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City of Belfast
Council Chambers-Belfast City Hall
Tuesday, August 5, 2014
6:00 p.m. Committee Interviews
7:00 p.m. Regular Council Meeting

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on August 5, 2014 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Pinchy, Inc. d/b/a Three Tides located at 2 Pinchy Lane, Belfast Maine for a renewal Malt, Spirituous and Vinous Class A lounge liquor license, interior and exterior decks.

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

Public Hearing #2

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28A Section 1054 MRSA a public hearing will be held in the Council Chambers of Belfast City Hall on August 5, 2014 at 7:00 p.m. or as soon as possible thereafter on an application for a Special Amusement Permit for Pinchy, Inc. d/b/a Three Tides for live entertainment, music, vocals-Karaoke, DJ and dancing located at 2 Pinchy Lane, Belfast, Maine, interior and exterior decks.

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

Public Hearing #3

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on August 5, 2014 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by American Cruise Lines, Inc. d/b/a with the following vessels- American Spirit, American Star, Independence, American Glory and American Eagle docked at the Belfast Harbor Pier, Belfast, Maine for a renewal Malt, Spirituous and Vinous Public Service, Class I liquor license.

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

Public Hearing #4

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on August 5, 2014 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application for Lafayette Ocean's Edge, Inc. d/b/a Comfort Inn at Ocean's Edge located at 159 Searsport Avenue, Belfast, Maine for a renewal Hotel-Optional Food Class I-A liquor license, interior and exterior decks.

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

Public Hearing #5

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28A Section 1054 MRSA a public hearing will be held in the Council Chambers of Belfast City Hall on August 5, 2014 at 7:00 p.m. or as soon as possible thereafter on a renewal application for a Special Amusement Permit for Comfort Inn Ocean's Edge for live entertainment, music, vocals-Karaoke, DJ and dancing located at 159 Searsport Avenue, Belfast, Maine.
Interior/Exterior.

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

Public Hearing #6

Pursuant to Belfast Victualer License Ordinance a public hearing will be held on August 5, 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 Shawn Doll d/b/a Sweet Frog Premium Frozen Yogurt located at 1 Belmont Avenue, Suite 1G, Belfast, Maine.

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

Regular Council Meeting No. 3

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, and Admin. Assistant Manda Cushman.

3) Pledge of Allegiance

4) Adoption of the agenda

City Manager Joseph Slocum requested to amend the agenda as follows:

- Add item **9) H** Request from David Carlson owner of Three Tides to approve an off premises liquor license for the upcoming Harbor Fest Launch Party on Friday, August 15, 2014 at Steamboat Landing.
- Add to item **10) K** to appoint Amy Flood as the new City Clerk and Registrar of Voters for the City of Belfast.
- Add to item **10) D** Consideration of a suggested resolution honoring the Annual Belfast Poetry Festival.
- Remove item **10) E** Request from Economic Development Director Thomas Kittredge to appoint Spring Murphy as the assistant Airport Manager.

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

5) Acceptance of the minutes

Regular Council Meeting of July 15, 2014, and Special City Council Meeting of July 22, 2014.

Councilor Hamilton, seconded by Councilor Hurley, made a motion to accept the minutes from Regular Council Meeting of July 15, 2014, and Special City Council Meeting of July 22, 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. David Carlson, Three Tides and Marshalls Wharf Brewing Company thanked the Council for considering extending their license for the Harbor Fest and apologized for getting his request in late.
2. Jacob Fricke, Belfast Poetry Festival spoke about item **10) D** and the request to honor and celebrate poets with small monuments.
3. Bre Bebb, Our Town Belfast Executive Director gave an update on the fundraiser dinner on the Armistice Bridge and the Annual Belfast Street Party, thanking all that help make these events possible.
4. Laurie Allen, Belfast thanked Our Town Belfast for the Belfast Street Party and spoke about Moral Monday informing the public that she will be conducting regular meetings in the Belfast Park starting every Monday on August 11th.

7) Communications

Councilor Hamilton informed the public of two new businesses that have opened on the East-side, miniature golf and bowling.

Councilor Hurley informed the public that Goose River Grocery will be having a fundraiser BBQ this weekend and spoke about all the help and support that Our Town Belfast received for the Belfast Street Party.

Councilor Sanders thanked Our Town Belfast and all involved in the Belfast Street Party, noting that these events bring the community together.

