

\*These are "Action Only" minutes. Video of comments may be found on recorded discs at City Hall or at [www.cityofbelfast.org](http://www.cityofbelfast.org).\*

**City of Belfast  
Council Chambers-Belfast City Hall  
Tuesday, October 7, 2014  
7:00 p.m.**

**Public Hearing #1**

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28-A Section 1054 MRSA, a public hearing will be held in the Council Chambers of Belfast City Hall on Tuesday, October 7, 2014 at 7:00 p.m. or as soon as possible thereafter, on an application for a renewal Special Amusement Permit by The Crusty Crab LLC, d/b/a/ Front Street Pub, for live entertainment, music, vocals- Karaoke, DJ and dancing located at 37B Front Street, Belfast, interior and exterior deck.

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

**Public Hearing #2**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, October 7, 2014 at 7:00 p.m. or as soon as possible thereafter, on an application by The Crusty Crab LLC, d/b/a Front Street Pub, located at 37B Front Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior fenced in deck.

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

**Public Hearing #3**

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28-A Section 1054 MRSA a public hearing will be held in the Council Chambers of City Hall on October 7, 2014 at 7:00 p.m. or as soon as possible thereafter on an application for a renewal Special Amusement Permit for Randall Collins VFW Post 3108 located at 34 Field Street, for live music, vocals, karaoke, DJ, dancing and all live entertainment (interior/exterior).

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

**Public Hearing #4**

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28-A Section 1054 MRSA, a public hearing will be held in the Council Chambers of Belfast City Hall on October 7, 2014 at 7:00 p.m. or as soon as possible thereafter, on an application for a Special Amusement Permit by Bowen's Tavern, for live entertainment, music, vocals – Karaoke, DJ and dancing located at 181 Waterville Road, Belfast, Maine, interior/exterior.

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

### **Public Hearing #5**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on October 7, 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 Bowen's Tavern located at 181 Waterville Road, Belfast Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license.

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

### **Public Hearing #6**

Pursuant to Title 30-A MRSA, section 3751 through 3760 a public hearing will be held on October 7, 2014 at 7:00 p.m. or as soon as possible thereafter in the Council Chamber of Belfast City Hall on the following application for a renewal Automobile Junkyard/Graveyard Permit for the year 2015 by Lorraine Gibbs and Bert Bailey d/b/a Gibb's Auto Sales located at 50 Back Belmont Road.

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

### **Public Hearing #7**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on October 7, 2014 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of City Hall to hear an application for Lawrence and Sandra Moses, d/b/a Dockside Family Restaurant, located at 30 Main Street, for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior decks.

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

### **Public Hearing #8**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on October 7, 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 Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior decks.

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

## Regular Council Meeting No. 7

### 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 **10) J #1** Consideration of a request to form a Committee to reduce cost and energy consumption at City facilities and have them identify a budget which will include the hiring of a consultant to work with the Committee to achieve these results.
- Add item **10) J #2** Accept bids for Heating Fuel from November 1, 2014 to October 31, 2015 and to award the bid to Maritime Fuel at \$2.895 a gallon.
- Add item **10) J #3** Accept a proposal from Maine Power Options and Constellation Energy for a 3 year electricity contract at \$.08459 per kWh.
- Add item **10) J #4** Rail Trail update.
- Add item **10) L #1** Request from the City Manager to go into Executive Session to discuss a personnel matter pursuant to 1 MRSA 405 (6) A.

