

**City of Belfast
Council Chambers-Belfast City Hall
Tuesday, June 16, 2015
7:00 p.m.**

Public Hearing #1

The City Council of the City of Belfast, at its meeting of Tuesday, June 16, 2015, beginning at 7:00 pm or as soon as practical thereafter, in the Council Chambers of Belfast City Hall, shall conduct a public hearing regarding proposed amendments to the City Code of Ordinances, Chapter 78, Floods. The amendments particularly involve adoption of the new Flood Maps for Belfast prepared by the Federal Emergency Management Agency (FEMA); maps the City will use to identify areas that are in the Flood Zone and which are subject to Flood Zone standards.

The new maps will replace the existing maps which FEMA prepared in 1990 and which are identified in the City Ordinance. The amendments also include the establishment of the Coastal AE Zone and the accompanying Limit of Moderate Wave Action area as new requirements of the Ordinance.

The public is encouraged to attend the June 16 public hearing and to offer comment. Comment also can be submitted in writing or via email by the date of the hearing. Written comment should be sent to Wayne Marshall, City Planner, City of Belfast, 131 Church St, Belfast, ME, 04915, and email comment to wmarshall@cityofbelfast.org. The new proposed maps for Belfast and the proposed Ordinance provisions can be inspected at the Code and Planning offices in Belfast City Hall between the hours of 8:00 am - 5:00 pm, Monday - Friday. The maps also can be viewed on the FEMA Flood Map Service Center on the FEMA website; msc.fema.gov. Questions regarding the Ordinance amendments should be directed to Wayne Marshall, City Planner, at 338-1417 x 25, or at wmarshall@cityofbelfast.org.

Mayor Ash 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 Tuesday, June 16, 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 Anthony Jacovino and Christina Delsanto d/b/a Delvino's Grill and Pasta House located at 52 Main Street, Belfast, Maine for a renewal Class XI Spirituous, Vinous and Malt Liquor license.

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, June 16, 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 Xue Li Cui d/b/a Ming's Restaurant located at 185 Searsport Avenue, Belfast, Maine for a renewal Malt, and Vinous Restaurant Class IV liquor license, interior only.

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

Public Hearing #4

Pursuant to Belfast Bed & Breakfast License Ordinance a public hearing will be held on Tuesday, June 16, 2015 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall on an application for a renewal Bed & Breakfast license for Lawrence Marshall d/b/a Alden House Inn located at 63 Church Street, Belfast, Maine license to expire May 31, 2016.

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

Public Hearing #5

Pursuant to Belfast Victualer License Ordinance a public hearing will be held on Tuesday, June 16, 2015 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall on an application for a renewal Vitualer License for Anthony Jacovino d/b/a Delvino's Grill & Pasta House located at 52 Main Street, Belfast, Maine license to expire May 31, 2016.

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 Tuesday, June 16, 2015 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall on an application for a renewal Victualer License for Tina Delsanto/Crusty Crab LLC d/b/a Front Street Pub & Harborwalk Restaurant located at 37 Front Street, Belfast, Maine license to expire May 31, 2016.

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

Public Hearing #7

Pursuant to Belfast Victualer License Ordinance a public hearing will be held on Tuesday, June 16, 2015 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall on an application for a renewal Victualer License for Tina Delsanto/Delvino LLC d/b/a La Vida located at 132 High Street, Belfast, Maine license to expire May 31, 2016.

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

Public Hearing #8

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, June 16, 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 Jane Liedtke d/b/a Belfast Breeze Inn, LLC located at 192 Northport Ave., Belfast, Maine for a new Spirituous, Vinous and Malt license.

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

Public Hearing #9

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 Tuesday, June 16, 2015 at 7:00 p.m. or as soon as possible thereafter on a new application for a Special Amusement Permit for Jane Liedtke d/b/a Belfast Breeze Inn, LLC for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 192 Northport Ave., Belfast, Maine interior and exterior.

