

\*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, March 3, 2015  
7:00 p.m.**

**Public Hearing #1**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, March 3, 2015 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Rosamond Peters d/b/a Nautilus Seafood & Grill, LLC located at 95 Searsport Avenue, Belfast, Maine for a renewal Malt, Spirituous and Vinous restaurant/lounge liquor license.

Councilor Mortier 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 March 3, 2015 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Michael Casby d/b/a Trillium Events, Inc. located at 31 Pendleton Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous qualified caterer liquor license.

Councilor Mortier asked for proponents and opponents and hearing none declared the hearing closed.

**Public Hearing #3**

Pursuant to Belfast Victualer License Ordinance a public hearing will be held on Tuesday, March 3, 2015 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 Alessandro Scelsi d/b/a Meanwhile LLC located at 2 Cross Street, Belfast, Maine.

Councilor Moriter asked for proponents and opponents and hearing none declared the hearing closed.

**Regular Council Meeting No. 17**

**1) Call to order**

2) **Present:** Councilors Mary Mortier, Neal Harkness, Eric Sanders, Michael Hurley and John Arrison; City Manager Joseph Slocum and Admin. Assistant to the City Manager Manda Cushman.

**Absent:** Mayor Walter Ash, Jr.

### 3) Pledge of Allegiance

### 4) Adoption of the agenda

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

- Add item **10) L #1** 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.
- Add item **10) B #1** Request to enter into a Waldo County Incident Management Support Agreement.
- Add item **10) K #1** Request to obtain authority from the State to dump snow into the Bay.

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

### 5) Acceptance of the minutes

Regular Council Meeting of February 17, 2015.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the minutes from Regular Council Meeting of February 17, 2015. This was approved, 5-0.

### 6) Open to the public

1. Mike Cuning, Belfast spoke in favor of placing granite benches on the Foot Bridge and noted that he would like to donate one bench in honor of the late Peg Worth.
2. Sarah Tomalty, Amy Miller and Eric Kormann from Cornerspring Montessori in Belfast spoke about their plan to break ground this spring at a new location and aired a brief video about their program.
3. Breanna Pinkham Bebb, Director of Our Town Belfast gave an organization update noting the “Lunch & Learn” events that will take place at City Hall and the 80’s Party at Front Street Pub on March 12<sup>th</sup>.

### 7) Communications

Councilor Mortier noted to the public that Mayor Ash is out of town and has asked her to run the meeting in lieu of his absence.

Councilor Harkness thanked all involved this weekend at both the Snowball event at the Waterfall Arts and the CSA Fair at the Library.

Economic Development Director Thomas Kittredge informed the public about the following: OnProcess Job Fair, March 4<sup>th</sup> at the Hutchinson Center, Economic Development meetings including Our Town Belfast, the Belfast Area Chamber of Commerce, and Belfast Creative Coalition which will take place up to once a month, and gave a brief update on the discussion and possible proposal of broadband.

Councilor Hurley discussed plowing of City sidewalks and that he would like Council to consider for the upcoming budget the possibility of purchasing a new machine for next winter.

Councilor Arrison thanked all involved in Sundays Snowball event.

## 8) Old Business and Council Committee Reports

Councilor Sanders informed the Council that the Energy Committee will be meeting March 4<sup>th</sup> at 1:30 p.m. at City Hall and are considering the possibility of hiring a consultant to take an inventory of all City building lights.

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

- A. Request to approve an application by Rosamond Peters d/b/a Nautilus Seafood & Grill, LLC located at 95 Searsport Avenue, Belfast, Maine for a renewal Malt, Spirituous and Vinous restaurant/lounge liquor license.
- B. Request to approve an application by Michael Casby d/b/a Trullium Events, Inc. located at 31 Pendleton Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous qualified caterer liquor license.
- C. Request to approve an application by Alessandro Scelsi d/b/a Meanwhile LLC located at 2 Cross Street, Belfast, Maine for a new Victualer's License.

Councilor Hurley, seconded by Councilor Arrison, made a motion to accept the consent agenda. This motion was approved, 5-0.

## 10) Business

A) Further discussion and possible action on the placement of one or more granite benches on the Armistice Bridge (AKA Foot Bridge).

Councilor Hurley spoke about the history of the bridge and its lack of benches, and proposed to the Council to reconsider the idea of placing granite benches on the Armistice Bridge.

Councilors discussed design elements, placement and amount to purchase and install; agreeing to keep all benches and memorials on the benches consistent.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request to place up to eight granite benches (one of which will be donated in memory of Peg Worth) to be placed on both the east and west side on the Armistice Bridge (AKA Foot Bridge), and authorize the City Manager to coordinate the size and installation of these benches expending up to \$5,000 from the Foot Bridge Capital Reserve account. This motion was approved, 5-0.