Councilor Hamilton, 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 September 16, 2014, Special Council Meeting of September 17, 2014 and Special Council Meeting of September 29, 2014.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to accept the minutes from Regular Council Meeting of September 16, 2014, Special Council Meeting of September 17, 2014 and Special Council Meeting of September 29, 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. Laurie Allen, Belfast spoke about her concerns with the Seaview Terrace resident meeting to discuss paving.
2. Alan Wood, Belfast spoke about the opening on the Belfast School Board and requested that Council consider Wendy Waight.
3. Glenn Montgomery, Pedestrian, Biking & Hiking Committee spoke about the newly published Walk & Bike Map which is free for the public.
4. Sarah O'Blenes, Community Transformation Grant Coordinator at Waldo County General Hospital, spoke about her work with the Pedestrian, Biking & Hiking Committee to create the Walk & Bike Map and its availability online at: [waldocountymoves.com](http://waldocountymoves.com).
5. Breanna Pinkham Bebb, Executive Director of Our Town Belfast gave an organizational update and requested that the Council add to the Consent Agenda the request to have a fundraiser dinner at the Belfast Free Library on November 1, 2014.

Councilor Mortier, seconded by Councilor Sanders, made a motion to add item 9) Q Request to approve a "Request to use Facilities" application by Breanna Pinkham Bebb of Our Town Belfast to hold a fundraiser dinner at the Belfast Free Library on November 1, 2014. This motion was approved, 5-0.

6. Ned Lightner, BelTV informed the public that as of this week the public access channel is available live online at: [belfastcommunitytv.org](http://belfastcommunitytv.org).
7. David Carlson, Marshall Wharf Brewing Company & Three Tides thanked the Council for their consideration of their extension of their liquor license for their 7<sup>th</sup> Year of Beer on Saturday, October 18, 2014 from 3:00 p.m. until midnight.
8. Thomas Kittredge, Economic Development Director gave an update on City broadband efforts and informed the public that the current issue of MaineBiz highlights some of Belfast business owners in the article "Ten people shaping the future of Maine's economy".

## **7) Communications**

Councilor Hamilton reminded the public that absentee ballots are available to vote early.

Councilor Lee requested an update on Main Street bike lanes.

Glenn Montgomery informed the Council that a DOT representative would be coming to speak with the consultant for the Main Street bike lanes project on Thursday, October 9<sup>th</sup>.

Councilor Lee spoke about his concerns with item 9) F on the Consent Agenda and request that it be moved to item 10) J #5 on the agenda to discuss if they are in compliance with City Code.

Councilor Sanders reminded the public that the Public Hearing on the RSU Withdrawal is scheduled for October 21, 2014 at 6:00 p.m. prior to the Council Meeting.

City Manager Joseph Slocum discussed the following:

- Belfast Rotary honored Ned Lightner for his service to the City of Belfast last week.
- Harbor Walk update.
- Eastern Maine Development Corporation is having a meeting on Friday, October 17<sup>th</sup> from 10:00 a.m. to Noon at the Bangor Casino, in lieu of news that the Bucksport Mill will be closing.
- The City has received the resignation of Paul Hamilton from the Planning Board, will prepare a letter for Council to sign at the next Council meeting thanking him for his service to the committee and City.
- Rail Trail update: contractors are currently removing rails.
- Reminded Council about the meetings about the trust that are managed for the City by Key Bank and HM Payson, which have been set for October 14<sup>th</sup> at 3:00 p.m. and October 23<sup>rd</sup> at 3:00 p.m. with City staff and any Councilor who is interested in attending.
- Discussed City staff attending the 8<sup>th</sup> Annual Greater Waldo Community Network Forum at the Boathouse last week and the City's continuing effort to reach out to organizations in the community that help aid.
- Reminded Councilors about the upcoming Candidates Night on October 16<sup>th</sup> at the Hutchinson Center starting at 6:30 p.m.

Councilor Hurley spoke about the Rail Trail and requested a Work Session with the new Council members to discuss goals as soon as possible after the November Election.

## **8) Old Business and Council Committee Reports**

Councilor Sanders requested more information about his role on the Waldo County Budget Committee.