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

Regular Council Meeting No. 24

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:

- Remove item **10) J** Request to authorize the hiring of Jennifer Quehl as the City's General Assistance Administrator.
- Remove item **10) M** Discussion on possible new bag system at the Belfast Transfer Station.
- Add item **10) N #1** Request to go into an Executive Session to discuss an economic development matter pursuant to 1 MRSA 405 (6) C.

Councilor Hurley requested to amend the agenda as follows:

- Add item **10) G #1** Update on Zoning Ordinance Amendments approved by Council in December 2014.

Councilor Hurley, 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 June 2, 2015 and Special City Council Meeting/Budget Session of June 9, 2015.

Councilor Arrison requested that the minutes from June 2, 2015 regarding the motion to accept the Booking Agent on page 6 reflect that the term “seasonal moorings” be removed from the Booking Agent contract.

Councilors briefly discussed the request.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of June 2, 2015 and Special Council Meeting/Budget Session of June 9, 2015. This was approved, 4-1 (Councilor Arrison opposed).

6) Open to the public

1. Haley Wood, Belfast student addressed her concerns with the bee population and suggested to the Council that they consider not mowing the parks and growing more flowers to help protect the bees.

Councilors discussed Ms. Wood’s suggestions and thanked her for bringing this issue before the Council for consideration.

2. Breanna Pinkham Bebb, Executive Director of Our Town Belfast gave an organizational update on upcoming summer events including the Dinner on the Armistice Bridge, the Auction & Gala, and the Annual Street Party.

7) Communications

Councilor Sanders reminded the public that the Trek Across ME event is this Sunday, June 21, 2015 and that the Election for the RSU 71 School budget is on Wednesday, June 24 from 7:00 a.m. to 8:00 p.m.

City Manager Joseph Slocum briefed the public about the Outer Harbor Public Forum at the Hutchinson Center on Thursday, June 11th and informed the Council that brick work on the Belfast Common has begun for the Cross Street Project.

Councilor Harkness commended all those who work on the Trek Across ME event.

Councilor Arrison informed the public that St. Margret’s Episcopal Church is having their Centennial Celebration on Saturday, June 20th at 7:00 p.m. and all are welcome to attend.

Councilor Hurley requested an update on the damaged Harbor Walk bollard, Harbor Walk signs and MDOT tree plantings at the High School.

City Manager Joseph Slocum informed the Council that the Harbor Walk bollard has been ordered, the post for the Harbor Walk signs are going in this week, and the City will be purchasing 10 to 12 Japanese Lilac trees that will replace the trees cut down by the High School.

8) Old Business and Council Committee Reports

Councilor Hurley updated the Council on the Energy Committee.

-Airport Advisory Committee: 2 expiring position, and 1 vacant position where the applicant may or may not be from Belfast. All are three-year terms. **No applications have been received.**

-Board of Assessment Review: 3 expiring positions, 1 alternate vacant position, one-year term. **Roy Rodgers has applied for reappointment. No other applications have been received.**

-Brownfields Selection Committee: 1 vacant position, term upon completion of project. **No applications have been received.**

-CDBG Downtown Revitalization Advisory: 1 vacant position, term upon completion of project. **No applications have been received.**

-CDBG Housing Assistance Advisory: 1 vacant position, term upon completion of project. **No applications have been received.**

-CDBG Micro-Enterprise Assistance Advisory: 1 vacant position, term upon completion of project. **No applications have been received.**

-Cemetery Board of Trustees: 1 expiring position, three-year term. **Linda Bucklin has applied for reappointment.**

-Harbor Advisory Committee: 3 expiring positions, three-year term. **David Black has applied for reappointment. Gerald J. Brand, Terrance Faulkingham, Joanne Moesswilde and Paul Woods have applied for vacancies.**

-Library Board of Trustees: 2 expiring positions, three-year term. **No applications have been received.**

-Pedestrian Biking & Hiking Committee: 2 expiring positions, one-year/two-year term. **Liz Fitzsimmons has applied for reappointment. No other applications have been received.**

-Planning Board: 1 expiring position, five-year term. **Russell Barber has applied for reappointment.**

-Water District Trustees: 1 expiring position, five-year term. **Eileen Dubinett has applied for reappointment.**

-Zoning Board of Appeals: 1 alternate vacancy, three-year term. **No applications have been received.**

-Parks and Rec Commission: 1 vacant position, three-year term. **No applications have been received.**

Next steps: Please advise which applicants you would like to appoint/reappoint immediately or interview at your July 7th Council Meeting.

