

**City of Belfast**  
**Council Chambers-Belfast City Hall**  
**Tuesday, April 7, 2015**  
**7:00 p.m.**

**Public Hearing #1**

The City of Belfast will hold a Public Hearing on Tuesday, April 7<sup>th</sup>, 2015 at 7:00 PM, immediately prior to its regularly-scheduled City Council meeting, in the Council Chambers of Belfast City Hall, 131 Church Street, Belfast, Maine, to discuss an application being submitted to the State of Maine CDBG program for an Economic Development Program grant of up to \$300,000. The purpose of the request is to provide funding to Front Street Shipyard to be used to purchase equipment and utility vehicles.

Public comments will be solicited at this Hearing and will be submitted as part of the application's required documentation. All persons wishing to make comments or ask questions about the proposal are invited to attend this Public Hearing. Comments may be submitted in writing to: Thomas Kittredge, Economic Development Director, City of Belfast, 131 Church Street, Belfast, Maine 04915, or via e-mail to [economicdevelopment@cityofbelfast.org](mailto:economicdevelopment@cityofbelfast.org) at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the City's programs or services, please call Thomas Kittredge, Economic Development Director, at (207) 338-3370, extension 16, so that accommodations can be made.

Mayor Ash asked for proponents and opponents.

1. Dorothy Havey, Special Assistant, Office of the Senate President spoke on behalf of Senator Thibodeau in support of the City of Belfast and Front Street Shipyard's application for this CDBG grant; and expressing that Senator Thibodeau's Office is very pleased to hear about the continued momentum of economic growth in Belfast.
2. Karen Bresnyak, Executive Director of the Belfast Area Chamber of Commerce expressed support of this application and is very proud of all the new things that Front Street Shipyard has brought to Belfast and hope that they continue their success and job opportunities that they bring to this City.

Mayor Ash declared the hearing closed.

**Public Hearing #2**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on April 7, 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 the Moorings Oceanfront Resort Inc. d/b/a Papa J's located at 193 Searsport Avenue, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior.

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 April 7, 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 Anne Saggese d/b/a Belfast Farmer's Market located at Waterfall Arts, 256 High Street, Belfast, Maine for a renewal, wine or malt liquor license.

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

### **Regular Council Meeting No. 19**

#### **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**

#### **3) Adoption of the agenda**

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

- Add item **10) R #1** Request to go into Executive Session to discuss and Economic Development matter pursuant to 1 M.R.S.A. 405 (6) C. (this was changed to item **10) R #2** later in the meeting).
- Note: The public hearing for OnProcess that was scheduled and advertised for this meeting has been cancelled until further notice.

Councilor Arrison, 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 March 17, 2015.

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

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

1. Kimberly Calas, Executive Director of Belfast Creative Coalition announced, with the cooperation of Launchpad, they will be putting on a spring music festival this year hoping to fill the shoes of the Free Range Music Festival.
2. Meg Shorette, Executive Director of Launchpad spoke about the music festival which will take place this May 15<sup>th</sup> & 16<sup>th</sup>, they are looking for volunteers, if interested please reach out to the Belfast Creative Coalition.
3. Jay Davis, Chair of the Board of Directors for the Restorative Justice Project of the Midcoast spoke about their mission and what their request for City funding could do for the community.
4. Mickey Sirota, spoke on behalf of the Belfast Harbor Fest's request for City funding for their 6<sup>th</sup> Annual Harbor Fest this August.
5. Steve Ryan, Friends of Midcoast Maine spoke about bringing the Community Institute #3 to Belfast on May 7<sup>th</sup> & 8<sup>th</sup> with the topic of "Downtowns and Locally Owned Businesses." He requested that the Council consider being a co-sponsor of this event and if they would be willing to ask Maine Municipal Association to publicize this event to their members. (Council added this request to the agenda as topic **10) R #1**, changing the Executive Session on Economic Development to **10) R#2**)
6. Ann Hallee, 129 Lincolnville Ave., spoke about concerns with losing trees along her property due to the airport obstruction analysis.
7. Rob Dietz, Airport Project Advisory Committee member spoke about continued concerns and questions that many abutters of the Airport have about this obstruction analysis and possible cutting of these obstructions.

## **7) Communications**

City Manager Joseph Slocum presented the following "Expressions of Legislative Sentiments" from Senate President Michael D. Thibodeau:

- Arts in the Park, accepted by Chair of the Friends of Belfast Parks Chris Urick
- City of Belfast Parks & Recreation Director Norm Poirier
- City of Belfast Harbor Walk, accepted by Mayor Walter Ash

Councilor Sanders thanked the Young Voices of Waldo County for attending the meeting and showing interest in local government.