## **9) Permits, Petitions and Licenses - Consent Agenda**

- A.** Request to approve an application for a renewal Special Amusement Permit by The Crusty Crab LLC, d/b/a Front Street Pub, for live entertainment, music, vocals – Karaoke, DJ and dancing located at 37B Front Street, Belfast, interior and exterior decks.
- B.** Request to approve an application for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license by The Crusty Crab LLC, d/b/a Front Street Pub located at 37B Front Street, Belfast, Maine, interior and exterior fenced in deck.
- C.** Request to approve an application for a renewal Special Amusement Permit by Randal Collins VFW Post 3108 for live music, vocals, karaoke, DJ, dancing, and all live entertainment located at 34 Field Street (interior/exterior).
- D.** Request to approve an application for a Special Amusement Permit by Bowen's Tavern for live entertainment, music, vocals- Karaoke, DJ and dancing located at 181 Waterville Road, Belfast, Maine, interior/exterior.
- E.** Request to approve an application for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license by Bowen's Tavern located at 181 Waterville Road, Belfast, Maine.

- F. Request to approve an application for a renewal Automobile Junkyard/Graveyard Permit by Lorraine Gibbs and Bert Bailey d/b/a Gibb's Auto Sales located at 50 Back Belmont Road, Belfast, Maine.
- G. Request to approve an application for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license by Lawrence and Sandra Moses, d/b/a Dockside Family Restaurant located at 30 Main Street, Belfast, Maine, interior and exterior decks.
- H. Request to approve an application for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license by Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine, interior and exterior decks.
- I. Request to approve a Parade Permit application submitted by Kameron Culbertson on behalf of Belfast Area High School Student Senate Homecoming for a parade on October 10, 2014 starting at Lions Way.
- J. Accept with regret the resignation of Jason Perkins from the RSU 20 School Board as of September 29, 2014.
- K. Request to approve a "Request to use Facilities" application by Maine Farmland Trust to use Steamboat Landing for the "MaineFare" event on June 26 & 27, 2015.
- L. Request to approve a "Request to use Facilities" application by Chris Urick, Chair of the "Arts in the Park" Committee to use Heritage Park and the parking lots above the park and next to the French & Webb building for the "Arts in the Park" event on July 11<sup>th</sup> & 12<sup>th</sup>, 2014.
- M. Request to approve a "Request to use Facilities" application by Jessica Woods on behalf of the Waldo Community Action Partners to sponsor and conduct a 5K Road Race on Saturday, November 29, 2014 at 9:00 a.m. with a starting and ending location of Belfast Area High School.
- N. Request to approve a one-day extension of Marshall Wharf Brewing Co.'s Class X liquor license to include their parking lot and the private Marshall Wharf driveway in front of their brewery store/tasting room for their 7<sup>th</sup> Year of Beer on Saturday, October 18, 2014 from 3:00 p.m. until midnight.
- O. Request from the Fire Chief to confirm Mike Sealy as a member of the Belfast Ambulance as a Paramedic Per-Diem to be called in when needed.
- P. Accept with regret the resignation of Jane Thompson as the Children's Librarian effective September 17, 2014 and request from Library Director to start the process to fill that position.
- Q. Request to approve a "Request to use Facilities" application by Breanna Pinkham Bebb of Our Town Belfast to hold a fundraiser dinner at the Belfast Free Library on November 1, 2014.

9) F Request to approve an application for a renewal Automobile Junkyard/Graveyard Permit by Lorraine Gibbs and Bert Bailey d/b/a Gibb's Auto Sales located at 50 Back Belmont Road, Belfast, Maine, has been moved to item 10) J #5 on the agenda for discussion on compliance with City Code.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to accept the Consent Agenda, with the removal of item 9)F to be discussed under item 10) J #5 on under business on the agenda. This motion was approved, 5-0.

## 10) Business

- A) Discussion with the Airport Committee about the future availability of gas at the Belfast Municipal Airport.

Bill Ryan, Airport Committee Chair spoke about the Committee's thoughts on whether or not fuel at the Airport is detrimental or not to the Airport continuing to operate.

Councilors discussed their concerns with having an Airport without fuel and what possible options are in moving forward.

City Manager Joseph Slocum requested direction from the Council about whether or not they would like him to negotiate the purchase of the fuel tank from the current Fix Based Operator.

Council unanimously decided to take no action at this time.

