

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, July 21, 2015
6:00 p.m. - Committee Interviews
7:00 p.m. – Regular Council Meeting

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on July 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 Delvino, LLC d/b/a LaVida located at 132 High Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant liquor license.

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, July 21, 2014 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear a temporary 60 day renewal application by John Stinson d/b/a Pig Out BBQ located at 31-B Front Street, Belfast, Maine for a Malt and Vinous 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, July 21, 2014 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear a new application by John Stinson d/b/a Pig Out BBQ located at 31-B Front Street, Belfast, Maine for a Malt & Vinous Liquor license.

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

Public Hearing #4

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on July 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 American Cruise Lines, Inc. d/b/a w/the following vessels – America Spirit, American Star, Independence, American Glory and American Eagle docked at the Belfast Harbor Pier, Belfast, Maine for a renewal Malt, Spirituous and Vinous Public Service, Class I liquor license.

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

Regular Council Meeting No. 2

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.

Absent: 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:

Add item **10) D #1** Consideration of appointing Angie Crosby as the Deputy Clerk for the City of Belfast.

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

5) Acceptance of the minutes

Regular Council Meeting of July 7, 2015.

Councilor Arrison, seconded by Councilor Sanders, made a motion to accept the minutes from Regular Council Meeting of July 7, 2015. This was approved, 5-0.

6) Open to the public

1. Carol Good spoke on behalf of the Friends of Belfast Parks informing the Council that Arts in the Parks will now be organized by the Belfast Area Chamber of Commerce and the City of Belfast Parks & Recreation Department and thanked the City for their support over the last 20 years for this event.

2. Karen Brezsnjak, Executive Director Belfast Area Chamber of Commerce and Norm Poirier, Park & Recreation Director spoke about their future collaboration in taking over the long standing tradition of the Arts in the Park event.

3. Peter Riley, spoke to item **10) I** regarding a request for additional Charter Boat signage.

4. Jim Black informed the Council that he has applied for the alternate position that is vacant on the Harbor Committee.

7) Communications

Councilor Mortier thanked all involved in the budget process.

Councilor Hurley informed the Council about the recent public discussion on July 20th at the Belfast Library regarding the changes to lot sizes in Belfast.

Mayor Walter Ash thanked all those involved in the budget process and announced that he will be running for Mayor in the fall.

8) Old Business and Council Committee Reports

- Board of Assessment Review: 1 expiring positions, 1 alternate vacant position, one-year term. **Dana Keene has applied for reappointment. David Bond has applied for vacancy.**
- Library Board of Trustees: 1 expiring positions, three-year term. **Cynthia Martell has applied for vacancy.**
- Pedestrian Biking & Hiking Committee: 1 expiring position, 1 vacant position, one-year/two-year term. **Jan Owen and Breanna Pinkham Bebb have applied for vacant positions.**
- Airport Advisory Committee: 2 expiring positions, 1 vacant position, three year term. **Dominique Pratt has applied for vacant position.**

Councilor Hurley, seconded by Councilor Mortier, made a motion to reappoint Dana Keene as a full member and appoint David Bond as an alternate member to the Board of Assessment Review. This motion was approved, 5-0.

Councilor Hurley, seconded by Councilor Mortier, made a motion to appoint Jan Owen and Bre Bebb as members of the Pedestrian, Biking & Hiking Committee. This motion was approved, 5-0.

Councilor Hurley, seconded by Councilor Mortier, made a motion to appoint Dominique Pratt as a member of the Airport Advisory Committee. This motion was approved, 5-0.

Councilor Hurley gave an Energy Committee update.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application by Delvino, LLC d/b/a LaVida located at 132 High Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant liquor license.
- B. Request to approve an application by John Stinson d/b/a Pig Out BBQ located at 31-B Front Street, Belfast, Maine for a temporary 60 day renewal Malt and Vinous Liquor license.
- C. Request to approve an application by John Stinson d/b/a Pig Out BBQ located at 31-B Front Street, Belfast, Maine for a new Malt and Vinous liquor license.
- D. Request to approve an application by American Cruise Lines, Inc. d/b/a w/the following vessels – American Spirit, American Star, Independence, American Glory and American Eagle docked at the Belfast Harbor Pier, Belfast, Maine for a renewal Malt, Spirituous and Vinous Public Service, Class I liquor license.

