

**City of Belfast**  
**Council Chambers-Belfast City Hall**  
**Tuesday, March 17, 2015**  
**6:15 p.m.**

The meeting will start at 6:15 p.m. for an Executive Session and will come back into a public session at 7:00 p.m.

Request from the City Manager to go into Executive Session to discuss a possible land transaction under 1 M.R.S.A 405 (6) C.

Councilor Mortier, seconded by Councilor Harkness, made a motion to go into Executive Session to discuss a possible land transaction pursuant to 1 M.R.S.A. 405 (6) C at 6:15 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Arrison, made a motion to adjourn Executive Session to discuss a possible land transaction pursuant to 1 M.R.S.A. 405 (6) C at 7:00 p.m. This motion was approved, 5-0.

**7:00 p.m.**

**Regular Council Meeting No. 18**

**1) Call to order**

**2) Present:** Mayor Walter Ash, Jr., 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.

**3) Pledge of Allegiance**

**4) Adoption of the agenda**

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

- Move item **10) O** to **10) D #1** Request from the Parks and Recreation Director for support for a private grant to upgrade the entrance around the flag pole at City Park.
- Add item **10) N #1** Request from the City Manager to go into Executive Session to discuss an economic development matter under 1 M.R.S.A 405 (6) C.
- Add item **10) N #2** Request from the City Manager to go into Executive Session to discuss acquisition of real property matter under 1 M.R.S.A 405 (6) C.
- Table item **10) L** Request from the City Manager for the Council to approve his administrative policies as City Policies for the handling of General Assistance applications in Belfast, until the April 7<sup>th</sup> Council Meeting.

Councilor Harkness, 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 March 3, 2015.

Councilor Arrison requested to amend the minutes to reflect under item 10) B #1 that no action was taken.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the minutes from Regular Council Meeting of March 3, 2015, as amended. This was approved, 5-0.

## **6) Open to the public**

1. Breanna Pinkham Bebb, Executive Director of Our Town Belfast informed the Council that they have extended the open call for Please Be Seated bench designs until April 6<sup>th</sup>, the Our Town Belfast Annual Meeting is March 26<sup>th</sup> at the Boathouse, and their first Lunch & Learn will be on March 24<sup>th</sup> in the Council Chambers at City Hall.

2. Ned Lightner, BelTV gave an annual review or the operations of the City's public access channel.

## **7) Communications**

City Manager Joseph Slocum wished everyone a Happy St. Patrick's Day, he informed the public that the Ice Rink is officially closed for the season, and that tomorrow at the Troy Howard Middle School they will be having a public information meeting regarding the Airport Obstruction Analysis.

Mayor Ash thanked Councilor Mortier for stepping in while he was away; he also noted that he was approached by a Searsport Select Board member wondering if the Belfast City Council would be willing to conduct a Work Session with them regarding Economic Development. Council agreed to set up a Work Session.

Councilor Hurley thanked Ned and BelTV for all that they do for the community; he addressed Belfast making National news regarding the Pledge of Allegiance.

City Planner Wayne Marshall gave a brief update on the Downtown Revitalization Project, noting that construction is not planned to begin until early July 2015.

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

No discussion.

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

- A. Request to approve a Facility Use application by The American Lung Association for the 2015 Trek Across Maine event to be held in Belfast on Sunday, June 21<sup>st</sup>.

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

**10) Business**

- A) Request from the Fire Chief to name Michael Sealy as a full time paramedic.

No discussion.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request from the Fire Chief to confirm Michael Sealy as a full time paramedic. This motion was approved, 5-0.

- B) Request from the Earth Day's / Waldo County Committee to use City Facilities:

#1 Use the Boathouse for free on Sunday, April 26.

#2 To conduct Earth Day activities at Steamboat Landing that same day.

#3 To run a non-motorized parade from Waterfall Arts to the Boathouse from 11:00 a.m. to noon.

David Smith, Earth Day Committee Member reviewed the committee request to have the Boathouse at no cost and suggested that the committee provide some kind of service to the City in return.

Bev Roxby, Earth Day Committee Member discussed the preliminary schedule of events.

Councilors discussed possible in-service projects.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from the Earth Day Committee to use the Boathouse for free on Sunday, April 26<sup>th</sup>; to conduct Earth Day activities at Steamboat Landing that same day; and to run a non-motorized parade from Waterfall Arts to the Boathouse from 11:00 a.m. to noon. This motion was approved, 5-0.

