

These are "Action Only" minutes. Video of comments may be found on recorded discs at City Hall or at www.cityofbelfast.org.

**City of Belfast
Council Chambers-Belfast City Hall
Tuesday, July 1, 2014
6:45 p.m. Committee Interview**

**7:00 p.m.
Public Hearing #1**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on July 1, 2014 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Belfast City Hall on a new application for a Victualer's license for Zai Yong Zhu d/b/a China One (new owner) located at 182 Main Street, Belfast, Maine, license to expire May 31, 2015.

Mayor Ash asked for proponents and opponents and hearing none declared the hearing closed.

Regular Council Meeting No. 1

1) Call to order

2) Present: Mayor Walter Ash, Jr.; Councilors Mary Mortier, Roger Lee, Eric Sanders, Michael Hurley and Nancy Hamilton, and City Manager Joseph Slocum, Admin. Assistant Manda Cushman.

3) Pledge of Allegiance

4) Adoption of the agenda

City Manager request to amend the agenda as follows:

- Add item **J) #1** Request from the City Manager to go into Executive Session to discuss a legal matter pursuant to 1MRSA 405 (6) E.
- City Manager and Council discussed Committee appointments, deciding to add to **8) Old Business and Council Committee Reports** the consideration of appointments for the Harbor Advisory Committee, the Parks and Rec Commission, and the Airport Advisory Committee.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adopt the agenda as amended. This motion was approved, 5-0.

5) Acceptance of the minutes

Regular Council Meeting of June 17, 2014.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to accept the minutes from Regular Council Meeting of June 17, 2014. This was approved, 5-0.

6) Open to the public

Please state your name and town you are from when addressing the City Council.

1. Lucie Bonneville, spoke on behalf of the Librarian Education Fund and their request to have a concert on August 3, 2014 from 5:00 p.m. to 9:00 p.m. at Steamboat Landing.

Councilors discussed this briefly, seeing no issue as long as there was no conflict with any other event that maybe occurring at that time and place. Ultimately Council decided to have the group fill out a "Facility Use" request with the Parks & Rec Department.

2. Bre Bebb, Executive Director of Our Town Belfast gave an update on their annual Auction & Gala event and informed the public of the Annual Street Party which will be held on Monday, August 5, 2014.

3. Laurie Allen, Belfast requested information from the City about when Seaview Terrace will be paved and roadside drainage added.

Councilor Lee suggested that Ms. Allen have her neighbors come speak to this issue as well.

7) Communications

City Manager Joseph Slocum discussed the following:

- The American Lung Association sent thank you notes to City employees for their assistance with the Trek Across ME event.
- Reminded the public that City Hall will be closed this Friday, July 4th.
- Gave recommendations to the public about where local firework displays will be held on July 4th.
- Discussed with Council readdressing schedules and planned meetings.
- Informed the Council and public that the Police Department have called into CMP a total of 14 street lights out that need to be fixed and if anyone sees one that they would like to report, please call the City Manager's Office.
- Discussed with Council the possibility of starting the meeting early on July 15th to interview applicants for the new Airport Master Plan Project Advisory Committee.
- Reviewed with Council plans for paving and ditching Seaview Terrace.

Councilors discussed the importance of reaching out to the residents of Seaview Terrace and getting the community involved in the process of ditching and paving.

City Planner Wayne Marshall updated the Council on the previously approved pruning of trees along Spring Street.

8) Old Business and Council Committee Reports

- **Harbor Advisory Committee**

Councilor Mortier, seconded by Councilor Hamilton, made a motion to reappoint Robert Winslow, to appoint David Carlson, to move Dan Miller out of the alternate position and into a regular member position where he will fill out the rest of his term, and to appoint Dennis Trefry to the alternate position on the Harbor Advisory Committee. This motion was approved, 5-0.

Councilors discussed the importance of looking at adding new candidates to a committee when the opportunity arises and thanked Alec Allmayer-Beck for his years of service to the Harbor Committee and the community of Belfast.

- **Parks & Rec Commission**

Councilor Hurley, seconded by Councilor Hamilton made a motion to reappoint Catherine Gleeson to the Parks & Rec Commission. This motion was approved, 5-0.

