, seconded by Councilor Holmes

Vote 6 votes in the affirmative and Councilor Hart in the negative

#### **10.2 Consideration of Resolution [09-42](#), Constitution Week**

10.2 Consideration of Resolution 09-42 Constitution Week  
Motion made by Councilor Nickless seconded by Councilor Rambo

Vote was Unanimous

#### **10.3 Consideration of Order [09-41](#), Appropriating Contingency Funds ([Gravel Pit](#))**

10.3 Consideration of Order 09-41 Appropriating Contingency Funds (gravel pit)  
Motion made by Councilor Rambo to approve the use of Contingency Funds, with a second from Councilor Johnston

Vote was unanimous

#### **10.4 Consideration of Order [09-45](#), Non-resident Library Fees**

10.4 Consideration of Order 09-45 Non-Resident Library Fees  
Motion was made by Councilor Hart with a second from Councilor Nickless

Vote was unanimous

### **11. CITY MANAGER REPORT**

City Managers Report

The Interim City Manager Ann Davis stated that the council needs to make a decision on the upcoming meetings, regarding when the next meeting will be held. The decision to book the City's solicitor on October 7, 2009 was made. Ann stated the city needs to come up with a community focus group for the City Manager search, and Ann would love to have suggestions from each councilor members on people for the focus group. Ann spoke about the mural at the travel center. Ann also spoke about the tax club tally and how 138 people had signed up, with about \$35,000 a month coming in. Another thing Ann touched on was the mill fire, the fire will cost the City about \$5,500.00 in overtime. Chuck is working on getting the land use ordinance changed where you have to have approval before having a road opening. MMA has a convention every year for new Councilors on October 7<sup>th</sup> and 8<sup>th</sup> so let Ann know if you are interested. This summer the kids from the 7<sup>th</sup> and 8<sup>th</sup> grade came to visit Ann twice once as the City Manager and the other as the Librarian and she received a wonderful letter of thank you from the kids. Andy had a question about the overtime accrued in the Mill fire, does the city seek restitution for the time spent. Ann stated she would have to get back to him on that matter after some consultation. Ann needs to check on the paving situation on Kingsbury street, do you want the city to do less paving and more rebuilding of a road? Do you want us to move forward or would you like to revisit this? Chuck stated that we would like to do what the Council wants us to do, and Councilor Johnston stated that it's a judgment call for the employees not the Councilors if you think the road needs to be redone redo it if you think it just needs a skim over the top then do that but you need to make that call. Ann stated that we will just continue on with our regular schedule.

## **12. COUNCIL DISCUSSION**

## **13. ADJOURNMENT**