- E. Request to approve a Lunch Wagon License permit application by Anthony Jacovino, Delvino LLC d/b/a The Lobster Trap located at 40 Main Street, Belfast, Maine, license to expire on December 31, 2015.
- F. Request to approve an Off Premise Catering Permit by Crusty Crab LLC d/b/a Front Street Pub for the Maine Celtic Celebration located at the Belfast Commons, Belfast, Maine from 10:00 a.m. on July 17, 2015 until 5:00 p.m. on July 19, 2015.
- G. Request to approve a Facility Use application by We Care for the Annual Rally for Discovery held on Church Street in front of the Police Department on Saturday, September 5, 2015 from 1:00 p.m. to 7:00 p.m.
- H. Request to approve a Facility Use application by We Care for the Annual Race Walk for Discovery starting at the Boathouse and walk along the Harbor Walk and Footbridge on Saturday, September 19, 2015 from 9:00 a.m. to 2:00 p.m.
- I. Request to approve a Facility Use application by the Unitarian Universalist Church, First Church and the First Baptist Church for the Belfast Peace Festival to be held on Friday, August 28, 2015 through Sunday, August 30, 2015 at Steamboat Landing Park, with a Parade from Waterfall Arts to Steamboat Landing Park at 10:00 a.m. on Saturday, August 29, 2015.
- J. Request to approve an Off Premise Catering Permit by The Otis Group Incorporated d/b/a Rollie's Bar & Grill for the Chamber of Commerce Business After Hours located at the Belfast Boathouse, Belfast, Maine from 4:30 p.m. to 7:30 p.m. on July 22, 2015.
- K. Request to approve an Off Premise Catering Permit by The Otis Group Incorporated d/b/a Rollie's Bar & Grill for Ryan's Ride fundraising event located at the dirt lot adjacent to Main Street, Belfast, Maine from 12:30 p.m. to 3:30 p.m. on July 18, 2015.

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

10) Business

A) Further discussion on the creation of an Ad hoc Committee comprised of the Harbor Committee and other individuals to develop and recommend an Outer Harbor and Coastal Harbor Plan.

Councilors discussed who the committee should be comprised of and what their purpose will be, recommending that former applicants be invited to apply as well as advertise on the City website and Facebook page and to conduct interviews for these two committees at 6:00 p.m. on August 4, 2015.

Councilor Arrison, seconded by Councilor Hurley, made a motion to create an Ad hoc Committee comprised of 7 voting members and one alternate member (5 members & 1 alternate member of the Harbor Committee and 2 additional individuals) whose purpose is to develop and recommend an Outer Harbor and Coastal Harbor Plan to the City Council before the end of the year. This motion was approved, 5-0.

B) Consideration of a request from the Harbor Committee to hire an independent private consultant to help develop and propose a future Outer Harbor and Coastal Harbor Plan.

Harbor Master Kathy Pickering discussed funding for the hiring of an independent consultant from Musson Group to help develop and propose a future Outer Harbor and Coastal Harbor Plan, she noted that the Harbor Committee is recommending this consultant and recommends funding to come from 25% Harbor Funds and the rest from General City Funds.

City Manager Joseph Slocum recommended funding come from a combination of the Gas and Diesel Accounts.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to hire Musson Group as an independent consultant to help develop and propose a future Outer Harbor and Coastal Harbor Plan with funding coming from the following accounts: \$10,000 Diesel Account and \$10,000 Gas Account to pay for those services. This motion was approved, 5-0.

C) Consideration of possible approval of the 2015-2016 City Budget.