- C) Request from the Parks Department, the YMCA and several other local groups to allow for the closure of Main Street between High Street and Church Street from 4:00 p.m. to 4:30 p.m. on Wednesday, April 1, 2015 as part of a Hawaiian Day Belfast Celebration.

Parks and Recreation Director Norm Poirier explained the request and how it evolved.

Councilors inquired about the details of the request including the short time frame for the event and what activities would be planned for those 30 minutes.

Councilor Hurley, seconded by Councilor Arrison, made a motion to accept the request from the Parks Department, YMCA and other local groups to allow for the closure of Maine Street between High Street and Church Street from 4:00 p.m. to 4:30 p.m. on Wednesday, April 1, 2015 as part of Hawaiian Day Belfast Celebration. This motion was approved, 5-0.

**D)** Request from the Belfast Co-op to close High Street from Main Street to Beaver Street on August 22, 2015 as part of their Annual Community Appreciation Day.

Parks and Recreation Director Norm Poirier and Councilors thanked the Belfast Co-op for accommodating other City events by changing their annual event day.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from the Belfast Co-op to close High Street from Main Street to Beaver Street on August 22, 2015 as part of their Annual Community Appreciation Day. This motion was approved, 5-0.

**D) #1** Request from the Parks and Recreation Director for support for a private grant to upgrade the entrance around the flag pole at City Park.

Parks and Recreation Director Norm Poirier reviewed the request.

Councilors discussed design elements, requesting from the Parks Department that the design proposal be brought back to Council before the project is finalized.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from the Parks and Recreation Director and to give support for a private grant to upgrade the entrance around the flag pole at City Park. This motion was approved, 5-0.

**E)** Second Reading of proposed changes to the Harbor Ordinance Chapter 30 Sections 30 –32 and 30 –94 as follows:

#1 Defines both resident and non-resident Commercial Fishermen and Commercial Businesses and #2 Establishes a priority for assigning moorings under these definitions.

Harbormaster Kathy Pickering explained the reasoning for requesting these changes to the Harbor Ordinance.

No discussion.

Councilor Arrison, seconded by Councilor Mortier, made a motion to accept the Second Reading of proposed changes to the Harbor Ordinance Chapter 30 Sections 30-32 and 30-94. This motion was approved, 5-0.

F) Request from Our Town Belfast to post signage in the Downtown.

Breanna Pinkham Bebb, Executive Director of Our Town Belfast reviewed the request which would add pedestrian signage to Downtown trash cans, explaining that they have budgeted to do 12 signs (2 on each trash can), which would be painted blue to match the rest of the Belfast traffic signage.

Councilors discussed design elements, ultimately deciding that they would approve the concept but would like to see one painted trash can before deciding on the color.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request from Our Town Belfast to post signage in the Downtown, requesting to see one trash can painted before it is finalized. This motion was approved, 5-0.

G) Second Reading of proposed changes to the Harbor Ordinance Chapter 30, Section 30 –164 which makes clear that moorings in the Outer Harbor or Coastal Harbors, which have not been used for two years, may be considered as abandoned.

No discussion.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the Second Reading of proposed changes to the Harbor Ordinance Chapter 30, Section 30-164. This motion was approved, 5-0.

H) Request from the City Manager to:

#1 Close out certain Capital Projects because they are completed.

#2 Combine certain Capital Projects because they are related to the same issues.

City Manager Joseph Slocum explained his request to close certain Capital Projects, returning funds to Surplus and to combine certain Capital Project such as those relating to energy in which the City is currently working on addressing.

Councilor Hurley suggested to the Council to consider placing funds into a project such as the Rail Trail rather than into Surplus.

Council agreed to return any remaining funds to Surplus.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the request from the City Manager to close out certain Capital Projects and to combine certain Capital Projects. This motion was approved, 5-0.

**I)** Update from the Economic Development Director on the issue of extending broadband technology in Belfast.

Economic Development Director Thomas Kittredge gave a brief update on this issue; he explained that to do a survey would help determine what the need for broadband is in Belfast and requested that the City create a small committee to assist with this assessment.

Councilors discussed the type of survey that might be done and who it would be targeted to; they also gave input on how many people should comprise the committee and suggested members of the community that may have valuable knowledge on the subject, ultimately agreeing to move forward with the creation of this committee which would have no more than 3 members.

