

These are "Action Only" minutes. Video of comments may be found on recorded discs at City Hall or at www.cityofbelfast.org.

City of Belfast
Council Chambers-Belfast City Hall
Tuesday, April 21, 2015
7:00 p.m.

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on April 21, 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 Otis Group Incorporated d/b/a Rollie's Bar and Grill located at 37 Main Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior deck.

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

Public Hearing #2

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28A Section 1054 MRSA a public hearing will be held in the Council Chambers of Belfast City Hall on April 21, 2015 at 7:00 p.m. or as soon as possible thereafter on an application for a Special Amusement Permit for The Otis Group Incorporated d/b/a Rollie's Bar and Grill for live entertainment, music, vocals – Karaoke, DJ and dancing at 37 Main Street, Belfast, Maine, interior/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 Tuesday, April 21, 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 Seng Thai Corporation d/b/a Seng Thai Restaurant located at 139 Searsport Avenue, Belfast, Maine for a renewal Malt and Vinous Restaurant license, interior only.

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

Public Hearing #4

Pursuant to Belfast Victualer License ordinance a public hearing will be held on April 21, 2015 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall on the following applications for a Victualer License renewal, due to expire May 31, 2015.

Carlos Laurel

d/b/a Bay Wrap

Aumeduen Rogers
Pinchy Inc.
Ronald Goldstein
B & F Footlong LLC
David Bowen
Rosamund Peters
Eric Sanders
Ronald Benjamin
Paul Brown
Therese Bagnardi
Kevin Kenney
Mary Massey
William Pollock
Xue Li Cui
George Darling
Raymond Young
Sandra Moses
Winmac Corp
Hannaford Bros Inc
Michael Casby
Restwend, LLC
Mac's Convenience
C.N. Brown
David Crabel
Mac's Convenience

d/b/a Seng Thai Restaurant
d/b/a Three Tides
d/b/a Belfast Co-op Store
d/b/a Subway #10145
d/b/a Waldo County Shrine Club
d/b/a Nautilus Seafood & Grill
d/b/a Daily Soup
d/b/a Belfast Variety Inc.
d/b/a Pizza Hut
d/b/a The Colonial Theatre
d/b/a Perry's Qwik Stop
d/b/a BAC Belfast Café
d/b/a Randall Collins VFW Post 3108
d/b/a Mings Restaurant
d/b/a Perry's Nut House
d/b/a Young's Lobster Pound
d/b/a Dockside Family Restaurant
d/b/a Dunkin Donuts
d/b/a Hannaford
d/b/a Trillium Events Inc.
d/b/a Wendy's
d/b/a Circle K # 7104
d/b/a Big Apple #1037
d/b/a Chocolate Drop Candy Shop
d/b/a Circle K #7011

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

Regular Council Meeting No. 20

1) Call to order

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

Absent: Councilor John Arrison

3) Pledge of Allegiance

3) Adoption of the agenda

City Manager Joseph Slocum requested to amend the agenda with the addition of item **10) G #1** Request to go into an Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. 405 (6) A.

Councilor Sanders, seconded by Councilor Hurley, made a motion to adopt the agenda as amended. This motion was approved, 4-0.

5) Acceptance of the minutes

Regular Council Meeting of April 7, 2015.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of April 7, 2015. This was approved, 4-0.

6) Open to the public

1. Glenn Montgomery, Pedestrian, Biking & Hiking Committee Chair gave an update on the committee's ongoing efforts to create a bike lane on Main Street and make improvements to crosswalks and sidewalks.

2. Carol Good, Belfast gave clarification to her request for use of Steamboat Landing for the Annual Wienerfest, noting that they will need to utilize Steamboat Landing all day on Sunday, September 13, 2015 for set-up and clean-up, noting that 11:00 a.m. to 3:00 p.m. is the time of the event only.

Councilor Sanders, seconded by Councilor Mortier, made a motion to amend the Consent Agenda item 9)H to include use of Steamboat Landing all day on September 13, 2015 for the Annual Wienerfest. This motion was approved, 4-0.