City Manager Joseph Slocum discussed with Council the proposed amendments to the advertised proposed 2015-2016 City Budget and requested a motion to approve those amendments.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the changes to the advertised proposed 2015-2016 City Budget. This motion was approved, 5-0.

Councilors discussed the amendments that have been made to the proposed budget.

City Manager Joseph Slocum read the appropriations resolve for the 2015-2016 City Budget.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the proposed 2015-2016 City Budget as amended. This motion was approved, 5-0.

D) Approval of the Election Warrants for the RSU 71 Budget Referendum.

City Clerk Amy Flood and City Manager Joseph Slocum informed the public that the next election for the RSU 71 Budget Referendum will be held on Tuesday, August 4th from 7:00 a.m. to 8:00 p.m. at both the Belfast Boathouse and the United Methodist Church.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept and sign the Election Warrants for the RSU 71 Budget Referendum. This motion was approved, 5-0.

D) #1 Consideration of appointing Angie Crosby as the Deputy Clerk for the City of Belfast.

City Clerk Amy Flood explained her search for a Deputy Clerk and gave her recommendation of Angie Crosby for appointment and introduced her to the City Council and public.

Councilor Sanders, seconded by Councilor Mortier, made a motion to appoint Angie Crosby as the Deputy Clerk for the City of Belfast. This motion was approved, 5-0.

E) Update on the Facility Use Request from the Experimental Aircraft Association for an Open House and Fly In at the Airport on September 19, 2015.

Parks & Recreation Director Norm Poirier and Jay Foster explained the request to the City Council and discussed the amended proposal for parking on the day of the event.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the Facility Use Request from the Experimental Aircraft Association for an Open House and Fly In at the Airport on September 19, 2015. This motion was approved, 5-0.

F) Facility Use Request from City Reach Church to use a portion of City Park on September 19, 2015 for a free community event providing medical screenings, haircuts, clothing etc.

Parks & Recreation Director Norm Poirier informed Council that this event is put on by City Reach Church but it is called the "Day of Hope" event and explained the details of the event request.

Councilors discussed the details of the event.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the Facility Use Request from City Reach Church to use a portion of City Park on September 19, 2015 for a free community event providing medical screenings, haircuts, clothing ect. This motion was approved, 5-0.

G) Facility Use Request and Parade Permit request for the Maine State Firefighters Parade on September 12, 2015.

Parks & Recreation Director Norm Poirier reviewed the request application/parade permit and the steps that the City is planning on taking to ensure safety for the public during the parade.

Councilors discussed informing the public of the event and possible egresses for those looking to move throughout the City during the parade.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the Facility Use Request and Parade Permit for the Maine State Firefighters Parade on September 12, 2015. This motion was approved, 5-0.

H) Facility Use Request from the Restorative Justice program for street closure of Beaver Street on July 24, 2015 to celebrate their open house.

Parks & Recreation Director Norm Poirier briefly explained the request.

Councilor Arrison, seconded by Councilor Mortier, made a motion to accept the Facility Use Request from the Restorative Justice program for street closure of Beaver Street on July 24, 2015. This motion was approved, 5-0.

I) Consideration of a request from the Commercial Charter Boats to allow for some additional signage.

City Planner Wayne Marshall explained the request which would utilize the current kiosk at the bottom of Main St. for signage, as well as allowing the Charter Boats to have sandwich boards down by Front St. to direct individuals to the Charter Boats at Thompson's Wharf.

Lance Meadows, Captain of the Schooner Timberwind and owner of Maine Day Sail discussed with the Council possible signage language and location.

Peter Riley discussed the use of "Charter Boats" vs "Boat Rides" as signage language and the importance of signage for Charter Boat business owners.

Harbor Master Kathy Pickering discussed with Council the location of Charter Boats within the Harbor.

Councilors discussed how to create more signage as a long term solution for these Charter Boats.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request from the Commercial Charter Boats to allow for some additional signage. This motion was approved, 5-0.

J) Update on proposal to install benches on the Armistice Bridge.

City Manager Joseph Slocum informed the Council of the dimensions and quotes received.