Councilor Mortier inquired about whether or not there are specific rules regarding how the Council goes about selecting whom to appoint or reappoint.

City Manager Joseph Slocum briefly explained the process of appointing committee members.

Councilors discussed appointing members to committees where there is only one applicant per vacant/expiring term and any committee that has more than one applicant they would prefer to conduct interviews.

City Planner Wayne Marshall requested that the Council hold off on reappointing Russell Barber to the Planning Board as he has yet to speak with him about this position in detail.

Councilor Hurley, seconded by Councilor Mortier, made a motion to appoint Roy Rodgers to the Board of Assessment Review, Linda Bucklin to the Cemetery Board of Trustees, Liz Fitzsimmons to the Pedestrian, Biking & Hiking Committee, and Eileen Dubinett to the Water District Trustees. This motion was approved, 5-0.

Councilors unanimously agreed to conduct committee interviews for applicants of the Harbor Committee before their scheduled Budget Session on June 25th.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application by Anthony Jacovino and Christina Delsanto d/b/a Delvino's Grill and Pasta House located at 52 Main Street, Belfast, Maine for a renewal Class XI Spirituous, Vinous and Malt Liquor license.
- B. Request to approve an application by Xue Li Cui d/b/a Ming's Restaurant located at 185 Searsport Avenue, Belfast, Maine for a renewal Malt and Vinous Restaurant Class IV Liquor license, interior only.
- C. Request to approve an application by Lawrence Marshall d/b/a Alden House Inn located at 63 Church Street, Belfast, Maine for a renewal Bed & Breakfast license, license to expire May 31, 2016.
- D. Request to approve an application by Anthony Jacovino d/b/a Delvinos Grill & Pasta House located at 52 Main Street, Belfast, Maine for a renewal Victualer license, license to expire May 31, 2016.
- E. Request to approve an application by Tina Delsanto/Crusty Crab LLC d/b/a Front Street Pub & Harborwalk Restaurant located at 37 Front Street, Belfast, Maine for a renewal Victualer license, license to expire May 31, 2016.
- F. Request to approve an application by Tina Delsanto/Delvino LLC d/b/a La Vida located at 132 High Street, Belfast, Maine for a renewal Victualer license, license to expire May 31, 2016.
- G. Request to approve an application by Jane Liedtke d/b/a Belfast Breeze Inn, LLC located at 192 Northport Ave., Belfast, Maine for a new Spirituous, Vinous and Malt license.
- H. Request to approve an application by Jane Liedtke d/b/a Belfast Breeze Inn, LLC located at 192 Northport Ave., Belfast, Maine for a new Special Amusement Permit for Live Music, DJ, Karaoke, all Live Entertainment, and dancing, interior and exterior.
- I. 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.

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

10) Business

A) Second Reading of proposed amendments to the City Code of Ordinances Chapter 78, Floods.

City Planner Wayne Marshall briefly reviewed the proposed changes.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the Second Reading of proposed amendments to the City Code of Ordinances Chapter 78, Floods. This motion was approved, 5-0.

Councilor Hurley requested additional information on conducting a survey of the Morrison Brook area.

City Planner Wayne Marshall explained that the City could hire Ransom Consulting to do an initial assessment of the Morrison Brook area to determine if the amount of area shown as being located in the

flood zone on the 2015 maps is accurate; the cost of the initial analysis would be \$2,500 and those funds could come from the Comprehensive Plan Account (730-627).

