

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, September 15, 2015
7:00 p.m.**

Public Hearing #1

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28-A Section 1054 MRSA a public hearing will be held in the Council Chambers of Belfast City Hall on September 15, 2015 at 7:00 p.m. or as soon as possible thereafter on an application for a Special Amusement Permit for Pinchy, Inc. d/b/a Three Tides for live entertainment, music, vocals – