

\*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 21, 2014  
6:00 p.m.**

**Public Hearing #1**

**6:00 pm Tuesday October 21, 2014  
at Belfast Council Chambers, Belfast City Hall**

The Public Hearing will be on the following two November 4th  
ballot questions addressing education:

1. Do you favor the withdrawal of the City of Belfast from Regional School Unit # 20 subject to the terms and conditions of the withdrawal agreement dated August 12, 2014?
2. In the event Question # 1 is approved, do you favor approving the school administrative reorganization plan prepared by the Reorganization Planning Committee to reorganize the City of Belfast and Towns of Belmont, Morrill, Searsmont and Swanville into a regional school unit, with an effective date of July 1, 2015?

Mayor Ash asked for proponents and opponents.

Councilor Sanders introduced the Withdrawal Committee members: Wayne Corey, Joan Crabel, Alan Wood, and reviewed with City Attorney Kristin Collins the withdrawal process and frequently asked questions. They turned it over to the public for Q&A.

1. Wendy Waight questioned how/if the quality of schools will improve with withdrawal.
2. Christopher Hyk inquired about the need to hire a superintendent and high school principal.
3. Councilor Hamilton asked about the Withdrawal Committee’s budget line and if they have the funds to print the “Frequently Asked Questions” write-up in the local paper prior to voting day.
4. Wendy Waight asked about whether or not there is any concern about getting the needed 50% voter turnout.
5. Councilor Hurley requested to hear from the other members of the Withdrawal Committee.
6. Wendy Waight asked about withdrawals effect on extracurricular activities.
7. Wendy Waight inquired about the schools current percentage of the tax dollar.
8. John Arrison inquired about whether or not the board works with basic indicators, such as percentage of students that go on to college or get an associate’s degree.

Mayor Ash declared the hearing closed.

**Public Hearing #2**  
**CITY OF BELFAST CITY COUNCIL**  
**NOTICE OF PUBLIC HEARING**  
**PROPOSED ORDINANCE AMENDMENTS**

The Belfast City Council, at its meeting of Tuesday, October 21, 2014, at the Council Chambers in Belfast City Hall, beginning at 7:00 p.m. or as soon as practical thereafter, shall conduct a public hearing and Second Reading regarding proposed amendments to the City of Belfast Code of Ordinances. Persons who may be affected by the proposed amendments are encouraged to attend the public hearing and offer comment to the Council. Public comment on the proposed amendments also can be submitted by the hearing date in writing to following address: City of Belfast, Code and Planning Department, 131 Church Street, Belfast, Maine, 04915, or via email to [public@cityofbelfast.org](mailto:public@cityofbelfast.org).

Copies of the proposed amendments can be inspected during normal business hours, Monday - Friday, 8:00 am - 5:00 pm, at the Code and Planning or City Clerk's offices in Belfast City Hall located at 131 Church Street. The proposed amendments also can be viewed on the City of Belfast website, [cityofbelfast.org](http://cityofbelfast.org). Questions regarding the proposed amendments should be directed to Wayne Marshall, City Planner, at 338-1417 x 25, or at [wmarshall@cityofbelfast.org](mailto:wmarshall@cityofbelfast.org).

The newly proposed amendments on which a public hearing will be conducted are:

- Chapter 66, General Provisions. Propose to add new definitions for accessory apartment, formula restaurant, and lot coverage, and to amend the current definition for structure height.
- Chapter 102, Zoning, Article V, District Regulations, Division 30, Use Table, propose to add a new use, Formula Restaurant, and to prohibit said use in the Residential 1, Residential 2, Residential 3, Downtown Commercial and Waterfront Mixed Use 1 and 2 zoning districts.
- Chapter 102, Zoning, Article V, District Regulations, Division 31, Dimensional Standards, propose to establish the maximum building height standard for Waldo County General Hospital property at 55 feet, which is the height standard for this property under the former Health Care District.

The following Ordinances were considered by the Council at a public hearing on September 17, 2014. An additional public hearing is being conducted on October 21 because of an amendment to the original proposal regarding maximum building height. The sections of the Ordinance on which a public hearing will be conducted are:

- Chapter 102, Zoning, Article V, Division 1, Generally, amendments to the Official Zoning Map to establish the proposed area for the Downtown Commercial zoning district, and to eliminate the Waterfront '1A' zoning district.
- Chapter 102, Zoning, Article V, Division 30, Table of Uses, propose to establish use requirements for the Downtown Commercial zoning district.
- Chapter 102, Zoning, Article V, Division 31, Dimensional Regulations, propose to establish dimensional requirements for the Downtown Commercial zoning district, including revisions to the maximum height provisions that were considered at the September 17 hearing.

