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City of Belfast
Council Chambers-Belfast City Hall
Tuesday, August 18, 2015
6:30 p.m.

Request from the City Manager to go into Executive Session to discuss an Economic Development and Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C.

Councilor Mortier, seconded by Councilor Hurley, made a motion to go into Executive Session to discuss an Economic Development and Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C at 6:30 p.m. This motion was approved, 4-0(Councilor Arrison was absent for the vote, he arrived at 6:31 p.m.).

Councilor Mortier, seconded by Councilor Arrison, made a motion to adjourn Executive Session to discuss an Economic Development and Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C at 7:01 p.m. This motion was approved, 5-0.

*** Return to Open Session**

7:05 p.m. – Regular Council Meeting

Public Hearing #1

Pursuant to the discretion vested in the City Council of Belfast, Maine, a Public Hearing will be held in the Belfast City Council Chambers of Belfast City Hall, on Tuesday, August 18, 2015 at 7:00 pm, or as soon as possible thereafter, on a Proposal by the Energy Committee for the City to enter into a long-term agreement with IGS Generation for the development of a solar farm at the old City Landfill. Details of the proposal are available on the Belfast City website, and are copied in the City Manager's Report of August 4, 2015, and August 18, 2015. They are also available from the City Planning Department at 131 Church St. in Belfast. All those wishing to comment on this proposal are invited to participate in this Public Hearing. It is anticipated that the Council will take a vote on this proposal later in the meeting of August 18, 2015.

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 provisions of title 28A Section 1054 MRSA, a Public Hearing will be held in the Council Chambers of Belfast City Hall, on Tuesday, August 18, 2015 at 7:00 pm, or as soon as possible thereafter, on a new application for a special amusement permit for Randall Collins VFW Post 3108 for live music, DJ, karaoke, all live entertainment, and dancing located at 34 Field St., Belfast, ME 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 Tuesday, August 18, 2015 at 7:00 pm, or as soon as possible thereafter, in the Council Chambers of Belfast City Hall, to hear an application by James Roberts on behalf of Randall Collins VFW Post 3108 located at 34 Field St., Belfast, ME for a new Spirituous, Vinous and Malt 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 Tuesday, August 18, 2015 at 7:00 pm, or as soon as possible thereafter, in the Council Chambers of Belfast City Hall, to hear an application by Pinchy Inc. d/b/a Three Tides located at 2 Pinchy Lane, 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 #5

Pursuant to the Belfast Victualer License Ordinance, a Public Hearing will be held on Tuesday, August 18, 2015 at 7:00 pm, or as soon as possible thereafter, in the Council Chambers of Belfast City Hall, on an application for a renewal Victualer's license for High Street Market located at 132 High St., Belfast, ME. License to expire May 31, 2016.

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

Regular Council Meeting No. 4

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:

- Add item **10) M #1** Discussion on creating a small Ad Hoc Committee for the Rail Trail.
- Add item **10) H #1** Discussion on the possibility to “test” try a four way red flashing stop light at the intersection of Main St. and High St.
- Add item **10) C #1** Consideration of a request from CMP to move some poles back on Rt. 141.

- Move item **10) L** to **10) D #1** Consideration of a request from Ryan Otis to purchase land belonging to the City behind his business known as Rollie's.

Councilor Mortier, 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 August 4, 2015.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the minutes from Regular Council Meeting of August 4, 2015. This was approved, 5-0.

6) Open to the public

1. David Carlson, Three Tides thanked the Council for consideration of approval of his liquor license and discussed public feedback on the extension of loud music for the Harbor Fest launch party.
2. Ellen Sanders thanked the City for the work done to create a new kayak launch and brought to the City's attention that the public access sign at that location is covered by trees.

7) Communications

City Manager Joseph Slocum discussed the following:

- Thanked the Rotary Club for their efforts at last weekend's Harbor Fest.
- Informed the Council that the City received \$11,000 adjusted return from the City's Insurance.
- Informed the public that the City is planning on repairing the Waldo Ave. sidewalk and that the City will be sending a letter out to the neighbors.

Councilor Mortier informed the Council and public that Executive Director of Our Town Belfast, Bre Bebb and her husband welcomed a little boy on Monday.

8) Old Business and Council Committee Reports

Councilor Hurley discussed efforts by the Energy Committee to look at and begin addressing concerns with the Energy Audit that were conducted at the Fire Department.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve the application of Randall Collins VFW Post 3108 for a Special Amusement Permit for live music, DJ, karaoke, all live entertainment, and dancing, interior and exterior.
- B. Request to approve the application of Randall Collins VFW post 3108 at 34 Field St., Belfast, ME for a new Spirituous, Vinous and Malt license.