- **Airport Advisory Committee**

Councilor Mortier, seconded by Councilor Hamilton made a motion to appoint David Aldrich to the Airport Advisory Committee. This motion was approved, 5-0.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application for a Victualer's license for Zai Yong Zhu d/b/a China One located at 182 Main Street, Belfast, Maine, license to expire May 31, 2015.

Councilor Hurley, seconded by Councilor Hamilton, made a motion to accept the Consent Agenda. This motion was approved, 5-0.

10) Business

- A) Request from the Belfast Hiking, Biking and Pedestrian Committee to approve recommended improvements for Main Street.

Glenn Montgomery spoke on behalf of the Belfast Hiking, Biking and Pedestrian Committee reviewing the following four recommended improvements:

1. Improve the crosswalk at Market Street that leads to Belfast Plaza.

David St.Germain gave his recommendation to improve the crosswalk and discussed the possibility of a retaining wall and tree overgrowth in the future.

Council requested that Mr. St.Germain come back at a later date with more information on this proposal of a retaining wall.

2. Add signage alerting Main St. east and west bound traffic of pedestrians using the crosswalk across Waldo Avenue.
3. Paint continuous bike lanes, with five-foot bike lanes and two-foot buffers, on both sides of Main Street from Market Street to the eastern end of Reny's Plaza.

Tom Errico of T.Y. Lin gave his recommendation for bike lanes.

Council discussed the distance, width, design and paint used for proposed bike lanes and the potential of having to adopt a no parking zone where cars currently park on occasion.

4. Improve conditions for pedestrians using the commercial stretch of Main Street sidewalk between Quirk Ford and Starrett Drive by removing the utility pole in the middle of the sidewalk, adding crosswalk markings at curb cuts where none currently exists, and doing sidewalk repair where needed.

Council discussed who would be responsible for sidewalks being striped property owner or the City.

Tom Errico of T.Y. Lin gave the Council his recommendations of the top two priorities of where to go next for the future of this project:

1. Pedestrian controls/signal heads installed at Starrett Drive crosswalk.
2. Refugee Island on Main Street near Alto Street.

Councilor Hamilton suggested that the committee look into Swan Lake Avenue in the future for improved pedestrian accessibility.

Councilor Lee, seconded by Councilor Sanders, made a motion to accept the request from the Belfast Hiking, Biking and Pedestrian Committee to approve recommended improvements for Main Street which will include: improving the crosswalk at Market Street that leads to Belfast Plaza, adding signage alerting Main St. east and west bound traffic of pedestrians using the crosswalk across Waldo Avenue, painting of continuous bike lanes, with five-foot bike lanes and two-foot buffers, on both sides of Main Street from Market Street to the eastern end of Reny's Plaza, and improving conditions for pedestrians using the commercial stretch of Main Street sidewalk between Quirk Ford and Starrett Drive by removing the utility pole in the middle of the sidewalk, adding crosswalk markings at curb cuts where none currently exists, and doing sidewalk repair where needed; with funding coming from the following accounts: \$7,000 from Sidewalk Reserves, \$1,500 from the Capital Project account for the Bike Coalition, and \$7,500 from account 680-604 carried forward from the FY 2013-2014. This motion was approved, 5-0.

B) Request from the City Manager for the Council to approve amendments to the City's General Assistance regulations.

Councilor Lee discussed the importance of this ordinance.

Councilor Hamilton recommended that the Council have a Work Session in the near future to discuss these maximums.

Councilor Lee, seconded by Councilor Mortier, made a motion to adopt the MMA General Assistance Ordinance/ model ordinance for the State retroactive from November 1, 2013. This motion was approved, 5-0.

Councilor Lee, seconded by Councilor Hamilton, made a motion to adopt GA Appendices B (GA overall maximums) for the period of November 1, 2013 through September 30, 2014. This motion was approved, 5-0.

Councilor Lee, seconded by Councilor Sanders, made a motion to adopt the MMA Model Ordinance GA Appendices A (GA overall maximums) for the period of July 1, 2014 through June 30, 2015. This motion was approved, 5-0.

C) Request from the Police Chief to accept property pursuant to State Law as the result of a successful prosecution of drug trafficking.