- Article V, District Regulations, Division 8, Downtown Commercial District and Division 10, Waterfront '1A' District. Current Ordinance provisions for the above zoning districts will be eliminated.

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 October 21, 2014 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of City Hall to hear an application by American Legion Post 43 (Frank D. Hazeltine) located at 143 Church Street, for a renewal Malt, Spirituous and Vinous Club Class liquor license, interior.

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 City Hall on October 21, 2014 at 7:00 p.m. or as soon as possible thereafter on an application by the American Legion Post 43 (Frank D. Hazeltine) for a renewal Special Amusement Permit located at 143 Church Street for live entertainment, music, vocals, karaoke, DJ and dancing – 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 21, 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 The Gothic Restaurant LLC located at 108 Main Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class I liquor license (interior only).

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 October 21, 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 Robert Hogan d/b/a McDonald's located at 282 Main St., Belfast, Maine.

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

## **Regular Council Meeting No. 8**

### **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:

- Edit item **9)F** on the consent agenda to reflect that the Halloween Party at Front Street Pub will be held on October 31<sup>st</sup> at noon till 1:00 am on November 1<sup>st</sup> and on November 1<sup>st</sup> at noon till 1:00 am on November 2<sup>nd</sup>.
- Add item **10)H #1** Request from the Belfast Masker's to be added to the list of non-profits who use the Boathouse at a reduced rate.
- Add item **10)J #1** Request from the City Manager to go into Executive Session to discuss a legal matter pursuant to 1 M.R.S.A 405 (6) E.

Councilor Sanders requested to amend the agenda to include discussion on a possible appointment to the School Board under item **8) Old Business and Council Committee Reports**.

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

### **5) Acceptance of the minutes**

Regular Council Meeting of October 7, 2014.

Councilor Hamilton, seconded by Councilor Hurley, made a motion to accept the minutes from Regular Council Meeting of October 7, 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. Glenn Montgomery thanked Councilor Lee and Councilor Hamilton for their time and service to the City.

2. Alan Wood thanked Councilors Lee and Hamilton for their time devoted to the City and requested that the Council seriously consider appointing a member to the School Board at tonight's meeting.
3. Christopher Hyk, spoke about the need to appoint a member to the School Board as soon as possible.
4. Wendy Waight, Belfast introduced herself to the Council, and requested to be considered to the open School Board position.
5. Phil Carthage spoke about item 9) I and how the "Tootsie Roll" drive contributes to community members in need.

## **7) Communications**

Councilor Hamilton reminded the public that the Veteran's Day parade will start at 11:00 am on November 11<sup>th</sup> starting at the lower parking lot of the Belfast Area High School.

Councilor Sanders spoke about the Public Hearing and upcoming vote on Withdrawal from RSU #20.

City Manager Joseph Slocum spoke about the following:

- The City Clerk's Office will have extended hours on Wednesday, October 29<sup>th</sup> from 8:00 am to 7:00 pm to accommodate voters.
- Discussed the status of improving the sidewalk on Waldo Ave., noting that the City will try to go out to bid for the project this winter.
- Informed the Council that the Chamber Dinner is on Friday, November 7<sup>th</sup> at Point Lookout.
- Informed the public about the limited office hours in the Assessing Department, and the City's efforts to find a long term solution.
- Invited the Council to attend the Fall Commission Meeting at the Hutchinson Center on Thursday, October 23, 2014.

Councilor Hurley spoke about the temporary decking at the Rail Trail.

Councilor Hurley weighed in on the RSU #20 Withdrawal and thanked all those helped work on this issue.

Councilor Lee addressed the RSU #20 Withdrawal.

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

Possible appointment of Steve Ryan as regular member to the Planning Board; Steve is currently an alternate member.

Councilor Hurley, seconded by Councilor Sanders, made a motion to appoint Steve Ryan as a regular member to the Planning Board. This motion was approved, 5-0.

Possible appointment of a new member to the School Board; Wendy Waight and Wayne Corey submitted applications.

Councilor Hurley, seconded by Councilor Hamilton, made a motion to appoint Wayne Corey to the RSU #20 School Board. This motion was approved, 5-0.

Councilor Hurley gave an update on the Energy Committee and asked for Council input.