- C. Request to approve an application by Pinchy, Inc. d/b/a Three Tides located at 2 Pinchy Lane, Belfast, Maine for a new Spirituous, Vinous and Malt license.
- D. Request to approve an application for a renewal Victualer’s license for High Street Market located at 132 High St., Belfast, Maine. License to expire May 31, 2016.
- E. Request to approve an off premises catering permit for Crusty Crab, LLC d/b/a the Front Street Pub to conduct a class reunion party on August 7 and August 8, 2015 from 3:00 PM to 1:00 AM.
- F. Request to approve an off premises catering permit for Crusty Crab, LLC d/b/a the Front Street Pub to conduct a fundraiser party at Steamboat Landing during the Harbor Festival on August 15, 2015 from 10:00 AM to 10:00 PM.

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

10) Business

A) Consideration of entering into a contract with IGS Generation to install and operate solar panels at the former City Landfill on Pitcher Road.

Assistant City Planner Sadie Lloyd briefly reviewed the project and proposed contract with IGS Generation that were discussed with Council at their August 4th Council Meeting.

Councilors discussed the proposal and the effects on electricity cost for City owned buildings.

Bill Behrens, ReVison Energy explained the process of credits.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request to enter into a contract with IGS Generation to install and operate solar panels at the former City Landfill on Pitcher Road. This motion was approved, 5-0.

B) Update from the Pedestrian, Biking & Hiking Committee.

Pedestrian, Biking & Hiking Chairman, Glenn Montgomery thanked the City Council for the newly painted bike lanes along Main Street and discussed some of the growing pains that they hope to iron out with the engineer next season. He requested on behalf of the Pedestrian, Biking & Hiking Committee that the City Council authorize City staff to request from Maine DOT free signage reminding motorist to allow “3 feet minimum to pass bicycles or pedestrians.” He noted six locations that the Committee has identified as ideal locations for these signs and that if the City received the requested signage the City would bear the cost of installation.

Councilors discussed concerns with the new bike lanes, the importance of signage and possible ways to educate bicyclist of laws and what they can do to protect themselves and motorist while utilizing the roads.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the request to authorize City staff to request from Maine DOT free signage reminding motorists to allow “3 feet minimum to pass bicycles or pedestrians”. This motion was approved, 5-0.

C) Update on future options for CMP power lines on Washington Street.

City Planner Wayne Marshall discussed the proposal to relocate power lines as part of the redevelopment of Washington Street.

Steve Cookson and Sarah Mazurek of CMP compared pricing between installing lines above versus lines underground, noting that they are recommending placing the lines above ground unless the City is willing to pay the cost to place them underground as it is the more costly option.

Councilors discussed the line location options and possible effects on future development.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the temporary relocation of CMP power lines on Washington Street as suggested by CMP. This motion was approved, 5-0.

C) #1 Consideration of a request from CMP to move some poles back on Rt. 141.

Steve Cookson, CMP discussed the proposed project.

Councilors discussed concerns with adding new poles without the certainty of knowing when the old poles would be removed noting that they would like CMP to make an effort to contact the other companies that have lines on these poles and to coordinate with them a reasonable timeline for moving lines over, the Council noted that they would like CMP to report back to the Council about a timeline before they will authorize the request for new poles along Rt. 141.

Steve Cookson, CMP noted that if the City could generate a list of poles that need to be removed from older projects he will look into having them removed as well.

Councilor Hurley noted that he would work on generating that list.

Councilor Sanders, seconded by Councilor Arrison, made a motion to table this request until CMP can come back to the City with a plan to remove the old poles in coordinating with the other companies that utilize the poles. This motion was approved, 5-0.

D) Request for free use of the Boathouse for a fundraising event for New Hope for Women.

Sarah Brand, organizer of the Knitmaineia Fashion Show explained her request for free use of the Boathouse for their fundraising event in which proceeds are donated to New Hope for Women.

Councilors discussed the request and concerns with allowing free use of the Boathouse, noting their plan to create a policy in the near future.

Councilor Hurley, seconded by Councilor Sanders, made a motion to not accept the request for free use of the Boathouse for a fundraising event for New Hope for Women.

Councilor Arrison moved to amend the motion to authorize a reduced rate of \$200.00 for use of the Boathouse for this event.

Councilor Arrison, seconded by Councilor Sanders, made a motion to amend the original motion to authorize a reduced rate of \$200.00 for use of the Boathouse for a fundraising event for New Hope for Women. This motion was approved, 3-2 (Councilors Mortier and Harkness opposed).

D) #1 Consideration of a request from Ryan Otis to purchase land belonging to the City behind his business known as Rollie's.