City Manager Joseph Slocum thanked the organizers of the Celtic Celebration for another successful year, he reminded the public that the Harbor Fest is coming up, and he spoke about current efforts to research and evaluate plans for drainage on Seaview Terrace and other streets this fall.

Councilor Mortier informed the public about the Harbor Fest Launch Festivities.

Mayor Ash thanked all who organize these wonderful events throughout the summer. He then opened a present from the Captain and crew of the Lynx that was docked in Belfast this summer; it was a book entitled God's Pocket by Rachel Field.

8) Old Business and Council Committee Reports

-Zoning Board of Appeals: 4 expiring position, three-year term. **Michael Nickerson, Thomas Maycock, and Peter Nesin have applied for reappointment.**

Next steps: Please advise which applicants you would like to reappoint immediately or interview at your August 19th Council Meeting.

Councilor Hurley, seconded by Councilor Sanders, made a motion to reappoint Michael Nickerson, Thomas Maycock and Peter Nesin to the Zoning Board of Appeals. This motion was approved, 5-0.

Councilors noted that there is now open positions on the Zoning Board of Appeals if anyone is interested please see the City website.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application by Pinchy, Inc. d/b/a Three Tides located at 2 Pinchy Lane, Belfast Maine for a renewal Malt, Spirituous and Vinous Class A lounge liquor license, interior and exterior decks.
- B. Request to approve an application for a Special Amusement Permit for Pinchy, Inc. d/b/a Three Tides for live entertainment, music, vocals-Karaoke, DJ and dancing located at 2 Pinchy Lane, Belfast, Maine, interior and exterior decks.
- C. Request to approve an application by American Cruise Lines, Inc. d/b/a with the following vessels- American Spirit, American Star, Independence, American Glory and American Eagle docked at the Belfast Harbor Pier, Belfast, Maine for a renewal Malt, Spirituous and Vinous Public Service, Class I liquor license.
- D. Request to approve an application for Lafayette Ocean's Edge, Inc. d/b/a Comfort Inn at Ocean's Edge located at 159 Searsport Avenue, Belfast, Maine for a renewal Hotel-Optional Food Class I-A liquor license, interior and exterior decks.
- E. Request to approve a renewal application for a Special Amusement Permit for Comfort Inn Ocean's Edge for live entertainment, music, vocals-Karaoke, DJ and dancing located at 159 Searsport Avenue, Belfast, Maine. Interior/Exterior.
- F. Request to approve a new application for a Victualer's License for Shawn Doll d/b/a Sweet Frog Premium Frozen Yogurt located at 1 Belmont Avenue, Suite 1G, Belfast, Maine.
- G. Request to approve a "Facility Use Application" by The Shrine Club and Rollie's to organize a 5K road race on September 20, 2014 from 12:00 to 1:00 p.m. in conjunction with the Club's October Fest.
- H. Request from David Carlson owner of Three Tides to approve an off premises liquor license for the upcoming Harbor Fest Launch Party on Friday, August 15, 2014 at Steamboat Landing.

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

10) Business

- A) Update on the development of the reorganization of the proposed new RSU school system.

City Attorney Kristin Collins discussed the new Reorganization Planning Committee and requested that the City Council formally appoint three Belfast members: Alan Wood, Wayne Corey and Larry Theye.

Councilor Lee, seconded by Councilor Sanders, made a motion to appoint Alan Wood, Wayne Corey and Larry Theye to the Reorganization Planning Committee. This motion was approved, 5-0.

Councilors discussed with the City Attorney the importance of this committee, what the committee's purpose is and reviewed the upcoming deadlines for withdrawal.

B) Consideration of a request from Police Chief Mike McFadden to appoint two new sergeants.

Police Chief Mike McFadden spoke about the two officers, Dan Fitzpatrick and Matthew Cook whom he would like the Council to consider appointing as sergeants. He thanked all who helped in the process of determining who the right candidates for the job were, and discussed with the Council and public what the role of a sergeant is and how these two promotions will reorganize the department and how officers are supervised.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from Police Chief Mike McFadden to appoint two new sergeants, Dan Fitzpatrick and Matthew Cook. This motion was approved, 5-0.

C) Reconsideration on the sale of tax foreclosed properties.

City Manager Joseph Slocum reviewed the properties, the current process in which the City goes out to bid on tax foreclosed properties, and spoke about recent Council concerns in which the issue was tabled at the July 15th Council meeting.

City Attorney discussed with Councilors options and alternative ways to peruse these issues in the future, including what other towns currently do with tax foreclosed properties.