Councilor Hurley, seconded by Councilor Arrison, made a motion to hire Ransom Consulting to conduct an initial survey to review the Morrison Brook area for \$2500, funds to come from the Comprehensive Plan Account (730-627). This motion was approved, 5-0.

B) Request from the Economic Development Director for the Council to accept a grant from the FAA to work on a proposed parallel taxiway at the Airport and authorize the related conditions of the grant.

Economic Development Director Thomas Kittredge requested that the City Council accept the grant in the amount of \$176,850 for the environmental assessment, permitting, and preliminary design for a partial parallel taxiway, to authorize the City Manager to sign all required documents related to the grant, and to commit \$9,825 which will be transferred from the Airport Runway Capital Reserve Account into a new Capital Project for the Airport parallel taxiway.

Councilor Arrison, seconded by Councilor Harkness, made a motion to accept the request from the Economic Development Director for the Council to accept a grant from the FAA to work on a proposed parallel taxiway at the Airport and authorize the related conditions of the grant. This motion was approved, 5-0.

C) Request from the City Planner and the Wastewater Treatment Superintendent to eliminate the assessment fee for new users of the Swan Lake Avenue sewer line.

City Planner Wayne Marshall explained why assessment fees are implemented and requested that the Swan Lake Avenue sewer assessment fee be eliminated, retroactive to May 29, 2015.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request from the City Planner and the Wastewater Treatment Superintendent to eliminate the Swan Lake Avenue sewer assessment fee retroactive to May 29, 2015. This motion was approved, 5-0.

D) Request from Our Town Belfast for permission to run a dinner event on the Armistice Bridge on Thursday, July 30, 2015 from 5:00 p.m. to 10:00 p.m.

Breanna Pinkham Bebb, Executive Director of Our Town Belfast explained the request to Council.

Michael Casby, Trillium Caterers explained how in working with the Parks and Recreation Director they plan to address the concerns from last year.

Parks and Recreation Director Norm Poirier addressed his concerns noting that after meeting with Our Town Belfast he is comfortable with how they plan on addressing these issues for this event.

Councilors expressed their support of this event and use of the bridge.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from Our Town Belfast for permission to run a dinner event on the Armistice Bridge on Thursday, July 30, 2015 from 5:00 p.m. to 10:00 p.m. This motion was approved, 5-0.

E) Request for approval of the Election Warrants from the City Clerk for the public vote on next year's proposed school budget.

No discussion.

Councilor Hurley, seconded by Councilor Arrison, made a motion to accept the request for approval of the Election Warrants from the City Clerk for the public vote on next year's proposed school budget. This motion was approved, 5-0.

F) Request from the Wastewater Treatment Superintendent to move \$3,884 from Wastewater Equipment Reserves to purchase a motorized dolly for the safe handling of 55 gallon drums at the Wastewater Treatment Plant.

City Manager Joseph Slocum explained the request, noting that currently they are currently utilizing three men to move these drums with a non-motorized dolly.

Councilor Mortier requested to find out whether or not they will be purchasing the dolly with high traction wheels.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the request from the Wastewater Treatment Superintendent to move \$3,884 from Wastewater Equipment Reserves to purchase a motorized dolly for the safe handling of 55 gallon drums at the Wastewater Treatment Plant. This motion was approved, 5-0.

G) Update on traffic and pedestrian improvements at the intersection of Route 1 and Route 141.

City Planner Wayne Marshall reviewed the projecting noting that they are expecting final construction cost to come in less than the bid estimate.

G) #1 Update on Zoning Ordinance Amendments approved by Council in December 2014.

City Planner Wayne Marshall reviewed three changes:

1. Lot size
2. Accessory Apartment Standards
3. Traditional Neighborhood Setbacks

H) Request for authority to sign a new contract with Verizon Communications.

City Manager Joseph Slocum explained that per Councilor Hurley's suggestion the City looked into combining accounts to reduce cost, which the City was able to do and are now looking for authority to sign a new contract with Verizon Communications.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the request for authority to sign a new contract with Verizon Communications. This motion was approved, 5-0.