**J)** Consideration of a request from the Planning Department to accept bids on the removal of ledge at the intersection of Route 1 and Route 141 and to consider awarding the bid.

Assistant City Planner Sadie Lloyd discussed with Council the bids, requesting that Farley & Sons, who came in as the lowest bidder be awarded this project. She explained that although Council is awarding this bid tonight, it is still subject to approval by the Maine Department of Transportation and the Federal Highway Administration before the project can move forward.

Council discussed the details of the project, noting possible timeline and plans for the removal of the ledge.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the bids and award the bid for the Rte 1 and Rte 141 project to the lowest bidder, Farley & Sons, in the amount of \$58,309, subject to approval of this award by the Maine Department of Transportation and the Federal Highway Administration. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Arrison, made a motion to authorize the Code & Planning Department to secure, pursuant to MDOT and FHWA requirements, inspection services for the Rte 1 and Rte 141 project for an amount no to exceed \$10,000. This motion was approved, 5-0.

**K)** Update from the Planning Director on environmental cleanup issues along Washington Street and possible relocation of electric poles in this area.

City Planner Wayne Marshall gave an update on the project discussing with the Council changes in time frame.

Councilors discussed the project and the different elements of it such as the clean-up and relocation of CMP poles.

**L)** Request from the City Manager for the Council to approve his administrative policies as City Policies for the handling of General Assistance applications in Belfast.

Tabled until April 7<sup>th</sup>, 2015 Council Meeting.

**M)** Request from CMP to replace certain telephone poles along Route 141.

Councilor Hurley discussed concerns with granting CMP authority to move poles, when so many have been moved, yet the original pole remains because no one is insuring that cable and telephone wires get transferred to the new CMP poles.

City Manager Joseph Slocum suggested informing CMP that he will not authorize the request from CMP to move certain poles along Route 141 until CMP removes old poles throughout the City, he will inform Council of any progress made.

**N)** Consideration of possible appointments to the Mid-Coast Planning Commission.

City Manager Joseph Slocum informed the Council that seven members needed to be selected by April 10<sup>th</sup>.

Council requested more information about what the Commission does, and who these candidates are.

City Planner Wayne Marshall explained briefly about the Commission.

Council decided to table the issue until April 7, 2015 Council Meeting, to provide time to think about it and gather more information about the candidates.

N) #1 Request from the City Manager to go into Executive Session to discuss an economic development matter pursuant to 1 M.R.S.A 405 (6) C.

Councilor Sanders, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss an economic development matter pursuant to 1 M.R.S.A. 405 (6) C at 9:37 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Arrison, made a motion to adjourn Executive Session to discuss an economic development matter pursuant to 1 M.R.S.A. 405 (6) C at 9:47 p.m. This motion was approved, 5-0.

N #2 Request from the City Manager to go into Executive Session to discuss acquisition of real property matter pursuant to 1 M.R.S.A 405 (6) C.

Councilor Mortier, seconded by Councilor Sanders, made a motion to go into Executive Session to discuss acquisition of real property matter pursuant to 1 M.R.S.A. 405 (6) C at 9:47 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss acquisition of property real matter pursuant to 1 M.R.S.A. 405 (6) C at 9:57 p.m. This motion was approved, 5-0.

O) Signing of Council Orders and housekeeping items.

Council Order # 40 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$5,000 to purchase seven granite benches that will be placed on the Armistice Bridge (aka Foot Bridge). Funds will come from the Please Be Seated Armistice Bridge Capital Project Account (730-779).  
(Approved March 3, 2015)

Council Order # 41 Signed by Councilor Sanders, Ordered That:

**Amendments to the City of Belfast Harbor Ordinance:  
Suspension or Termination of Mooring Assignment**

**Editor's Note: Underlined language is to be added to the Harbor Ordinance**

**First Reading: March 3, 2015**

**Second Reading: March 17, 2015**

**DIVISION 6. MOORINGS**

**Sec. 30-164 - Suspension or termination of mooring assignment.**

The harbormaster may suspend or terminate the mooring assignment of any mooring owner for noncompliance with the application rules, construction standards or marking standards, or failure to comply with any order of the harbormaster given according to the provisions of this article.