Councilor Hurley requested to abstain from voting on this matter.

Councilor Lee requested more information about the vehicle and the reasoning why the Police Department was offered this property.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request from the Police Chief to accept property pursuant to State Law as the result of a successful prosecution of drug trafficking. This motion was approved, 4-0, with Councilor Hurley abstaining.

D) Resolution adopting the 2014-2015 Belfast City Budget.

Councilor Hurley discussed his concern that the Republican Journal had it wrong in their reporting of the budget and gave clarification on the increases being made.

Councilor Hamilton informed the public of the low turn-out for the Public Hearing on the Budget and hopes that the public is staying aware of the changes that are being made.

Councilor Lee, seconded by Councilor Hurley, made a motion to accept the resolution adopting the 2014-2015 Belfast City Budget for the period of July 1, 2014 to June 30, 2015. This motion was approved, 5-0.

E) Request from the Public Works Director to fund a new waste oil furnace.

City Manager Joseph Slocum explained the current issue with the Public Works furnace noting that it will cost up to \$7,000 to replace and explained that the City would pay for this by closing out the following old Capital Project accounts:

- Town Clock \$3,910
- Block Building Repairs \$3,803
- Restroom Heat \$1,319

And that any remaining balance after the payment for the furnace would be returned to the Undesignated Fund Balance.

Councilor Hurley requested further information on the furnace at a later time.

Councilor Hamilton, seconded by Councilor Sanders, made a motion to accept the request from the Public Works Director to fund a new waste oil furnace by closing out the following Capital Project accounts: Town Clock \$3,910, Block Building Repairs \$3,803, and Restroom Heat \$1,319 with any remaining balance to be returned to the Undesignated Fund Balance. This motion was approved, 5-0.

F) Update on the Harbor Walk.

City Planner Wayne Marshall gave an update on the Harbor Walk noting improvements that will be addressed in the upcoming months.

Councilor Hurley discussed a recent citizen concern with not being able to easily access the bridge from the east side if in a wheel chair due to a shift because of weather and informed the public that the City is addressing this.

City Manager addressed the need for cigarette butt holders at both ends of the Armistice Bridge.

Councilor Mortier addressed a citizen concern about a lack of doggy pick-up bags along the Harbor Walk.

Council discussed who the City employee contact is if an issue arises along the Harbor Walk.

G) Update on the Downtown Revitalization project.

City Planner Wayne Marshall gave the Council an update on the bid process and requested Council input on the changes to the example lighting for the project that is currently set-up outside of City Hall.

H) Update on the implementation of the proposed land use changes in the Comprehensive Plan.

City Planner Wayne Marshall informed the Council of the changes that were implemented by the Planning Board, and informed the public of the next Public Hearings:

Wednesday, July 2, 2014 Residential 2 & 3 Zoning Districts

Tuesday, July 8, 2014 Downtown Commercial and Waterfront Mixed Used Zoning Districts

All Public Hearings will be at the Troy Howard Middle School starting at 6:30 p.m.

City Manager Joseph Slocum encouraged all residents to attend if they can, and if not to address all letters and emails to the Planning Board, noting that when the time comes to present these proposed changes to the Council all of the information, including public comment, will be presented to the Council.

I) Consideration of a request from the Harbormaster to accept the bids for building new floats and related construction.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to accept the request from the Harbormaster to accept the bids for building new floats and related construction. This motion was approved, 5-0.

City Manager Joseph Slocum explained the bids and that both the state and the City's lawyers are in agreement to award the bid to the lowest bidder, Bowman Constructors, with Council approval.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to award the bid for building new floats and related construction to the lowest bidder, Bowman Constructors. This motion was approved, 5-0.

J) Request to reappoint Tod Rosenberg as City Code Enforcement Officer and Sadie Lloyd, Assistant City Planner as assistant Code Enforcement Officer.

City Planner Wayne Marshall noted that the request should be amended to reflect that Tod Rosenberg is being reappointed as City Code Enforcement Officer, Local Plumbing Inspector, Electrical Inspector, and Building Inspector and Sadie Lloyd, Assistant City Planner is being appointed as the Alternate Code Enforcement Officer.