City Planner Wayne Marshall reviewed the request and the proposed agreement, noting the sale price of \$15,000.

Councilors discussed the requirement of 72 hours to take corrective actions for trash removal.

Councilor Mortier noted that there is an address typo that needs to be fixed within the agreement.

Ryan Otis addressed future plans on how his business plans to address dumpster concerns.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from Ryan Otis to purchase land belonging to the City behind his business known as Rollie's. This motion was approved, 4-1 (Councilor Sanders opposed).

E) Acceptance of bids for winter sand and request to award the bid.

No discussion.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the bids for winter sand and to award the bid to Hanson Industries Inc. at \$6.40 per yard delivered to be expended from account 410-571. This motion was approved, 5-0.

F) Acceptance of bids for winter salt and request to award the bid.

No discussion.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the bids for winter salt and to award the bid to Morton Salt Company for the amount of \$58.28 per ton, to be expended from account 410-570. This motion was approved, 5-0.

G) Requests from the Police Chief to hire a full-time patrol officer in anticipation of pending retirements.

Police Chief Mike McFadden spoke about the upcoming retirement of Officer Wendall Ward and thus the Departments need to replace him, he recommended to the Council hiring Lewis Dyer as a full-time Patrol Officer.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from the Police Chief to hire a full-time Patrol Officer in anticipation of pending retirements and to hire Lewis Dyer as that full-time Officer. This motion was approved, 5-0.

H) Request from the Police Chief to name Lewis Dyer as a full-time Belfast Police Officer.

Request was authorized under item **10) G**.

H) #1 Discussion on the possibility to “test” try a four way red flashing stop light at the intersection of Main and High St.

Police Chief Mike McFadden discussed his concerns with removing the traffic light at this intersection and recommended that if the City were to try it to also remove the pedestrian light as well.

Councilors discussed possible options that could help with congestion at this intersection.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request to conduct a short term “test” try of a four way red flashing light with pedestrian lights at the intersection of Main and High St. This motion was approved, 3-2 (Councilors Mortier and Arrison opposed).

Councilors requested to be notified when the test would be conducted.

I) Request from the Cemetery Superintendent to waive the formal bidding process and contract with a specialist to repair and repaint various stones and monuments in our cemeteries.

Cemetery Superintendent Steve Boguen requested to waive the bidding process and to award the bid to Steven’s Cemetery Restorations of Newcastle in the amount not to exceed \$120,000 to

come from the Cemetery's Accumulated Interest Trust Fund Account. He noted this is a long term project that will repair and repoint various stones and monuments.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request from the Cemetery Superintendent to waive the formal bidding process and contract with a specialist, Steven's Cemetery Restorations of Newcastle to repair and repoint various stones and monuments in our cemeteries, in the amount not to exceed \$120,000 funding to come from the . This motion was approved, 5-0.

J) Request from the Cemetery Superintendent to spend an additional \$3000 trust funds to cover the additional cost of replacing the Grove Cemetery fence along Main Street.

Cemetery Superintendent Steve Boguen requested to waive the bidding process and to award the bid to Tom Fence of Warren and to authorize an additional \$3,000 from trust funds to cover the cost, he noted that \$8,000 for this project will from account #730-718.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the request from the Cemetery Superintendent to spend an additional \$3000 from the trust funds to cover the additional cost of replacing the Grove Cemetery fence along Main Street. This motion was approved, 5-0.

K) Request from the Cemetery Superintendent to expend funds from the Cemetery Trusts the amount not to exceed \$10,000 to repoint and clean the Cobe Tomb.

Cemetery Superintendent Steve Boguen requested to waive the bidding process and to award the bid to Head of Tide Masonry the amount not to exceed \$10,000 to repoint and clean the Cobe Tomb; funds will come from the Cemetery's Perpetual Care Trust.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from the Cemetery Superintendent to expend funds from the Cemetery Trusts the amount not to exceed \$10,000 to repoint and clean the Cobe Tomb. This motion was approved, 4-0 (Councilor Hurley stepped out of the room during the vote).

L) Consideration of a request from Ryan Otis to purchase land belonging to the City behind his business known as Rollie's.

Moved to item **10) D #1.**

M) Update on possible redevelopment of the Crosby High School in Belfast.

City Manager Joseph Slocum informed the community that the City expects to see an application for redevelopment of the Crosby High School in Belfast and informed the public about the process that will be taken to approve such a request, he noted that the City will keep the public posted on any new developments.

City Planner Wayne Marshall informed the Council that the City is expecting that this application will be submitted in 30-45 days.