Councilors discussed the pros and cons to selling a property through the bid process versus keeping the property as City owned with the possibility of using the land for City purposes in the future.

City Manager Joseph Slocum spoke to Council about their options to either open bids and accept bids, or reject and return bids.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to open and accept bids, awarding bids to the highest bidder. This motion was lost

, 2-3(Councilors Lee, Sanders, and Hurley opposed).

Councilor Lee, seconded by Councilor Sanders, made a motion to reject all bids and return to bidders. This motion was approved, 4-1(Councilor Mortier opposed).

D) Discussion on methods to honor Belfast Poets Laureate. (Councilor Hurley)

Councilor Hurley discussed his request to work with the Harbor Master to find a place on the Breakwater for this plaque and discussed with the Council that more plaques and locations will be presented to Council for approval as they are ready.

Councilor Hurley, seconded by Councilor Hamilton, made a motion to accept the request from Councilor Hurley to work with the Harbor Master to find a place on the breakwater to put a plaque honoring former Belfast Poet Laureate Bob Ryan. This motion was approved, 5-0.

City Manager Joseph Slocum read a resolution he wrote honoring Belfast Poets and Poets Laureate on the eve of the 10th Annual Belfast Poetry Festival.

Councilor Hurley, seconded by Councilor lee, made a motion to accept the first and only reading of the resolution honoring Belfast Poets and Poets Laureate on the eve of the 10th Annual Belfast Poetry Festival. This motion was approved, 5-0.

E) Requests from Economic Development Director Thomas Kittredge to appoint Spring Murphy as the assistant Airport manager.

Item removed from agenda.

F) Discussion on possible appointments to the Airport Master Plan Advisory Committee.

Economic Development Director and Airport Manager Thomas Kittredge overviewed the purpose of this committee and the members that would comprise it.

Councilor Hurley, seconded by Councilor Sanders, made a motion to appoint 3 abutters to the Airport Master Plan Advisory Committee: Robert Dietz, Donna Loomans, and Michael McCarthy. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Hamilton, made a motion to appoint Joshua Dickson to represent a local business and Jay Foster as a piolet representative for the Airport Master Plan Advisory Committee. This motion was approved, 5-0.

Councilor Mortier volunteered to be the Council representative on the committee.

G) Request from Economic Development Director Thomas Kittredge for the Council to request an Environmental Assessment on two properties that may be traded for one another.

Economic Development Director Thomas Kittredge discussed the possibility of land swap and the purpose of the Phase II sampling environmental assessment of these two properties. Funds for this assessment would come out of the Brownfields Grant; no City funds would be used.

Councilor Mortier, seconded by Councilor Hamilton, made a motion to accept the request from Economic Development Director Thomas Kittredge to approve a Phase II sampling-Environmental Assessment be done on two properties that maybe traded for one another. This motion was approved, 5-0.

H) Request from the Parks and Recreation Commission to consider allowing senior activities to occur twice a month at the Boathouse.

Parks and Recreation Director Norm Poirier discussed the Commission's request noting that they hope to increase offerings of programming to senior citizens.

Council discussed heating at the Boathouse during off season and requested that the Parks & Recreation Director and Commission coordinate with Sandra Squire, Boathouse Rental Agent, Norman Gilmore, Facilities and Maintenance Director and other organizations in the area that already provide senior programming.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from the Parks and Recreation Commission to coordinate with City staff and local organizations senior activities to occur twice a month at the Boathouse. This motion was approved, 5-0.

I) Update from the City Planner Wayne Marshall on the Downtown Revitalization Project.

City Planner Wayne Marshall discussed recent bids and options of reducing project cost. He recommended that Council reject all bids and go back out to bid in late December or early January.

Councilor Hamilton, seconded by Councilor Lee, made a motion to reject all bids for the Downtown Revitalization Project and accept the recommendation from the City Planner to go back out to bid for the project at the most opportune time. This motion was approved, 5-0.

J) Update from the City Planner Wayne Marshall on the continuing process of adopting new land-use regulations inside the bypass.

City Planner Wayne Marshall looked for direction from the Council on how they would like to proceed with review of the Comprehensive Plan.

Council discussed preferences, deciding on one off site meeting/public hearing at the Boathouse on Wednesday, September 17th subject to availability. They also decided to utilize the City website and Council Meetings as well as a notice in the paper to inform the public of the meeting rather than send out notices by mail.