D) Request for authority to enter into a two-year agreement with Medical Reimbursement Services for the management of our Ambulance fee collections.

City Manager Joseph Slocum requested authority to enter into another two year agreement with Medical Reimbursement Services for the continued management of our Ambulance collections.

Councilor Harkness, seconded by Councilor Sanders, made a motion to accept the request for authority to enter into a two-year agreement with Medical Reimbursement Services for the management of our Ambulance fee collections. This motion was approved, 5-0.

J) Request to authorize the hiring of Jennifer Quehl as the City's General Assistance Administrator.

Removed from agenda.

K) Request to accept a grant for \$35,000 to support the construction of the Rail Trail.

City Manager Joseph Slocum explained that the City has been awarded this grant which will be utilized to resurface the Rail Trail.

Councilor Hurley requested that all design elements for the Rail Trail come back before the Council for final approval.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to accept a grant for \$35,000 to support the construction of the Rail Trail. This motion was approved, 5-0.

L) Request to authorize the Public Works Director to contract for paint striping in advance of the 2015 –2016 Budget.

City Manager Joseph Slocum explained that the request will help pay for the striping of the bike lanes on Main Street as well as some much needed Downtown striping, he noted that the contractor can begin work as early as next week.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request to authorize the Public Works Director to contact for paint striping in advance of the 2015-2016 Budget. This motion was approved, 5-0.

M) Discussion on possible new bag system at the Belfast Transfer Station.

Removed from agenda.

N) Request to go into Executive Session to discuss an economic development matter pursuant to 1 MRSA 405 (6) C.

Councilor Arrison, 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 9:38 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Sanders, made a motion to adjourn Executive Session to discuss an economic development matter pursuant to 1 M.R.S.A. 405 (6) C at 9:55 p.m. This motion was approved, 5-0.

N) #1 Request to go into an Executive Session to discuss an economic development matter pursuant to 1 MRSA 405 (6) C.

Councilor Arrison, seconded by Councilor Mortier, 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 9:55 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn Executive Session to discuss an economic development matter pursuant to 1 M.R.S.A. 405 (6) C at 10:20 p.m. This motion was approved, 5-0.

O) Request to go into Executive Session to discuss a personnel matter pursuant to 1 MRSA 405 (6) A.

Councilor Sanders, seconded by Councilor Mortier, made a motion to go into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 10:20 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Hurley, made a motion to adjourn Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 10:30 p.m. This motion was approved, 5-0.

P) Signing of Council Orders and housekeeping items.

Council Order #56 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$44,900 for the purchase of property located at 75 City Point Road. Funds will come from the General Fund Account for the Rail Trail (G1-2014-00). (Approved on June 2, 2015)

Council Order #57 Signed by Councilor Harkness, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$15,000 to repair the main drain lines of the City Park Pool. Funds will come from the Parks Capital Reserve Account. (Approved on June 9, 2015)

Council Order #58 Signed by Councilor Arrison, Ordered That:

The City Manager and the City Treasurer are authorized to transfer up to \$9,825 from the Airport Runway Capital Reserve to a new Capital Project for the Airport parallel taxiway and to expend up to \$9,825 as the City's local match for a grant from the Federal Aviation Administration for the environmental assessment, permitting, and preliminary design for a partial parallel taxiway. Matching funds will come from the new Capital Project for the Airport parallel taxiway. (Approved on June 16, 2015)

Council Order #59 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$3,884 to purchase a motorized dolly for the Wastewater Treatment Plant. Funds will come from the Wastewater Equipment Reserve account. (Approved on June 16, 2015)

11) Open to the Public

No comments.

12) Communications

Councilor Hurley informed the public that Our Town Belfast is still looking for groups and organizations to help volunteer for the Annual Street Party.

Councilor Hurley and City Manager Joseph Slocum discussed the status of purchasing benches to be placed on the Armistice Bridge.

Council discussed having the final design and cost of the benches for the Armistice Bridge to come back before the Council for final approval.

13) Adjourn

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn the meeting at 10:30 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