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

- A.** Request to approve an application for a renewal Malt, Spirituous and Vinous Club Class liquor license (interior), by the American Legion Post 43 (Frank D. Hazeltine) located at 143 Church Street.
- B.** Request to approve an application for a renewal Special Amusement Permit by the American Legion Post 43 (Frank D. Hazeltine) located at 143 Church Street for live entertainment, music, vocals, karaoke, DJ and dancing – interior/exterior.
- C.** Request to approve an application for a renewal Malt, Spirituous and Vinous Restaurant Class I liquor license (interior only) by The Gothic Restaurant LLC located at 108 Main Street, Belfast, Maine.
- D.** Request to approve a new application for a Victualer’s License for Robert Hogan d/b/a McDonald’s located at 282 Main Street, Belfast, Maine.
- E.** Request to approve an Off Premise Catering Permit by Michael Casby for Trillium Events, Inc. for a Fall Dinner Fundraiser event for Our Town Belfast at the Belfast Library on November 1, 2014 from 6:00 p.m. to 9:00 p.m.
- F.** Request to approve an Off Premise Catering Permit by Katherine Loblein for Crusty Crabb LLC for a Halloween Party at the Front Street Pub parking lot from 12:00 p.m. on October 31, 2014 to 1:00 a.m. on November 1, 2014 and from 12:00 p.m. on November 1, 2014 to 1:00 a.m. on November 2, 2014.
- G.** Request to approve an Off Premise Catering Permit by Katherine Loblein for Crusty Crabb LLC for the Belfast Poetry Festival at the Hutchinson Center on October 18, 2014 from 5:00 p.m. to 8:00 p.m.
- H.** Request to approve a Parade Permit by Randall Collins VFW Post 3108 on Tuesday, November 11, 2014 at 11:00 a.m. beginning at the lower lot of Belfast Area High School and ending at Belfast Harbor for a quite ceremony.
- I.** Request to approve a City Facility Use application by Knights of Columbus for a “Tootsie Roll Drive” on Saturday, November 29, 2014 and December 6, 2014.
- J.** Request to approve a City Facility Use application by Mary Mortier for the “18<sup>th</sup> Annual New Year’s by the Bay” event from 2:00 p.m. December 31, 2014 until 2:00 a.m. on January 1, 2015.

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

### **10) Business**

- A)** Consideration of a recommendation to increase sewer fees.

Jon Carmen, Waste Water Treatment Plant Supervisor spoke about the need for these increases.

Councilors discussed moving forward with a 7% increase for either one or two years.

Councilor Hurley, seconded by Councilor Hamilton, made a motion to accept the recommendation of a 7% increase in sewer fees for the next two years. This motion was approved, 5-0.

**B)** Request from the Parks & Recreation Department to move \$15,000 from Parks Project Reserve account for repairs and improvements to City Park and the City Park playground.

Norm Poirier Parks & Recreation Director discussed the need for these improvements based on recommendations from the City's insurance provider Maine Municipal Association.

Councilor Mortier, seconded by Councilor Hamilton, made a motion to accept the request from the Parks & Recreation Department to move \$15,000 from Parks Project Reserve account for repairs and improvements to City Park and the City Park playground. This motion was approved, 5-0.

**C)** Request from the Parks & Recreation Department to accept a grant of \$5,000 from Our Town Belfast's Healthy Maine Grant Program.

Norm Poirier Parks & Recreation Director discussed this grant and the Departments hope to use it for exercise stations in City Park.

Councilors discussed the visual aspects of these future exercise stations requesting that Department and Commission select equipment that is not visually obtrusive.

Councilor Hurley, seconded by Councilor Hamilton, made a motion to accept the request from the Parks & Recreation Department to accept a grant of \$5,000 from Our Town Belfast's Healthy Maine Grant Program which will go into a new Capital Project for exercise station in City Park. This motion was approved, 5-0.

**D)** Second Reading and possible adoption of City Land Use Ordinance Amendments addressing the following topics:

- Definition of accessory apartment
- Definition of formula restaurant
- Definition of lot coverage
- Definition of structure height
- Prohibition of formula restaurants in certain zones
- Establishing a maximum building height for Waldo County General Hospital at 55 feet
- Establishing a Downtown Commercial Zoning District
- Eliminate the Waterfront 1-A Zoning District
- Establish requirements for the Downtown Commercial Zoning District

- Establish revisions to the maximum height provisions proposed for the Downtown Commercial Zoning District
- Elimination of district regulations for the Waterfront 1-A District

City Planner Wayne Marshall reviewed the amendments with the Council.

Councilor Mortier, seconded by Councilor Hamilton, made a motion to accept the second reading and adoption of City Land Use Ordinance Amendments as discussed at tonight's meeting. This motion was approved, 5-0.

**E)** Consideration of a proposal to relocate telephone poles to the opposite side of Washington Street.

City Planner Wayne Marshall outlined where the current poles are and where they are hoping to move them to on the opposite side of the street.