3. Jason Bannister, Midcoast Actors Studio informed the public of their fundraiser event "True Stories" this Saturday, April 25th at 7:00 p.m. at the Waterfall Arts, along with other upcoming productions.

7) Communications

City Manager Joseph Slocum discussed the following:

- Jay Clement, Army Corps of Engineers is in attendance to speak to item 10) A on the agenda.
- Councilors received a memo from a citizen regarding noise throughout the City, to be discussed at a later date.
- The proposed budget and budget message from the City Manager will be available on the City website tomorrow.
- Discussed possible dates to meet with the Selectmen of Searsport in late May for a Work Session.
- Governor LePage will be at the Hutchinson Center on Tuesday, April 28th from 6:00 to 7:00 p.m. for a Town Hall Meeting.
- Spring clean-up is now taking place in Belfast, the last day to place brush out for pick-up is May 11th.

Councilor Harkness informed the public that the Window Dressers are almost fully booked, they will be creating a waiting list, if interested please contact Corliss Davis.

Councilor Sanders discussed the following:

- Reminded citizens to be mindful of where they place their brush, keeping clear the roads and drainage.
- Cal Ripken League is starting this Saturday, April 25th at Walsh Field.
- Thanked citizen Stanley Blood who assisted him when he crashed his bike over the weekend.

Councilor Hurley inquired about the Maine State Federation of Fire Fighters Annual Convention which is being planned for Belfast this September 2015.

Parks and Recreation Director Norm Poirier informed Council about some of the plans that are being worked on with the Maine State Federation of Fire Fighters such as a parade and memorial event at the Boathouse on September 11th.

8) Old Business and Council Committee Reports

No old business or committee reports.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application by The Otis Group Incorporated d/b/a Rollie's Bar and Grill for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior deck located at 37 Main Street, Belfast, Maine.
- B. Request to approve an application for a Special Amusement Permit by The Otis Group Incorporated d/b/a Rollie's Bar and Grill for live entertainment, music, vocals – Karaoke, DJ and dancing located at 37 Main Street, Belfast, Maine.
- C. Request to approve an application by Seng Thai Corporation d/b/a Seng Thai Restaurant for a renewal Malt and Vinous Restaurant license, interior only located at 139 Searsport Avenue, Belfast, Maine.
- D. Request to approve the following applications for a Vitualer License renewal, due to expire May 31, 2015.

Carlos Laurel
Aumeduen Rogers
Pinchy Inc.
Ronald Goldstein
B & F Footlong LLC
David Bowen
Rosamund Peters
Eric Sanders
Ronald Benjamin
Paul Brown
Therese Bagnardi
Kevin Kenney

d/b/a Bay Wrap
d/b/a Seng Thai Restaurant
d/b/a Three Tides
d/b/a Belfast Co-op Store
d/b/a Subway #10145
d/b/a Waldo County Shrine Club
d/b/a Nautilus Seafood & Grill
d/b/a Daily Soup
d/b/a Belfast Variety Inc.
d/b/a Pizza Hut
d/b/a The Colonial Theatre
d/b/a Perry's Qwik Stop

Mary Massey
William Pollock
Xue Li Cui
George Darling
Raymond Young
Sandra Moses
Winmac Corp
Hannaford Bros Inc
Michael Casby
Restwend, LLC
Mac's Convenience
C.N. Brown
David Crabiell
Mac's Convenience

d/b/a BAC Belfast Café
d/b/a Randall Collins VFW Post 3108
d/b/a Mings Restaurant
d/b/a Perry's Nut House
d/b/a Young's Lobster Pound
d/b/a Dockside Family Restaurant
d/b/a Dunkin Donuts
d/b/a Hannaford
d/b/a Trillium Events Inc.
d/b/a Wendy's
d/b/a Circle K # 7104
d/b/a Big Apple #1037
d/b/a Chocolate Drop Candy Shop
d/b/a Circle K #7011