Councilors discussed quotes and placement of the benches.

Councilor Hurley, seconded by Councilor Sanders, made a motion to authorize the City Manager to spend up to an additional \$4,000 to acquire and install up to eight 5ft long granite benches on the Armistice Bridge in keeping with the engineers recommendations and to use best judgement in trying to balance the acquisition of the materials and the installation of the benches. This motion was approved, 5-0.

K) Update on the Downtown Revitalization Project.

City Planner Wayne Marshall explained that Maine Earth while doing the excavation work along Miller St. they discovered a rock box drain, thus there are holes that needed to be filled before the Celtic Celebration. Final cost for the work will be brought back before the Council on August 4th for final approval.

L) First Reading of proposed amendments to various agreements between the City of Belfast and DUBBA LLC (Front Street Shipyard).

City Planner Wayne Marshall explained that there have been amendments to the proposal that was introduced at the Council Meeting of January 20th, he reviewed those amendments noting that the Second Reading and Public Hearing will be held at the August 4th Council Meeting.

Councilor Mortier, seconded by Councilor Arrison, made a motion to remove the following issue from the table: proposed amendments to various agreements between the City of Belfast and DUBBA LLC (Front Street Shipyard), which was tabled at the January 20, 2015 Council Meeting. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the First Reading of proposed amendments to various agreements between the City of Belfast and DUBBA LLC (Front Street Shipyard). This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion that the Second Reading and Public Hearing of proposed amendments to various agreements between the City of Belfast and DUBBA LLC (Front Street Shipyard) will be held on August 4, 2015. This motion was approved, 5-0.

M) First Reading of proposed additional amendments to the City Code of Ordinances, Chapter 78, Floods.

City Planner Wayne Marshall briefly discussed the additional amendments.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the First Reading of proposed additional amendments to the City Code of Ordinance, Chapter 78, Floods and to conduct the Second Reading and Public Hearing at the August 4th Council Meeting. This motion was approved, 5-0.

N) Update from the Parks and Recreation Director on the maintenance of City owned range ways and rights of ways to the water.

Parks & Recreation Director Norm Poirier gave a brief update on the City owned range ways and rights of ways to the water and informed the Council that the City has just been notified that the City will be a recipient of the Coastal Grant that the City applied for which will be utilized to create a long rang management plan for the range ways.

O) Consideration of opening bids and possible award of bids on tax acquire property.

City Manager Joseph Slocum explained that there are a total of seven properties one of which has been redeemed by the property owner, he proceeded to open the bids as follows:

Elaine Cunningham Property

25 Robbins Rd.
Map 018/Lot 039-ON
Mobile Home

No bids received

Clair Bagley Property

18 Mill Lane
Map 024/Lot 008
2.4 Acres L/B

Bid #1: \$7,250.00
David Schmid
4 Old Orchard Way
Tolland, CT 06084

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the bid on the Clair Bagley property and award the bid to David Schimd for \$7,250.00. This motion was approved, 5-0.

Jeanine Cookson Property

Lincolnville Ave
Map 001/Lot 073
.46 Acre (Land only)

Bid #1: \$2,500.00
David Schmid
4 Old Orchard Way
Tolland, CT 06084

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the bids on the Jeanine Cookson property and award the bid to David Schimd for \$2,500.00. This motion was approved, 5-0.

Alan Libby & Glennis Clark Property

12 Cory Lane
Map 007/Lot 016-029
Mobile Home

Bid #1: \$2,080.00

David Schmid
4 Old Orchard Way
Tolland, CT 06084

Bid #2: \$500.00

Dana Keene
27 Cindee Lane
Belfast, ME 04915

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the bid on the Libby & Clark property and award the bid to David Schimd for \$2,080.00. This motion was approved, 5-0.

Carolyn Rokes (Heirs) Property

94 Swan Lake Ave
Map 021/Lot 005-D
1.9 Acre L/B

Bid #1: \$3,680.00

Dana Keene
27 Cindee Lane
Belfast, ME 04915

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the bid on the Carolyn Rokes property and award the bid to Dana Keene for \$3,680.00. This motion was approved, 5-0.