**B) Request from Waldo County Emergency Office to use old runway at Airport as a staging area in the event of a major disaster.**

Waldo County Emergency Management Director Dale Rowley discussed the need to have a location to store any items that would be brought in during the state of emergency.

Councilors discussed the details of the request.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request from Waldo County Emergency Office to use old runway at Airport as a staging area in the event of a major disaster. This motion was approved, 5-0.

**B) #1 Request to enter into a Waldo County Incident Management Support Agreement.**

City Manager Joseph Slocum explained that this agreement comes into play when an incident is so big that it is beyond the resources of the community and allows the City of Belfast to work with the County to have them provide additional incident management support and resources.

Waldo County Emergency Management Director Dale Rowley explained that their Incident Management Personnel would not take over in an emergency, they would only provide additional manpower and support the Police Chief and Fire Chief who would still be what they refer to as the Incident Commander of our community.

No action was taken.

**C) General discussion on the implementation of emergency services response and incident support for Belfast and Waldo County.**

Waldo County Emergency Management Director Dale Rowley discussed what role Elected Officials play in the event of an emergency, and informed Council that there is a training that they can take to help them prepare to be an effective team member in lieu of an emergency.

Councilors discussed concerns with the agreement as presented, and would like to amend the Emergency Plan to include a clearer role for Elected Officials.

Waldo County Emergency Management Director Dale Rowley explained that this plan is the City of Belfast's plan and it is up to them to adopt or make any changes they deem necessary.

City Manager Joseph Slocum noted that he will draft something for Council consideration at the March 17<sup>th</sup> Council Meeting that addresses a clearer role for Elected Officials in the event of an emergency.

D) Discussion of a recommendation from the Harbor Committee to change City Harbor rules to allow a mooring owner in the Outer Harbor to keep their mooring if they use it at least once every two years.

Harbor Master Kathy Pickering discussed the recommendation from the Harbor Committee to regulate moorings in the Outer Harbor through a proposed change to the City Harbor rules that would allow a mooring owner in the Outer Harbor to keep their mooring if they use it at least once every two years.

Councilors discussed the reasoning for this rule, how it compares to the Inner Harbor, and how many mooring owners may be affected by this new rule if accepted.

City Manager Joseph Slocum noted that this is considered a First Reading, the Second Reading will take place at the March 17, 2015 Council Meeting.

Councilor Arrison, seconded by Councilor Hurley, made a motion to accept the recommendation from the Harbor Committee as a First Reading to change City Harbor rules to allow a mooring owner in the Outer Harbor to keep their mooring if they use it at least once every two years, the Second Reading will take place on March 17, 2015. This motion was approved, 5-0.

E) Request from the City Manager to approve a negotiated employment agreement with the Police Union.

City Manager Joseph Slocum discussed the two year negotiations with the Police Union including what this means for health care coverage and cost of living increases, and is pleased to present the Council with a formal agreement in which he is looking to the Council for authorization to accept and sign on behalf of the City.

Councilors thanked all involved in these negotiations including the City Manager, Unions, and City employees.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept request from the City Manager to approve a negotiated employment agreement with the Police Union, and authorized the City Manager to sign the two agreements on behalf of the City of Belfast. This motion was approved, 5-0.

F) Update on City effort to proceed to remove vegetation at or near the Airport that interferes with federally required airspace clearances.

Airport Manager Thomas Kittredge explained the difference between the projects that are currently being conducted at the Airport and that in regards to obstruction analysis and possible acquisition of new easements they have sent a letter to all abutters and are having a public presentation for anyone who is interested in learning more about the need to remove vegetation at or near the Airport that interferes with federally required airspace clearances on March 18<sup>th</sup> at Troy Howard Middle School starting at 6:30 pm.

City Manager Joseph Slocum clarified that any obstruction work that may take place in the future is maintenance work to maintain the existing Airport, there is no correlation to the possibility of expanding the Airport runway.

Councilors discussed the possibility of posting this letter to the City website and requested more information about the lack of a fuel tank at the Airport.

**G) Discussion and possible action on awarding a construction contract for the Downtown Revitalization Project.**

City Planner Wayne Marshall gave a brief history of the project and discussed the bidding process with the Council noting that after reviewing the bids and possible alternates the committee is recommending accepting the bids and awarding the bid for construction to Maine Earth.