Councilors discussed possible alternatives such as having the lines go underground, and deciding on a temporary move of the poles verses a permanent move.

Councilor Lee, seconded by Councilor Hamilton, made a motion to approve authority to temporarily relocate telephone poles to the opposite side of Washington Street and to have the Planning Department and CMP come back with a finalized plan of this area. This motion was approved, 5-0.

**F)** Consideration of a request from the City Manager to purchase used assets from the departing Fixed Based Operator for continued use in the Belfast Airport.

City Manager discussed the list of assets and that funds would come from the Airport Capital Reserve account.

Councilor Hamilton, seconded by Councilor Lee, made a motion to accept the request from the City Manager to purchase used assets from the departing Fixed Based Operator for continued use in the Belfast Airport. This motion was approved, 5-0.

**G)** Approval of an updated Election Warrant.

No discussion.

Councilor Sanders, seconded by Councilor Hamilton, made a motion to approve the updated Election Warrant. This motion was approved, 5-0.

**H)** Consideration of a recommendation to update the General Assistance Ordinance by the State Certified Maximums.

No discussion.

Councilor Hamilton, seconded by Councilor Mortier, made a motion to accept the recommendation to update the General Assistance Ordinance by State Certified Maximums. This motion was approved, 5-0.

**H) #1** Request from the Belfast Masker's to be added to the list of non-profits who use the Boathouse at a reduced rate.

City Manager Joseph Slocum discussed the Masker's request to be added to the list of non-profits who use the Boathouse at a reduced rate, noting that they are not at this time requesting any specific dates.

Council discussed non-profits using the Boathouse during peak season and requested more information about how many weekends are booked for weddings/for-profit events vs. non-profit events.

Councilor Hurley, seconded by Councilor Lee, made a motion to accept the request from the Belfast Masker's to be added to the list of non-profits who use the Boathouse at a reduced rate. This motion was approved, 5-0.

**I)** Request from the City Manager to go into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A 405 (6) A.

Councilor Sanders, seconded by Councilor Hamilton, made a motion to go into Executive Session to discuss a personnel matter pursuant to 1 MRSA 405 (6) A at 9:46p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss a personnel matter pursuant to 1 MRSA 405 (6) A at 9:56 p.m. This motion was approved, 5-0.

**J)** Request from the City Manager to go into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A 405 (6) A.

Councilor Sanders, seconded by Councilor Hamilton, made a motion to go into Executive Session to discuss a personnel matter pursuant to 1 MRSA 405 (6) A at 9:56 p.m. This motion was approved, 5-0.

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 10:01p.m. 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 1 M.R.S.A 405 (6) E.

Councilor Mortier, seconded by Councilor Hamilton, made a motion to go into Executive Session to discuss a legal matter pursuant to 1 MRSA 405 (6) E at 10:01 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss a legal matter pursuant to 1 MRSA 405 (6) E at 10:05p.m. This motion was approved,5-0.

**K) Signing of Council Orders and housekeeping items.**

Council Order #19 Signed by Councilor Mortier, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$15,000 for repairs and improvements to City Park and the City Park playground. Funds are to come from the Parks Project Reserve account. (Approved on October 21, 2014)

Council Order #20 Signed by Councilor Hamilton, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$4,650 to purchase used assets from the departing Fixed Based Operator for continued use in the Belfast Airport. Assets include: two security systems, eight classroom chairs, three folding tables, one dehumidifier, one couch, two bistro sets, one AC, porch furniture, a storage building, one coke machine, and one snack machine. Funds are to come from the Airport Capital Reserve account. (Approved on October 21, 2014)

Council Order #21 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to accept a grant of \$5,000 from Our Town Belfast's Healthy Maine Grant Program. Funds are to go into a new Capital Project for exercise stations in Belfast City Park. (October 21, 2014)

## **11) Open to the Public**

No comments.

## **12) Communications**

Councilor Hurley informed the public that there will be a rock splitting party on November 1, 2014 at 11:00 am at the Belfast range way next to the Wentworth Event Center and Seng Thai, and that the Parks & Recreation Department and Chamber will be hosting a pumpkin carving party at the muck on Saturday, October 25<sup>th</sup> at 4:00 pm.

Councilor Mortier informed the public that the Rotary will be holding their Annual Pancake Breakfast on November 2, 2014, and that the 18<sup>th</sup> Annual New Year's by the Bay is in the works.

**13) Adjourn**

Councilor Sanders, seconded by Councilor Hamilton, made a motion to adjourn the meeting at 10:05p.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