**B) Consideration of request to install kayak racks in City Park.**

Norm Poirier, Parks & Recreation Director spoke about the request from the Hospital to install kayak racks in City Park, noting that funding to build them would come from the Parks & Recreation Park Maintenance account and that the City would not be held responsible for the kayaks that are stored there.

Councilor Hurley discussed his concerns with kayak fees, requesting that the Council readdress this in the near future.

Councilor Lee, seconded by Councilor Mortier, made a motion to accept the request to install kayak racks in City Park. This motion was approved, 5-0.

**C) Consideration of a proposal by ReVision Energy to install solar panels on the Belfast Fire Station.**

Thomas Kittredge, Economic Development Director summarized the proposal from ReVision Energy to place solar panels on the Belfast Fire Station.

Councilors discussed this opportunity and benefits to the City.

Councilor Lee, seconded by Councilor Hamilton, made a motion to accept the proposal by ReVision Energy to install solar panels on the Belfast Fire Station, subject to legal review and approval. This motion was approved, 5-0.

**D) Review of Boathouse operating rules and a continuing proposal to grandfather certain non-profit events at rates which preexisted 2013 rate schedule.**

City Manager Joseph Slocum gave an update on the Boathouse season and discussed with Council if after the one year trial they would like to now grandfather all of the non-profit events at rates which preexisted the 2013 rate schedule.

Councilor Lee, seconded by Councilor Sanders, made a motion to accept the proposal to grandfather certain non-profit events at rates which preexisted 2013 rate schedule. This motion was approved, 5-0.

City Manager Joseph Slocum and Norm Poirier, Parks & Recreation Director discussed with Council concerns about cars parking on both sides of Front Street during events and the possibility of temporary signage to help eliminate this serious safety issue.

E) Discussion on accepting bids submitted to the City for the purchase of a Public Works motor grader and possible awarded bid.

No discussion.

Councilor Hamilton, seconded by Councilor Lee, made a motion to accept the submitted bids for the purchase of a Public Works motor grader and to award the bid to Nortrax with a bid of \$228,000 for a John Deere Grader with funding coming from the following accounts: \$124,000 from the Purchase of Equipment account(410-535) and \$104,000 from the Equipment Capital Reserve account (410-537). This motion was approved, 5-0.

Public Works Director gave an update on City paving efforts.

F) Consideration of a recommendation to appoint Teresa Butler as Deputy Treasurer and Internal Auditor of the City of Belfast.

No discussion.

Councilor Lee, seconded by Councilor Hamilton, made a motion to appoint Teresa Butler as Deputy Treasurer and Internal Auditor of the City of Belfast. This motion was approved, 5-0.

G) Consideration of a request from the City Manager to spend up to \$9,000 to update the underground pump station at the Belfast Transfer Station.

City Manager Joseph Slocum discussed the importance of this upgrade for safety concerns and that funding for this underground pump station would come from the Undesignated Fund Balance.

Councilor Hamilton, seconded by Councilor Lee, made a motion to accept the request to spend up to \$9,000 to update the underground pump station at the Belfast Transfer Station, with funding to come from the Undesignated Fund Balance. This motion was approved, 5-0.

**H)** Council action on proposed Amendments to City Code of Ordinances, Chapter 102 Zoning. Council conducted Second Reading and public hearing on following amendments at a special Council meeting on September 17, 2014.

City Planner Wayne Marshall discussed the process in which the Council conducted a First Reading of proposed amendments for inside the Bypass area on September 2<sup>nd</sup>, a Second Reading and Public Hearing on September 17<sup>th</sup> and a Work Session on September 29<sup>th</sup> in which the Council concluded that the ordinances as proposed for Residential 1, 2 & 3 as well as the Waterfront Mixed Use 1 & 2 are prepared to go forward for adoption. The Downtown Commercial District is the only area in which is not ready to move forward for adoption, regarding building height, which will be discussed later in tonight's agenda.