Councilors discussed the bids, alternates to the bid and total cost of the project.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the bids for the Downtown Revitalization Project and to award the bid to Maine Earth. This motion was approved, 5-0.

**H) Consideration of a request to authorize short term borrowing (to be refinanced next year) for a variety of City Projects.**

City Manager Joseph Slocum discussed the three projects and the amount of funding that is needed for each: Downtown Revitalization Project, Front Street Reconstruction, and Clean-up of Maskers property. He requested from Council the authorization to short term borrow up to \$1,000,000 to be refinanced within the next 16 months.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to authorize short term borrowing (to be refinanced next year) for a variety of City Projects. This motion was approved, 5-0.

**I) Consideration of a request for a Poverty Tax Abatement.**

City Manager Joseph Slocum informed the public that this request has been previously discussed with Council within an Executive Session, and that they cannot state who this abatement is for or where the property is located for confidentiality purposes.

No discussion.

Councilor Sanders, seconded by Councilor Arrison, made a motion to grant the request for a Poverty Tax Abatement pursuant to 36 M.R.S.A. 841 (2) for the 2012 tax year inclusive of all interest and fees for a total sum of \$1435.87. This motion was approved, 5-0.

**J) Update on General Assistance.**

City Manager Joseph Slocum gave the Council an update on the General Assistance training that he recently took, informing the Council of how other City's compare to us in population and what they expend in General Assistance, and how to expand upon our own policy so that as a City we are utilizing General Assistance the best that we can.

Councilors discussed General Assistance policy and their feelings of being responsible to citizens to create a program that looks at the complete applicant and their needs.

Councilor Harkness, seconded by Councilor Mortier, made a motion to appoint City Manager Joseph Slocum and Office Assistant Nora McGrath as GA Administrators for the City of Belfast. This motion was approved, 5-0.

**K) Request from the City Manager to go into executive session pursuant to 1 M.R.S.A. 405 (6) E to discuss potential litigation with the City Attorney.**

Councilor Sanders, seconded by Councilor Hurley, made a motion to go into Executive Session to discuss potential litigation with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E at 10:12 p.m. This motion was approved, 5-0.

Councilor Hurley stepped away during this Executive Session.

Councilor Harkness, seconded by Councilor Sanders, made a motion to adjourn Executive Session to discuss potential litigation with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E at 10:50 p.m. This motion was approved, 4-0 (Councilor Hurley was absent for the vote).

**K) #1** Request to obtain authority from the State to dump snow into the Bay.

City Planner Wayne Marshall discussed the permit process to the Council.

No discussion.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to authorize the Public Works Director to pursue obtaining authority from the State to dump snow into the Bay, both this year as needed and next winter. This motion was approved, 5-0.

**L)** Discussion and possible action regarding Federal Court of Claims proceedings brought by Rail Trail abutters.

Councilor Sanders, seconded by Councilor Mortier, made a motion to authorize the City Attorney to participate in a legal communication, asking the court to invalidate easements given to abutters of the Rail Trail in exchange for the repayment of monies made by the City to acquire those easements in order to enable these abutters to pursue their federal claims against the Federal Government. This motion was approved, 4-0 (Councilor Hurley abstained).

**L) #1** 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 Harkness, seconded by Councilor Sanders, made a motion to go into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 10:52 p.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 M.R.S.A. 405 (6) A at 11:15 p.m. This motion was approved, 5-0.

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

Council Order #38 Signed by Councilors Mortier, Harkness, Sanders, Hurley and Arrison,  
Ordered That:

The City Council grants a Property Tax/Poverty Abatement pursuant to 36 M.R.S.A. 841 (2) for the 2012 tax year inclusive of all interest and fees for a total sum of \$1435.87.

Council Order #39 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to short term borrow up to \$1,000,000 for these three projects (Downtown Revitalization Project, Front Street Reconstruction, and Clean-up of Maskers Property) for up to 16 months.

**11) Open to the Public**

1. Breanna Pinkham Bebb, Our Town Belfast informed the public that they are conducting a call to artist for the Please Be Seated benches that are installed around town; submissions are due by March 18<sup>th</sup>.

**12) Communications**

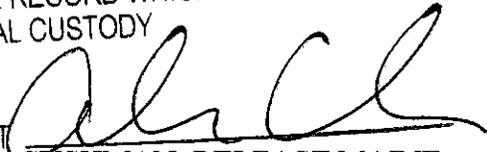
Councilor Hurley inquired about the status of the concession stand at City Park.

Councilor Harkness informed the Council that he is working on gaging public interest in a green cemetery.

**13) Adjourn**

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn the meeting at 11:15 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