Gail Gendron Property

9 RW MaCleod Lane
Map 004/Lot 064-014
Mobile Home

Bid #1: Unopened

(property was redeemed by owner)

David Schmid
4 Old Orchard Way
Tolland, CT 06084

Thomas Harville Property

Smart Rd.
Map 009/Lot 103

No bids received

P) Signing of Council Orders and housekeeping items.

Council Order # 3 Signed by Councilor Sanders, Ordered That:

Council Fiscal Year 2015-2016

Appropriation Resolve

XXXXXXXXXXXXXXXXXXXX BE IT RESOLVED by the City Council of the City of Belfast, Maine the following appropriations are to be made to defray the expense of the City of Belfast for the fiscal year beginning July 1, 2015.

Administration

City Manager's Office	\$ 229,285	
Finance Department	157,742	
Assessing Department	117,750	
City Clerk's Department	174,403	
City Building Maintenance	97,440	
Elections and Registrations	14,990	
Employee Benefits	1,197,248	
Boathouse	18,350	
Total		\$2,007,208

Protection

Fire Department	\$ 227,400	
Police Department	1,026,817	
Street Lights	99,100	
Hydrant Rental	424,464	
Cable Television	39,820	
Municipal Insurance	255,524	
Ambulance Department	547,398	
Animal Control	13,000	
School Crossing Guards	16,048	
Total		\$2,649,571

EMA Director \$ 2,000

STATE AGENTS 50,000

Public Works

Public Works Department	\$1,310,451	
Sidewalk Improvement/Maintenance	25,000	
Transfer/Recycling Center	293,287	
Road Construction	400,000	
Tree Program	11,500	
Total		\$2,040,238

Fiscal Year 2015-2016
Appropriation Resolve

Social Services

General Assistance	\$ 33,000	
GA Director and Expenses	18,466	
Misc. Social Services	166,313	
Total		\$ 217,779

Economic Development

\$ 36,017

Parks and Recreation

\$ 251,497

<u>Library</u>		\$ 445,796
<u>Cemeteries</u>		\$ 118,954
<u>Airport</u>		\$ 30,700
<u>Misc. Promotional</u>		\$ 72,855
<u>Harbor</u>		\$ 146,286
<u>Planning & Zoning</u>		
Planning and Community Development	\$ 237,448	
Engineering/Professional Services	8,500	
Mid-Coast Regional Planning	1,200	
Zoning Board of Appeals	500	
Total		\$ 247,648
<u>Misc. Unclassified</u>		
MMA Dues	\$ 7,290	
Capital Projects	0	
Debt Service	360,154	
Wastewater Treatment Plant	856,386	
Total		\$1,223,830
<u>Reserve</u>		\$ 100
<u>County Tax</u>		\$ 1,376,367
<u>Total Proposed Budget (Gross)</u>		\$10,916,846
<u>Less Estimated Revenues</u>		\$(3,984,359)
<u>Less Sewer User Fees</u>		\$ (856,386)
<u>Total Net Budget</u>		<u>\$ 6,076,101</u>

Fiscal Year 2015-2016
Appropriation Resolve

BE IT FURTHER RESOLVED you have the option to pay the entire amount by September 30, 2015 or you may pay in two installments; the first payment by September 30, 2014 and the second payment by March 1, 2016. Interest shall be charged on the first installment at an annual rate of 7% from October 1, 2015. Interest will be charged on the second installment at an annual rate of 7% from March 2, 2016. Payments received by mail shall be post marked no later than September 30, 2015 & March 1, 2016. In addition, 7% interest per annum shall be charged on all unpaid sewer user fees when not paid by the due date.

Order #3 Signed by Councilor Sanders, Ordered That:

11) Open to the Public

No comments.

12) Communications

Councilor Hurley discussed the City developing a stronger presence on Facebook.

13) Adjourn

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn the meeting at 10:56 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