Councilor Mortier, seconded by Councilor Lee, made a motion to adopt the following amendments to the City Code of Ordinances, Chapter 102, Zoning, having conducted the First Reading of the following proposed amendments at its meeting of September 2, 2014, and the Second Reading and Public Hearing of the following proposed amendments at its meeting of September 17, 2014. This motion was approved, 5-0.

Amendments include the following:

- Article V, District Regulations, Division 1, Generally. Section 102-301. Amendments to Official Zoning Map
- Article V, District Regulations, Division 30. Establishment of Table of Uses for the following zoning districts located Inside the Bypass or near the Bypass: Residential 1, Residential 2, Residential 3, Waterfront Mixed Use 1 and Waterfront Mixed Use 2.
- Article V, District Regulations, Division 31. Establishment of a Table of Dimensional Regulations for the following zoning districts located Inside the Bypass or near the Bypass: Residential 1, Residential 2, Residential 3, Waterfront Mixed Use 1 and Waterfront Mixed Use 2.
- Article V, District Regulations, Division 6, Residential I Urban District; Division 11.5, Waterfront Mixed use District; and Division 23, Health Care District. Current Ordinance provisions for the above zoning districts will be eliminated.

- Article X, Contract Rezoning, Division 3, Bradbury Manor, is proposed to be amended to establish Contract Rezoning provisions for certain properties located in the proposed Residential 1 and Residential 2 zoning districts.

Article X, Contract Rezoning, Division 4, Waterfront Mixed Use District and Waterfront Development District, is proposed to be amended. Amendments recognize the establishments of the Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts, and the requirement that all properties in the Waterfront Mixed Use 1 District, except a single family house located on Field Street, are required to use the contract rezoning process.

**I)** First Reading of proposed amendments to Chapter 66, General Provisions, to establish a definition for Accessory Apartment to Single Family Residence, Formula Restaurant, and Lot Coverage, and to amend the current definition of Height of a Structure. First Reading of proposed amendments to Chapter 102, Zoning, Article V. District Regulations, Division 30, Use Table, to prohibit the establishment of a Formula Restaurant in the Residential 1, Residential 2, Residential 3, Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts, and to the Article V, District Regulations, Division 31, Dimensional Table, regarding the maximum height of the Waldo County General Hospital building which is located in the Residential 3 zoning district.

City Planner Wayne Marshall explained that this is a series of amendments that the Council discussed at the Work Session on September 29<sup>th</sup>:

- 1) City Planner is recommending Council adopt 3 new definitions in Chapter 66, General Provisions which include the definitions for the Land Use Ordinances. They include: definition of accessory apartment, Formula Restaurant, and lot coverage.
- 2) Chapter 102, Zoning. City Planner is recommending an amendment to new Division 30, the Use Table, to include a new Use: Formula Restaurant, and to indicate that a Formula Restaurant is prohibited in all zoning districts located inside the Bypass area.
- 3) In Chapter 102, Zoning. City Planner is recommending an amendment to the new Division 31, Dimensional Table, which addresses the maximum building height of 55 feet for Waldo County General Hospital that is located in the new Residential 3 zoning district.

Councilors discussed clarification of the description of Single Family Structure, adding existing or new to the language.

Councilors clarified the use of number 11 rather than 7 in the definition of Formula Restaurant.

Councilor Hamilton, seconded by Councilor Lee, made a motion to accept the First Reading of proposed amendments to Chapter 66, General Provisions, to establish a definition for Accessory Apartment to Single Family Residence, Formula Restaurant, and Lot Coverage, and to amend the current definition of Height of a Structure. First Reading of proposed amendments to Chapter 102, Zoning, Article V. District Regulations, Division 30, Use Table, to prohibit the establishment of a Formula Restaurant in the Residential 1, Residential 2, Residential 3, Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts, and to the Article V, District Regulations, Division 31, Dimensional Table, regarding the maximum height of the Waldo County General Hospital building which is located in the Residential 3 zoning district, the Second Reading on these proposed amendment will be held at the Council Meeting on October 21, 2014. This motion was approved, 5-0.