- **Chief McFadden stopped in to introduce Matthew Cook as a new sergeant to the Council and public; he was unavailable earlier in the meeting.**

K) Consideration of a possible request from the City Manager to appoint Amy Flood as the new City Clerk and Registrar of Voters for the City of Belfast.

City Manager introduced Amy Flood to the Council and requested their consideration and approval in appointing her as the new City Clerk of Belfast.

Amy Flood introduced herself to the Council and public informing them that she is looking forward to this new role.

Councilor Sanders, seconded by Councilor Hamilton, made a motion to accept the request to appoint Amy Flood as the new City Clerk and Registrar of Voters for the City of Belfast. This motion was approved, 4-0 (Councilor Hurley stepped out of the room).

L) Update on efforts to improve energy consumption and energy efficiency at the fire station.

City Manager Joseph Slocum informed the Council that an energy audit would be conducted at the Fire Department this Thursday, August 7th.

M) Consideration of appointments to the Maine Municipal Legislative Policy Committee.

City Manager Joseph Slocum informed the Council that there are two candidates, Kathy Littlefield and Galen Larrabee.

Councilor Hamilton, seconded by Councilor Sanders, made a motion to accept the appointments of Kathy Littlefield and Galen Larrabee to the Maine Municipal Legislative Policy Committee. This motion was approved, 5-0.

N) Consideration of a proposal from the City Manager to re-organize the City Clerk and City Treasurer offices.

City Manager Joseph Slocum discussed with Council how he is hoping to re-organize the City Clerk and Treasurers offices including requesting to try on a temporary basis to close the office at 3:30 p.m. every Wednesday to allow for time to work without disruptions and to be able to communicate with one another regarding any changes or updates within the office.

Councilors gave their support to the City Manager to re-organize the City Clerk and City Treasures offices and to temporarily allow for the office to close at 3:30 p.m. every Wednesday.

O) Request from the City Manager to go into Executive Session to discuss litigation pursuant to 1 M.R.S.A 405 (6) E.

Councilor Sanders, seconded by Councilor Hamilton, made a motion to go into Executive Session to discuss litigation pursuant to Title 1 M.R.S.A Section 405 (6) E at 10:20 p.m. The motion passed, 5-0.

Councilor Lee, seconded by Councilor Hamilton, made a motion to adjourn Executive Session to discuss union negotiations matter pursuant to Title 1 M.R.S.A Section 405 (6) E at 10:23 p.m. The motion passed, 5-0.

P) Request to go into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A 405 (6) A.

Councilor Hamilton, seconded by Councilor Sanders, made a motion to go into Executive Session to discuss a personnel matter pursuant to Title 1 M.R.S.A Section 405 (6) A at 10:23 p.m. The motion passed, 5-0.

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

Q) Signing of Council Orders and housekeeping items.

Council Order # 4 Signed by Councilor Lee, Ordered That:

The City Manager and the City Treasurer are authorized to spend up to \$7,000 from Sidewalk Reserves, \$1,500 from the Capital Project account for the Bike Coalition, and \$7,500 from account 680-604 (Engineering/Professional) carried forward from the FY 2013-2014 to FY 2014-2015. These funds are part of implementing recommended improvements for Main Street by the Belfast Pedestrian, Hiking and

Biking Committee 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. (Approved on July 1, 2014)

Council Order # 5 Signed by Councilor Lee, Ordered That:

The City Manager and the City Treasurer are authorized to approve the purchase of two parcels of land on the corner of Bridge Street and Front Street from Daniel Clarke and Judy Kaber. The first parcel of land which is on road frontage of both Bridge and Front Street will be purchased for \$150,000. \$75,000 will be paid for by the City and \$75,000 will be paid by the Economic Development Administration. The City's \$75,000 will be paid by the bond that the City will obtain from the Maine Municipal Bond Bank for the Front Street Project. The second parcel, which is the remaining portion of land at the intersection of Bridge and Front Street will be purchased for \$120,000 by the City and will also be financed by the Municipal Bond for the Front Street Project. (Approved on July 15, 2014)

11) Open to the Public

No one spoke.

12) Communications

Mayor Ash explained that he had received a citizen concern about small trees and brush sprouting up by the Breakwater in Heritage Park that the City may want to look into before it gets out of control.

13) Adjourn

Councilor Sanders, seconded by Councilor Hamilton, made a motion to adjourn the meeting at 10:50 p.m. This motion was approved, 5-0.

I 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