Councilor Hamilton, seconded by Councilor Lee, made a motion to accept the request to reappoint Tod Rosenberg as City Code Enforcement Officer, Local Plumbing Inspector, Electrical Inspector, and Building Inspector and Sadie Lloyd, Assistant City Planner to be appointed as Alternate Code Enforcement Officer . This motion was approved, 5-0.

J) #1 Request from the City Manager to go into Executive Session to discuss a legal matter pursuant to 1MRSA 405 (6) E.

Councilor Mortier, seconded by Councilor Lee, made a motion to go into Executive Session to discuss a legal matter pursuant to Title 1 M.R.S.A Section 405 (6) E at 9:20 p.m. The motion passed, 5-0.

Councilor Sanders, seconded by Councilor Hamilton, made a motion to adjourn Executive Session to discuss a legal matter pursuant to Title 1 M.R.S.A Section 405 (6) E at 10:15 p.m. The motion passed, 5-0.

K) Request from the City Manager to go into Executive Session to discuss a real estate matter pursuant to 1MRSA 405 (6) C.

Councilor Sanders, seconded by Councilor Hamilton, made a motion to go into Executive Session to discuss a real estate matter pursuant to Title 1 M.R.S.A Section 405 (6) C at 10:15 p.m. The motion passed, 5-0.

Councilor Sanders, seconded by Councilor Hamilton, made a motion to adjourn Executive Session to discuss a real estate matter pursuant to Title 1 M.R.S.A Section 405 (6) C at 10:30 p.m. The motion passed, 5-0.

L) Request from the City Manager to go into Executive Session to discuss union negotiations matter pursuant to 1MRSA 405 (6) D.

Councilor Sanders, seconded by Councilor Mortier, made a motion to go into Executive Session to discuss union negotiations matter pursuant to Title 1 M.R.S.A Section 405 (6) D at 10:30 p.m. The motion passed, 5-0.

Councilor Hamilton, seconded by Councilor Sanders, made a motion to adjourn Executive Session to discuss union negotiations matter pursuant to Title 1 M.R.S.A Section 405 (6) D at 10:50 p.m. The motion passed, 5-0.

M) Signing of Council Orders and housekeeping items.

Council Order #69 (FY 2013-2014) Signed by Councilor Lee, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$25,000 for the 50% matching funds for the Small Harbor Improvement Grant Program (SHIP) to rebuild the floats at City Landing. Funds will come from the Harbor Capital Reserve Account. (Approved December 17, 2013)

Council Order #1 Signed by Councilor Lee, Ordered That:

Fiscal Year 2014-2015, Appropriation Resolve (Approved on July 1, 2014)

Council Order #2 Signed by Councilor Hamilton, Ordered That:

The City Manager and the City Treasurer are authorized to spend up to \$7,000 for a new furnace for the Public Works Building. The funds will come from the close out of three Capital Projects: Town Clock (\$3,910), Block Building Repairs (\$3,803), and Restroom Heat (\$1,319), with the remaining balance to be returned to the Undesignated Fund Balance. (Approved on July 1, 2014)

11) Open to the Public

Please state your name and town you are from when addressing the City Council.

1. Ellen Sander, Belfast requested that the City recognize the Poetry Festivals 10 year anniversary with a proclamation and requested that she get permission to fundraise to have a kayaking access.

City Manager Joseph Slocum discussed with Ms. Sander that the City's Park and Rec Department is working on this idea and would be willing to discuss this in more detail with her at another time.

12) Communications

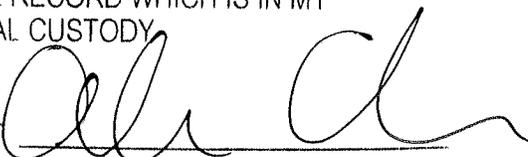
None.

13) Adjourn

Councilor Hamilton, seconded by Councilor Sanders, made a motion to adjourn at 10:51 p.m. The motion passed, 5-0.

HEREBY CERTIFY THAT THE ABOVE
IS A TRUE COPY OF INFORMATION
ON THE RECORD WHICH IS IN MY
OFFICIAL CUSTODY

ATTEST


AMANDA CUSHMAN, BELFAST MAINE