**J)** Council discussion of proposed amendments to Chapter 102, Zoning, Article V, District Regulations, Division 31, Dimensional Table, regarding maximum building height in the Downtown Commercial Zoning District.

City Planner Wayne Marshall discussed the work done by Kappa Mapping to help determine building height in the Downtown Commercial Zone, and discussed the changes made to the proposed maps.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to schedule the Second Reading and Public Hearing for the proposed amendments to the Downtown Commercial District as was proposed at the September 17<sup>th</sup> hearing with the change regarding the building height for October 21, 2014. This motion was approved, 5-0.

**J) #1** Consideration of a request to form a Committee to reduce cost and energy consumption at City facilities and have them identify a budget which will include the hiring of a consultant to work with the Committee to achieve these results.

Councilor Hurley spoke about the need to update City buildings and who the committee would be comprised of.

Councilor Lee recommended reconstituting the former Energy Committee for this task.

Councilor Hurley, seconded by Councilor Lee, made a motion to repopulate the Energy Committee with two Councilors and City staff (to be worked out with the City Manager), and to develop a budget for a consultant. This motion was approved, 5-0.

**J) #2** Accept bids for Heating Fuel from November 1, 2014 to October 31, 2015 and to award the bid to Maritime Fuel at \$2.895 a gallon.

City Manager Joseph Slocum reviewed the bids and recommended awarding the bid to the lowest bidder Maritime Energy.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to accept the bids for Heating Fuel and award the bid to the lowest bidder Maritime Fuel at \$2.895 a gallon from November 1, 2014 to October 31, 2015. This motion was approved, 5-0.

**J) #3** Accept a proposal from Maine Power Options and Constellation Energy for a 3 year electricity contract at \$.08459 per kWh.

City Manager Joseph Slocum discussed the proposal and the greater demand for electricity.

Mayor Ash questioned if the installation of solar panels at the Fire Station would impact this proposal in any way.

City Manager Joseph Slocum informed the Council that installation of solar panels does not impact this proposal.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to accept the proposal from Maine Power Options and Constellation Energy for a 3 year electricity contract at \$.08459 per kWh. This motion was approved, 5-0.

**J) #4** Rail Trail update.

City Manager Joseph Slocum informed the Council that the rails and ties are coming up and addressed the need for a temporary construction on the trestle bridge to create a secure and safe passing for what the City predicts will be an increase in pedestrian traffic.

Council discussed the dimensions of this temporary construction and the cost associated with it.

Councilor Hamilton, seconded by Councilor Hurley, made a motion to accept the request from the City Manager to create temporary construction on the trestle bridge for pedestrian passing upon contractors advise about the length of decking, funding will not exceed \$8,000. This motion was approved, 5-0.

**J) #5** Request to approve an application for a renewal Automobile Junkyard/Graveyard Permit by Lorraine Gibbs and Bert Bailey d/b/a Gibb's Auto Sales located at 50 Back Belmont Road, Belfast, Maine.

Councilor Lee requested more information on whether or they are in compliance with zoning and performance standards for a Junkyard.

City Manager Joseph Slocum informed the Council that within the paperwork submitted for the permit there is a certification form from Tod Rosenberg, Code Enforcement Officer of the City of Belfast that certifies that Gibb's Auto Sales is in compliance with all local building and zoning/land use regulatory, state laws and ordinances and issuance of all necessary permits for operation of business which was signed on September 4, 2014.

Councilor Hamilton, seconded by Councilor Sanders, made a motion to accept the request to approve an application for a renewal Automobile Junkyard/Graveyard Permit by Lorraine Gibbs and Bert Bailey d/b/a Gibb's Auto Sales located at 50 Back Belmont Road, Belfast, Maine. This motion was approved, 5-0.

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

Councilor Sanders, seconded by Councilor Mortier, made a motion to go into Executive Session to discuss a legal and real estate matter pursuant to 1 MRSA 405 (6) C & E at 9:40 p.m. This motion was approved, 4-0 (Councilor Hurley stepped out of the room).