- E. Request to approve a Parade Permit by the American Legion Post #43 for May 25, 2015 (Memorial Day) departing from the Reny's parking lot at 10:00 a.m. to Grove Cemetery and continuing to the Boat Landing.
- F. Request to approve a Facility Use application by the "Bike the US for MS" event to utilize Heritage Park on the evening of May 28, 2015 for overnight stay.
- G. Request to approve a Facility Use application by The Belfast Rotary Club for use of Steamboat Landing Park for the 2015 Belfast Harbor Fest and 5k Bug Run August 14th-16th, 2015.
Request to approve a Facility Use application by the Friends of Belfast Parks for use of Steamboat Landing Park for the 12th Annual WienerFest for Saturday, September 12th (for set up only) and Sunday, September 13th from 11:00 a.m. to 3:00 p.m.
- H. Request to approve a Facility Use application by the Friends of Belfast Parks for use of Steamboat Landing Park for the 12th Annual WienerFest for Saturday, September 12th (for set-up only) and Sunday, September 13th, 2015 (all day).

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the consent agenda. This motion was approved, 4-0.

10) Business

A) Further discussion on the development of an Outer Harbor and Coastal Harbor Plan for Belfast Harbor.

City Manager Joseph Slocum discussed the need to create an Outer Harbor Plan, and requested a Resolution of the Council stating that no commercial moorings will be inside the FNP after December 16th, 2015.

Jay Clement of the Army Corps of Engineers explained the guidelines of public waters and the Federal Navigation Project (FNP). He reviewed the two issues that Belfast is dealing with in regards to the FNP.

Councilors discussed possible options and how other Harbors are handling similar situations.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept a resolution of the Council that no commercial moorings will be inside the Federal Navigation Project after December 16, 2015. This motion was approved, 4-0.

B) Request from the Parks and Recreation Director for permission to enter into a contract with a new food vendor for City Park.

Parks and Recreation Director Norm Poirier reviewed the proposal for “Dave’s Drive-in” from David Crabiel of the Chocolate Drop Candy Shop.

Councilors discussed the proposed menu and changes to the exterior of the building.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request to enter into a contract with a new food vendor, Dave’s Drive-In, for the City Park Snack Shack. This motion was approved, 4-0.

C) Request from the Parks and Recreation Director to accept the bids for rebuilding the basketball courts in City Park and to award the bid to Advantage Tennis.

Parks and Recreation Director Norm Poirier explained the bid proposals, noting what will be repaired, and recommended awarding the bid to Advantage Tennis.

Councilor Mortier inquired about mini armor crack repair and differences in warranty.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the bids for resurfacing and post installation at the basketball court at City Park and to award the bid to Advantage Tennis at the total price of \$7,410.00, funds to be appropriated from the Parks Capital Reserve. This motion was approved, 4-0.

D) Request from the Parks and Recreation Director for permission to apply for a planning grant to develop a Management Plan for all range ways and right-of-ways to the water in Belfast.

Parks and Recreation Director Norm Poirier informed Council that this grant would be used to complete the work of many volunteers and create a Management Plan for all range ways that is specific to each. He noted that the deadline for the application is May 14th and if awarded the City would need to provide a 25% match.

City Planner Wayne Marshall discussed the needed match, requesting that the Council approve up to \$12,500 with the official amount to be determined once the budget for the grant is worked out and that amount will be brought back to the Council.

It was determined that funding for the match would come from the Range Way Capital account.

Councilor Harkness, seconded by Councilor Hurley, made a motion to accept the request from the Parks and Recreation Director to apply for a planning grant to develop a Management Plan for all range ways and right-of-ways to the water in Belfast, with a City match of 25% (up to \$12,500), with the amount to be determined once a budget for the grant is finalized. This motion was approved, 4-0.

E) Request from the Energy Committee to go out to bid for a City wide LED lighting audit.

Assistant City Planner Sadie Lloyd gave an update on the Energy Committee and requested to make an amendment to the initial request, stating that at this point the Committee is only requesting to go out to bid for the City wide audit, the request for retrofitting will be brought back at a later date.