Councilor Harkness thanked the Young Voices of Waldo County, and urged citizens to help if they can Spectrum Generations who are experiencing cuts to their Meals on Wheels program.

Councilor Mortier informed the public that the Belfast Rotary will be having their spring Pancake Breakfast this Sunday, April 12<sup>th</sup> which will help support local soup kitchens and food pantries.

## 8) Old Business and Council Committee Reports

Councilor Hurley gave an Energy Committee update; their next meeting is April 8<sup>th</sup> at 2:00 p.m.

Councilor Sanders gave an update on RSU 71.

David Crabel, RSU 71 School Board Chair gave a brief update on the Boards current budget meetings.

Discussion and consideration of a request to appoint Bruce Osgood as a member of the Belfast Water District Trustees, term to expire on July 1, 2018.

Councilor Mortier, seconded by Councilor Harkness, made a motion to appoint Bruce Osgood as a member of the Belfast Water District Trustees, term to expire on July 1, 2018. This was approved, 5-0.

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

- A. Request to approve an application by the Moorings Oceanfront Resort Inc. d/b/a Papa J's located at 193 Searsport Avenue, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior.
- B. Request to approve an application by Anne Saggese d/b/a Belfast Farmer's Market located at Waterfall Arts, 256 High Street, Belfast, Maine for a renewal, wine or malt liquor license.
- C. Request by the Chief of Police to confirm Dean Jackson as a part-time Patrol Officer for the Belfast Police Department.
- D. Request by the Chief of Police to confirm Timothy Davis as a part-time Patrol Officer for the Belfast Police Department.
- E. Request by the Chief of Police to confirm Russell Stickney as a part-time Parking Enforcement Officer for the Belfast Police Department.
- F. Request by the Chief of Police to confirm Madison Littlefield as a part-time Parking Enforcement Officer for the Belfast Police Department.

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

## 10) Business

A) Presentation to the Belfast Rotary to honor and thank them for 90 years of continuous service to this City.

City Manager Joseph Slocum presented John Carrick, Belfast Rotary President with a resolution and certificate of recognition for 90 years of continuous service to this City.

John Carrick thanked the Mayor and City Council.

B) First Reading on a request to amend Zoning Ordinance to change the zoning for the property at 179 Congress Street from a Residential 3 Zone to a Residential 2 Zone.

City Planner Wayne Marshall discussed the request to change the zoning for the property located at 179 Congress Street from a Residential 3 Zone to a Residential 2 Zone so that they can pursue having a horse stable on their property.

This is a First Reading of the proposed change, the Second Reading and Public Hearing will taking place at the May 5<sup>th</sup> Council Meeting.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the First Reading of an amendment to the Zoning Ordinance to change the zoning for the property at 179 Congress Street from a Residential 3 Zone to a Residential 2 Zone, the Second Reading & Public Hearing will take place on May 5, 2015. This motion was approved, 5-0.

C) Further consideration of a request from Our Town Belfast to place “way finding” signs on Downtown garbage bins.

Councilors discussed issues regarding the color and signage, unanimously deciding to move forward with painting the garbage bins blue. (Council approved the signage and painting of the bins at the March 17<sup>th</sup> Council Meeting)

D) Consideration of Council approval for 15 commercial mooring permits for the Front Street Shipyard outside the Inner Harbor.

Harbor Master Kathy Pickering discussed the request which includes relocating Front Street Ship Yard and Belmont Boatworks moorings out of the FNP (Federal Navigation Project) which does not allow commercial moorings, she requested that the Council approve the requested moorings from Front Street Ship Yard and Belmont Boatworks and to authorize them to ask mooring owners to switch locations with them for which they will pay, not for their location, but for the moving of the mooring only.

Councilors discussed how locations will be allocated to each business and how the Committee came to the number of moorings for each business that they did.

Dan Miller of Belmont Boatworks and member of the Harbor Committee discussed with Council some of the issues and complications that they Committee are trying to address.

JB Turner of Front Street Ship Yard explained how the impact of the mooring locations could impact the grant funding that they have received to improve these moorings.

Councilors discussed the City Council writing a letter to recreational mooring owners to assist with generating interest in switching mooring locations with Front Street Ship Yard and Belmont Boatworks.