M) #1 Discussion on creating a small Ad Hoc Committee for the Rail Trail.

Councilor Hurley explained that he sees this possible committee as broadening the discussion before coming before the committee and that this committee could help develop a plan, he recommended the Ad Hoc Committee for the Rail Trail be comprised of the City Manager, Public Works Director, Larry Jones, one member from the Pedestrian, Hiking & Biking Committee, and two City Councilors.

Councilors Hurley and Arrison volunteered to serve as Council members for this committee.

City Manager Joseph Slocum informed Council that he would reach out to Larry Jones and Glenn Montgomery and bring forward for consideration appointments of members to the Ad Hoc Committee for the Rail Trail on September 1st.

N) Request from the Front Street Shipyard to store a mast on City property for several days in August.

City Planner Wayne Marshall explained that the Shipyard is requesting permission to step a mast from a sailboat on the City owned Masker's property on August 20th through August 24th, he noted the Shipyard is hoping to utilize their property but would like authority just in case it does not work.

Councilor Arrison, seconded by Councilor Sanders, made a motion to accept the request from the Front Street Shipyard to store a mast on City property for several days in August. This motion was approved, 5-0.

O) Consideration of a request to cut down an ash tree at 62 Congress St.

City Manager Joseph Slocum explained the request.

Councilor Hurley discussed the process for tree removal in the City of Belfast, and noted his concerns that not everyone who removes trees at their property follows this process.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept a request to cut down an ash tree at 62 Congress St. This motion was approved, 5-0.

P) Request to authorize funding to send two City Employees to attend a Brownfields Economic Development Conference.

Economic Development Director Thomas Kittredge explained the request noting that he is requesting the following two things be utilized with the \$10,857.02 in previously reimbursed EPA funds:

1. To use these funds to complete ongoing environmental assessment work
2. And to use a portion of these funds to send Assistant City Planner and himself to the upcoming National Brownfields Conference to be held from September 2nd -4th in Chicago.

City Manager Joseph Slocum expressed support of this request and the importance of have multiple staff members aware of how this program works.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to authorize the Economic Development Director to utilize \$10,857.02 in previously reimbursed EPA funds to complete current ongoing environmental assessment work and to use a portion of the funding to send two City Employees to attend a Brownfields Economic Development Conference this September 2nd in Chicago. This motion was approved, 5-0.

Q) Requests from the City Manager to go into Executive Session pursuant to 1MRSA 405(6) C to discuss an Economic Development matter and Real Estate matter.

Councilor Sanders, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss an Economic Development and Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C at 10:20 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Arrison, made a motion to adjourn Executive Session to discuss an Economic Development and Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C at 10:40 p.m. This motion was approved, 5-0.

*** Return to Open Session**

Councilor Sanders, seconded by Councilor Mortier, made a motion to sell lot 6 within the Belfast Airport Business Park to Tidewater Oil for \$20,000. This motion was approved, 5-0.

R) Signing of Council Orders and housekeeping items.

Council Order #7 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$6.29 per yard to Hanson Industries Inc. for City/Public Works Road Sand, this bid is for 3500 yards of sand for the 2015-2016 season. Funds are to come from account 410-571.

Council Order #8 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$58.28 per ton to Morton Salt for City/Public Works Road Salt for the 2015-2016 season. Funds are to come from account 410-570.

Council Order #9 Signed by Councilor Mortier, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to and not to exceed \$120,000 to hire Mr. Thomas Stevens of Stevens Cemetery Restorations of Newcastle, Maine for the Old Cemetery Restoration Project. Funds will come from the Accumulated Interest Trust Fund Account.

Council Order #10 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$11,000 for fence replacement at Grove Cemetery. Funds will come from the following accounts: \$8,000 from account 730-817 and \$3,000 from the Trust Funds.

Council Order #11 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$9,750 to repoint and clean the Cobe Tomb. Funds will come from the Perpetual Care Trusts.

Council Order #12 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$10,857.02 in previously reimbursed EPA funds for further Brownfields assessment work and for sending 2 City staff members to the National Brownfields Conference on September 2nd – 4th in Chicago.

11) Open to the Public

No comments.

12) Communications

Councilor Hurley noted that he would like trees cut down in the City's right of way be sent to the Transfer Station not left on the side of the road or taken, the Energy Committee is looking into utilizing wood chips in the future to heat the Transfer Station.

Councilor Hurley inquired about the work on Front Street.

Councilor Harkness addressed issues with events and noise levels late at night.

Councilor Mortier referenced an article on noise from concerts on Bangor's waterfront.

13) Adjourn

Councilor Harkness, seconded by Councilor Sanders, made a motion to adjourn the meeting at 10:44 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