Councilor Sanders, seconded by Councilor Hamilton, made a motion to adjourn Executive Session to discuss a legal and real estate matter pursuant to 1 MRSA 405 (6) C & E at 10:20 p.m. This motion was approved, 5-0.

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

Councilor Hamilton, seconded by Councilor Sanders, made a motion to go into Executive Session to discuss a real estate matter pursuant to 1 MRSA 405 (6) C at 10:20 p.m. This motion was approved, 5-0.

Councilor Hamilton, seconded by Councilor Sanders, made a motion to adjourn Executive Session to discuss a real estate matter pursuant to 1 MRSA 405 (6) C at 10:39 p.m. This motion was approved, 4-0 (Councilor Lee stepped out of the room).

L) #1 Request from the City Manager to go into Executive Session to discuss a personnel matter pursuant to 1 MRSA 405 (6) A.

Councilor Sanders, seconded by Councilor Mortier, made a motion to go into Executive Session to discuss a personnel matter pursuant to 1 MRSA 405 (6) A at 10:39 p.m. This motion was approved, 4-0 (Councilor Lee stepped out of the room).

Councilor Sanders, seconded by Councilor Hamilton, made a motion to adjourn Executive Session to discuss a personnel matter pursuant to 1 MRSA 405 (6) A at 10:46 p.m. This motion was approved, 5-0.

M) Signing of Council Orders and housekeeping items.

Council Order # 14 Signed by Councilor Lee, Ordered That:

The City Manager and the City Treasurer are authorized to move \$5,000 from the Undesignated Fund Balance to the Parks & Recreation Salary & Wage account (610-501) to pay for temporary landscaping employees and \$1,000 from the Undesignated Fund Balance to the Parks & Recreation Grounds Keeping Maintenance account (610-526) to pay for additional landscaping supplies for the maintenance of the Harbor Walk. (Approved on September 16, 2014)

Council Order # 15 Signed by Councilor Hamilton, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$9,000.00 to update the underground pump station at the Belfast Transfer Station. Funds are to come from the Undesignated Fund Balance. (Approved on October 7, 2014)

Council Order # 16 Signed by Councilor Hamilton, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$228,000.00 for a John Deere 670 G from NorTrax in Hermon, Maine for the Public Works Department. Funds are to come from the following accounts: \$124,000 from the Purchase of Equipment account (410-535) and the remaining \$104,000 from the Equipment Capital Reserve account (410-537). (Approved on October 7, 2014)

Council Order # 17 Signed by Councilor Hamilton, Ordered That:

The City Manager and the City Treasurer are authorized to accept the lowest fuel bid at the fixed cost of \$2.895 price per gallon (using approximately 24,000 gallons per year) from Maritime Energy, Belfast ME for November 2014-July 2015 for the following City Buildings: City Hall, Wastewater Treatment Plant, Fire & Ambulance Station, Transfer Station/Recycling Building, Highway Department, Belfast Free Library, Boathouse and Belfast Police Station. (Approved on October 7, 2014)

Council Order # 18 Signed by Councilor Hamilton, Ordered That:

The City Manager and the City Treasurer are authorized to accept the electricity supply agreement through Constellation NewEnergy, Inc. and Maine PowerOptions for a fixed contract

price of \$0.08459 per kWh from CMP for November 1, 2014 – November 1, 2017. (Approved on October 7, 2014)

**11) Open to the Public**

No comments.

**12) Communications**

Councilors discussed interviewing Wendy Waight for the open School Board seat, ultimately deciding to interview her on Tuesday, October 21, 2014 at 5:30 p.m. prior to the Public Hearing at 6:00 p.m.

Mayor Ash read a letter he received from Elizabeth Heath, President of the Committee for an Open Waterfront in Newburyport, Massachusetts about her visit to Belfast and the Cities waterfront.

**13) Adjourn**

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn the meeting at 10:47p.m. This motion was approved, 5-0.

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

ATTEST



AMANDA CUSHMAN, BELFAST MAINE