Councilor Hurley, seconded by Councilor Sanders, made a motion to authorize the Harbor Master to give the moorings as requested to Front Street Ship Yard and Belmont Boatworks, either through exchanging with recreational mooring owners or to find alternate locations outside of the FNP, and to authorize the City Manager to write a letter on behalf of the City Council to send to recreational mooring owners outside of the FNP to help generate possible mooring locations; with the ultimate goal of creating an Outer Harbor Management Plan to help address these issues. This motion was approved, 4-1, Councilor Arrison was opposed.

E) Consideration of a request from the Front Street Shipyard to store a mast on City property.

City Planner Wayne Marshall and JB Turner of Front Street Shipyard discussed the request with the Council to store a mast on City property, noting possible options for a location as well as the length of time they would need to store it for.

Councilors discussed the proposed locations and how or if they may conflict with both the construction of Front Street Shipyard's building #6 and the removal of the Masker's property.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from Front Street Shipyard to store a mast on City property at this point being flexible on the exact location until more information is brought forward at the May 5, 2015 Council Meeting about upcoming projects. This motion was approved, 5-0.

F) Request from the Economic Development Director to authorize a resolution on behalf of Front Street Shipyard to support an application for a Community Development Block Grant.

Economic Development Director Thomas Kittredge discussed the grant, requesting that the City Council support this application with a resolution on behalf of the Front Street Shipyard.

Councilor Arrison requested clarification on aspects of the application.

Councilor Hurley, seconded by Councilor Mortier, made a motion to authorize a resolution on behalf of Front Street Shipyard to support an application for a Community Development Block Grant. This motion was approved, 5-0.

G) Update from the Economic Development Director on the status of removing trees that obstruct the airspace at the Airport and a request to move \$5,000 from the Airport Runway Capital Reserve to pay for fees required for a Maine DEP permit associated with this work.

Economic Development Director and Airport Manager Thomas Kittredge explained that the request for \$5,000 is to pay for fees required for a Maine DEP permit associated with the work to assess tree obstruction in the airspace at the Airport because of the potential impact to wetlands in the area.

Councilors discussed the obstruction analysis project and the possible impact on abutters of the airport as well as the importance of communication and transparency between both the City and the community about all aspects of this project.

Councilor Harkness, seconded by Councilor Hurley, made a motion to accept the request to move \$5,000 from the Airport Runway Capital Reserve to pay for fees required for a Maine DEP permit. This motion was approved, 5-0.

**H) Consideration of a request to allow the owner of Rollie's to apply for a permit to expand their business on City owned property.**

City Planner Wayne Marshall explained the request and is suggesting the Council allow the owner of Rollie's to apply for a permit; even though the owner does not currently have possession or a purchase of sale agreement for the City property he would like to own; so that the owner may begin moving the project forward with making improvements to the property that he already owns. To do this the owner of Rollie's would need to begin the design review process. City Planner is recommending that the full plan be brought before the Design Review Committee rather than be presented in a chopped up manner.

Councilors also discussed a proposal for electrical, transformer, propane tank and dumpster locations which would serve Rollie's.

Councilors also discussed the requirement for the owner of Rollie's to pay the City's cost to hire an appraiser; City Planner Wayne Marshall noted that Fred Bucklin is available to do the commercial appraisal and is looking for approval from Council to hire Mr. Bucklin for the appraisal.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from the owner of Rollie's to apply for a permit to expand their business on City owned property, unanimously accepting the proposal for propane and opposing both the proposal for dumpster and electrical locations; and to approve the City Planner to hire Fred Bucklin to do the commercial appraisal which the owner of Rollie's will pay for, the owner of Rollie's and the Planning Department will come back before Council for final approval. This motion was approved, 5-0.

**I) Request from Broadreach for free use of the Boathouse.**

Parks and Recreation Director Norm Poirier and Sue DiRosario of Broadreach explained the request for free use of the Boathouse and explained what service project they plan to do in exchange.

Councilors discussed the two events and the service project.

Councilor Harkness, seconded by Councilor Sanders, made a motion to accept the request from Broadreach for free use of the Boathouse. This motion was approved, 5-0.

J) Updates from the Parks and Recreation Director.

Parks and Recreation Director Norm Poirier gave updates on the Earth Day Committee service projects for free use of the Boathouse, the Snack Shack at City Park (proposal will be brought before Council at their April 21<sup>st</sup> Council Meeting), and developments with the Muck dredging project.

K) Consideration of a request to appoint members to a Broadband Investigation Committee.

Councilor Mortier recommended appointing the members as presented in the Council packet.