City Manager Joseph Slocum noted that the funds for the City wide LED lighting audit can be financed by the Energy Initiatives Capital Project.

Councilor Harkness noted that he would like to the committee to be mindful of light pollution as they work on this project.

Councilor Hurley informed the Council that if and when they do decided to retrofit lights there may be opportunities through Efficiency Maine for rebates.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request to go out to bid for a City wide LED lighting audit for \$7,000.00, to be financed by the Energy Initiatives Capital Project. This motion was approved, 4-0.

F) Update from Economic Development Director of the recent State Report of Economic Indicators.

Economic Development Director Thomas Kittredge reviewed the recent 2015 Measures of Growth Report, explaining that the Maine Growth Council works to develop a long term vision of Maine's economic growth and to develop a broad range of indicators to assess their progress of that vision. He briefly reviewed the 27 indicators in the broad fields of economy, community and environment and explained to the Council how they are graded based on the data collected.

Councilors discussed what Belfast can do to positively impact economic growth.

G) Request from Robert Gordon to take ownership of up to 20 small cedar trees growing on the ledge and along the steep hillside of City Point Road.

City Manager Joseph Slocum explained that Mr. Gordon is requesting to take 20 small cedar trees from City property and relocate them to Mr. Gordon's private property in another town.

Councilors discussed the request and concerns with the relocation.

Councilor Sanders, seconded by Councilor Harkness, made a motion to reject the request from Robert Gordon to take ownership of up to 20 small cedar trees growing on the ledge and along the steep hillside of City Point Road. This motion was approved, 3-1 (Councilor Hurley opposed).

G) #1 Request to go into an Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. 405 (6) A.

Councilor Hurley, 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 9:03 p.m. This motion was approved, 4-0.

Councilor Harkness, 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 9:14 p.m. This motion was approved, 5-0.

H) Consideration of a personal matter.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the resignation of Debbie McGowan as the General Assistance Administrator for the City of Belfast as of April 15, 2015. This motion was approved, 4-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the separation agreement between the City of Belfast and Debbie McGowan dated April 21, 2015. This motion was approved, 4-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to close the personnel hearing of April 14, 2015 without making findings of facts. This motion was approved, 4-0.

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

Councilor Mortier, seconded by Councilor Sanders, made a motion to go into Executive Session to discuss a real estate matter pursuant to 1 M.R.S.A. 405 (6) C at 9:21p.m. This motion was approved, 4-0.

Councilor Hurley, seconded by Councilor Harkness, made a motion to go out of Executive Session to discuss a real estate matter pursuant to 1 M.R.S.A 405 (6) C at 9:46 p.m. This motion was approved, 4-0.

J) Signing of Council Orders and housekeeping items.

Council Order # 46 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$500 to be used to co-sponsor the Friends of Midcoast Maine: Community Institutes programs which will be held in Belfast in May 2015. Funds will come from the Comprehensive Plan Reserve Account. (Approved on April 7, 2015)

Council Order #48 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$7,410 to Advantage Tennis, Inc for the basketball court resurfacing and post installation at the Belfast City Park. Funds will come from the Parks Capital Reserve. (Approved on April 21, 2015)

Council Order #49 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$7,000 for a City wide LED lighting audit. Funds will come from the Energy Initiatives Capital Project. (Approved on April 21, 2015)

11) Open to the Public

No comments.

12) Communications

Councilor Hurley informed the public about the following events:

- All Roads Music Festival will be held in Belfast on May 16, 2015.
- Friends of Midcoast Maine is holding their Community Institute sessions in Belfast on May 7 & 8, 2015.
- Earth Day Activities begin on April 22, 2015 and will run through April 26, 2015.

City Planner Wayne Marshall informed the Council and public that work on Rt. 1 & 141 will begin May 13th & 14th, and Maine Department of Transportation plans to pave the big bridge this summer.

13) Adjourn

Councilor Hurley, seconded by Councilor Harkness, made a motion to adjourn the meeting at 9:47 p.m.
This motion was approved, 4-0.

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