All mooring and moored float permit holders with sites located in the inner harbor and whose moorings/moored floats are not used as permitted at least 50% of the time for three consecutive months during the calendar year may have their mooring/moored float deemed abandoned and removed by the City. All mooring and moored float permit holders with sites located in the outer and coastal harbors, whose moorings /moored floats are not used as permitted at least every two years, may have their mooring /moored float deemed abandoned and removed by the City. The harbormaster may grant exceptions to this section either upon advance request or on appeal made within 30 days of issuance of the written notice of abandonment. Such requests shall be granted only upon proof of extenuating circumstances such as selling the boat, inability to use the boat, or other reasonable unforeseen situations, and upon a showing of definite intent to use the mooring as provided herein. In the event any exceptions are made to this section, all fees and inspections must remain current.

(Ord. No. 55-2003, 6-17-2003; Amd. of 5-2-2012)

(Approved March 17, 2015)

Council Order #42 Signed by Councilor Arrison, Ordered That:

**Amendments to the City of Belfast Harbor Ordinance:  
Commercial Definitions**

**Editor's Note: Underlined language is to be added to the Harbor Ordinance. Language that is stricken through is to be removed.**

**First Reading: January 20, 2015**

**Second Reading: March 17, 2015**

**DIVISION 1. GENERALLY**

**Sec. 30-32 – Definitions.**

**Resident Commercial Fisherman:**

A person who occupies a dwelling in the City of Belfast for More than 180 days in a calendar year, who holds a commercial Marine License issued by the Department of Marine Resources, and who requires use of a moored vessel to earn a substantial portion of his or her income through fishing.

**Resident Commercial Business:**

A business that has its principal place of business within the City of Belfast and that provides marine-related services including but not limited to construction, service, storage, or maintenance of vessels, mooring inspections, charters, launch services, or other services to boaters such as food or supplies. In order to receive a mooring permit, a Resident Commercial Business shall demonstrate to the satisfaction of the Harbor Master that it requires use of a mooring as an operational necessity of its business.

**Non-resident Commercial Fisherman:**

A person who holds a Marine License issued by the Department of Marine Resources, and who requires use of a moored vessel to earn a substantial portion of his or her income through fishing, but does not occupy a dwelling in the City of Belfast for more than 180 days in a calendar year.

**Non-resident Commercial Business:**

A business that provides marine-related services including but not limited to construction, services, storage, or maintenance of vessels, mooring inspections, charters, launch services or other services to boaters such as food or supplies, but does not have its principal place of business within the City of Belfast. In order to receive a mooring permit, a Non-resident Commercial Business shall demonstrate to the satisfaction of the Harbor Master that it requires a mooring as an operational necessity of its business.

**DIVISION 4. BELFAST HARBOR**

**Sec. 30-94 – Commercial mooring area.**

The commercial mooring area is defined on the south by a line parallel to the outer section of the north side of the breakwater, point “C” to the east side of Belfast Harbor, point “D” and on the north by the footbridge. Mooring sites shall be assigned by the following priority guidelines as space allows:

- (1) Shorefront owner.
- (2) ~~Resident commercial fishing vessel.~~ Resident Commercial Fisherman.
- (3) ~~Resident commercial vessel.~~ Resident Commercial Business.
- (4) ~~Resident commercial mooring.~~ Non Resident Commercial Fisherman.
- (5) ~~Non-resident commercial vessels.~~ Non Resident Commercial Business.
- (6) Other.

(Ord. No. 55-2003, 6-17-2003; Ord. of 2-15-2011)

(Approved March 17, 2015)

**11) Open to the Public**

No comments.

**12) Communications**

Councilor Hurley inquired about the Snack Shack at the City Park.

Councilor Sanders discussed possible pay raise for Governor LePage.

City Manager Joseph Slocum noted a request that came in regarding the National Day of Prayer and to use a public space to congregate.

Councilor Arrison inquired about the grant for the Rail Trail.

Councilors discussed possible dates for City Budget Sessions; dates were set for April 29<sup>th</sup> from 12:00 p.m. to 6:00 p.m. and May 13<sup>th</sup> from 12:00 p.m. to 6:00 p.m.

Councilors discussed possible dates and locations for Department visits; March 26<sup>th</sup> at 10:00 a.m. was set for the Transfer Station, the next location will be the Public Works Garage with date and time to be determined.

**13) Adjourn**

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn the meeting at 10:58 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