Councilors Hurley and Arrison discussed Councilor Arrison's role within the Committee.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept Roger Lee, Declan O'Connor, Will Martell, and Cheryl Fuller as members of the Broadband Investigation Committee, with John Arrison as the Council representative and Thomas Kittredge as the City employee support. This motion was approved, 5-0.

L) Request to set a date for bid and possible sale of 6 properties that have been automatically foreclosed upon for failure to pay 2012 property taxes and a sewer lien.

City Manager Joseph Slocum requested to set a date for bid on July 21, 2015 which would include the pervious properties from last year along with these additional 6 properties for this year.

Councilor Hurley, seconded by Councilor Mortier, made a motion to set July 21, 2015 as the bid date for the possible sale of six properties that have been automatically foreclosed upon for failure to pay 2012 property taxes and a sewer lien. This motion was approved, 5-0.

M) Request from the Cemetery Superintendent for permission to go out to bid for a new truck. Cemetery Superintendent Steve Boguen explained that the request is due to the fact that his current truck will not pass inspection due to rust.

Councilors discussed the condition of the truck.

Cemetery Superintendent Steve Boguen will bring the bid results back before Council for approval at a future date.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request from the Cemetery Superintendent for permission to go out to bid for a new truck. This motion was approved, 5-0.

N) Request from the Cemetery Superintendent to waive the bid process on a multi-year effort to clean and re-point the grave stones in Grove Cemetery.

Cemetery Superintendent Steve Boguen explained the request which will be a 3-4 year project and the different proposals that he received for the project, He along with the Trustees are recommending to use the services of Thomas Stevens of Newcastle in the amount of \$121,000, funds coming from the Cemetery Trust Funds.

Councilor Harkness, seconded by Councilor Arrison, made a motion to accept the request from the Cemetery Superintendent to waive the bid process on a multi-year effort to clean and re-point the grave stones in Grove Cemetery. This motion was approved, 5-0.

O) Request from the Planning Office to amend the award for reconstruction at the intersection of Route 1 and Route 141.

City Planner Wayne Marshall explained the request, noting that the original awarding of the bid to Farley & Sons is okay, the amendment is due to MDOT requesting an onsite inspector all the time. This means that they are requesting authorization to increase the amount for inspection for the project from \$10,000 to \$21,000 and to approve up to \$6,046 in City funds which will come from the Undesignated Fund Balance to cover inspection cost.

Councilor Arrison, seconded by Councilor Hurley, made a motion to increase the amount authorized for project inspection from \$10,000 to \$21,000, and approve up to \$6,046 in City funds to cover inspection costs, funds coming from the Undesignated Fund Balance and to retain the \$5,000 contingency. This motion was approved, 5-0.

P) Request from the City Manager for the Council to approve policies for the administration of the City's General Assistance Program.

City Manager Joseph Slocum discussed that these policies have been vetted by the City Attorney and since edited for grammatical errors, he is requesting that the City Council approve these policies to assist in the City Manager's management of the City's General Assistance Program.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept to approve policies for the administration of the City's General Assistance Program. This motion was approved, 5-0.

**Q)** Request from the Economic Development Director to transfer \$100 out of the City's Downtown Waterfront TIF to be used to pay attorney's fees.

Economic Development Director Thomas Kittredge explained the need for these attorney's fees, requesting transfer of \$100 out of the City's Downtown Waterfront TIF to be used to pay for these fees.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from the Economic Development Director to transfer \$100 out of the City's Downtown-Waterfront TIF to be used to pay attorney's fees. This motion was approved, 5-0.

**R)** Request for a signature on a financial representation letter to the auditor.

City Manager Joseph Slocum explained the purpose of the financial representation letter, and requested one Council member to sign it with him. Councilor Sanders signed as the Councilor representation.

**R) #1** Consideration and discussion on two request from the Friends of Midcoast Maine; one to have the City of Belfast co-sponsor their Community Institute programs in May, and two to request to the Maine Municipal Association (MMA) that they publicize this event to their members.

Councilors discussed co-sponsoring the Community Institutes programs in May, using \$500.00 from the Comprehensive Plan Reserve Account and to request two scholarships to this event for interested members of the Design Review Committee.

Councilors discussed and unanimously supported the request to write to MMA requesting that they publicize this event to their members.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the requests from the Friends of Midcoast Maine; one to have the City of Belfast co-sponsor their Community Institute programs in May, and two to request to the Maine Municipal Association (MMA) that they publicize this event to their members. This motion was approved, 5-0.

