

**REGULAR COUNCIL MEETING  
GARDINER CITY COUNCIL**

**Wednesday, April 7, 2010  
City Council Chambers**

**CALL TO ORDER 6:00 p.m.**

**ROLL CALL**

**EXECUTIVE SESSION – Discussion regarding Economic Development Project 1 M.R.S.A. § 405(6)(C)** The Council held an open discussion about contract zoning in the proposed land use ordinance. Jason Simcock explained that there was a potential development project to change Merrill Manor into 17 units. The current zoning in (HD) will only allow 6 units. Jason explained that this discussion was just meant to show Council how this type of project would work in contract zoning. Councilor Liberatore feels the city needs to look at zoning as a whole and look into form based zoning. Pat Hart spoke on behalf of the Planning Board and addressed form based zoning and that they were trying to fix the issues that ordinance had. Councilors were in agreement that zoning needs to be looked at on a larger level.

**7:05 p.m. Regular Session, All members of Council present.**

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

Chris West introduced himself as the new Executive Director of Gardiner Main Street. Anne Davis asked Council if they would like to purchase software that would allow them get city email on cell phones. Only one councilor was interested. Ryan Carver, 110 Northern Ave, spoke about speeding on Northern Ave and wants to see something done by the Police department.

**Public Hearing on Proposed Land Use Ordinance** – Mandy Darville, owner of Tres Level Salon, would like to see changes on a property-by-property bases. Pat Hart took the opportunity to thank the council for their support during the ordinance review process.

**Public Hearing on Liquor License renewal for Mike's Grill. No public comment.**

**CONSENT AGENDA**

Consideration of March Warrants  
Consideration of Minutes 3/10/10  
Consideration of Liquor License renewal for Mike's Grill

Motion to accept Consent Agenda as a slate by Councilor Trask, second by Councilor Thompson. Unanimous Vote.

**Joint FY11 Budget Discussion with MSAD11 School Board Members** – Paul Knowles, Diane Potter, Becky Fles, Erick Jermyn and Richard Heath came to present a draft of the MSAD11 Budget handed out by Mr. Knowles. The Budget Validation meeting will be held on May 25, then voted on at Referendum held June 8. The budget was showing a \$217,000 increase over last year, \$59,074 would be for Gardiner. The Board felt they have prepared a responsible budget. Councilors expressed their views and concerns about the Budget.

**Consideration of Order 10-13, Awarding Waterfront Project Bid**

Jason Simcock introduced Jack Fles, Dale Staples, Kylie Mason and Steve and Seth McGee. Jason explained the Phase I work and boardwalk. The City has raised \$872K in funds and the Gardiner Rotary would like to contribute \$10,000, along with the Savings Bank of Main \$1 Million. Phase II is construction and Steve McGee had the lowest bid. They recently had the construction contract for Libby Hill and had limited changes orders. Jack Fles is thrilled with the project and at how much money Jason has found for the project. Jason asked Council to authorize the City Manager to enter an agreement with Maine DOC for \$40,000 boat launch facility, approve Phase II waterfront project, and award waterfront construction to McGee Construction for \$849,722 and authorize the City Manager to proceed with contract negotiations with McGee Construction. Councilor Trask made a motion to pass as recommended by Jason, second by Councilor Leake. Unanimous Vote.

**Update of Cremetory Citizen Committee** Thom Harnet thanked the staff and committee members for their help. The committee has held 3 meetings, had site walk, looked at impact of property valuations, site walk, tour of a crematory, listened to public concerns and expect to report back to Council in mid-May.

**Update of Merrymeeting Trail** Tom Reeves asked the Council to authorize the City Manager to write a letter or support to apply for a grant. The organization is working with Midcoast COG to assist in a trail project. Council was in support of the project.

**Discussion of FY 11 Tax Valuations/Assessment** Tax Assessor Curt Lebel presented an overview of 2010 Tax Assessment. The Homestead exemption will go from \$13,000 to \$10,000, which would be approximately \$50 to tax payers.

Recess

**First Reading of Order 10-14, Proposed Land Use Ordinance** – Jason summarized the ordinance. Pat Hart explained that they were trying to fix what they had, not do an overall land use ordinance. Motion by Councilor Johnston to hold a first reading on proposed land use as amended, second by George Trask. Vote 7 in favor, Councilor Leake was against.

**CITY MANAGER REPORT** Scott Morelli presented a revised budget schedule that pushed presentations to May 5 meeting to allow for a workshop with Craig Freshley.

**COUNCIL DISCUSSION** Councilor Liberatore wanted Council to be aware of a Form-based webinar on April 22. She also asked for updates from Department Heads in Scott's weekly memo. Councilor Thompson would like to see some type of form that every new business needs. Councilor Trask spoke about a culvert issue on Brunswick Ave. Chris Leake wanted to know why an article about WWTP security showed up in the newspaper if was handled in executive session.

**EXECUTIVE SESSION – Discussion of Personnel Matter 1 M.R.S.A. § 405(6)(A)** Mayor MacLean started in public session that there was a discussion about an employee at a previous meeting. There is an employee that resigned and rehired and communicated to Council. There are allegations of sexual Harrassment against this individual. Scott Morelli had a legal opinion he would hand out if Council wanted to go into Executive Session. Councilor Trask made a motion to go into executive session, second by Councilor Leake. Mayor Maclean stated executive session would be to discuss management, not other personnel issues. Vote Five votes in the negative (Holmes, Trask, liberatore, Johnston & Thompson).

**ADJOURNMENT**