**R) #2** Request to go into Executive Session to discuss an Economic Development 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 an Economic Development matter pursuant to 1 M.R.S.A. 405 (6) C at 11:00 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Arrison, made a motion to go out of Executive Session to discuss an Economic Development matter pursuant to 1 M.R.S.A 405 (6) C at 11:14 p.m. This motion was approved, 5-0.

S) Signing of Council Orders

Council Order #43 Signed by Councilor Mortier, Ordered That:

The City Manager and the City Treasurer are authorized to close the following Capital Projects and return any remaining funds to Surplus:

| <u>Account #</u> | <u>Project</u>              | <u>Return \$ to Surplus</u> |
|------------------|-----------------------------|-----------------------------|
| 730-640          | Supervisor Training         | \$128.38                    |
| 730-644          | Healthy Waldo               | \$334.34                    |
| 730-673          | Town Clock                  | \$3,910.34                  |
| 730-677          | TA CDBG                     | \$2,756.30                  |
| 730-683          | Harbor Restrooms/Insulation | \$1,319.00                  |
| 730-728          | Aerial Photos               | \$16.18                     |
| 730-736          | Rt #3 Corridor              | \$1,716.68                  |
| 730-751          | Northport Ave Sidewalk      | \$64.94                     |
| 730-760          | Restore Cemetery Chapel     | \$45.00                     |
| 730-780          | Blockhouse repairs          | \$3,803.64                  |
| 730-792          | Maine Bike Coalition        | \$1,797.00                  |

Total funds to return to Surplus: \$15,891.80

The City Manager and the City Treasurer are authorized to close the following Capital Projects and to pay off any remaining balance from Surplus:

| <u>Account #</u> | <u>Project</u>            | <u>Pay off with Surplus</u> |
|------------------|---------------------------|-----------------------------|
| 730-665          | Skating Rink              | \$400.16                    |
| 730-747          | Leadership Maine          | \$373.49                    |
| 730-748          | City Hall Server          | \$1,068.11                  |
| 730-756          | Harbor Hoist              | \$1,500.00                  |
| 730-776          | City Hall Copiers         | \$363.00                    |
| 730-808          | Inner Harbor Study        | \$0.02                      |
| 730-820          | Solar Panels Fire Station | \$88.00                     |

Total balance to be paid from Surplus: \$3,792.78

The City Manager and the City Treasurer are authorized to combine the following Capital Projects:

1. Add 720-801 Planning Consultant \$27,000.00  
into 730-627 Comp Plan Consultant -\$2,034.18 = \$24,965.82

2. Add 730-712 Climate Protection \$324.75,  
730-740 Efficiency Audit Grant \$2,800.00, and  
730-782 Police Station Weatherization \$1,688.00  
into 730-643 Energy Initiatives \$3,953.05 = \$8,765.80
3. Add 730-775 T. Station recycle \$2,632.79  
into 730-805 T. Station Office \$2,425.00 = \$5,057.79
4. Capital Project to be closed, and to be paid from first by the existing Downtown TIF Funds because it was the money spent to initially set up the Downtown TIF Project. The City Manager and the City Treasurer are authorized to pay and close:

730-682 Community Development with \$5,815.92 paid by 730-638 Downtown TIF  
(Approved on March 17, 2015)

Council Order #44 Signed by Councilor Harkness, Ordered That:

The City Manager and the City Treasurer are authorized to transfer up to \$5,000 from the Airport Runway Capital Reserve Account to the expense account for the environmental analysis and data collection for airspace obstruction project (730-795) for the Belfast Municipal Airport; and to pay for fees of up to \$5,000 required for a Maine Department of Environmental Protection Permit out of that account which was established for this project (730-795).

(Approved on April 7, 2015)

Council Order #45 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$100 to be used to pay attorney's fees for consultation on the City's Tax Increment Financing districts. Funds will come from the Downtown-Waterfront Tax Increment Financing District Account (730-638).

(Approved on April 7, 2015)

## 11) Open to the Public

1. Dan Miller, Belfast discussed with Council that the request for moorings outside the Inner Harbor is short term.

## 12) Communications

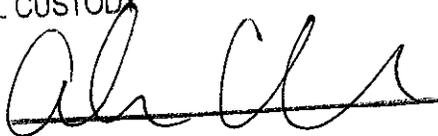
No communications.

## 13) Adjourn

Councilor Sanders, seconded by Councilor Arrison, made a motion to adjourn the meeting at 11:14 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

A handwritten signature in cursive script, appearing to read 'Amanda Cushman', written over a horizontal line.

AMANDA CUSHMAN, BELFAST MAINE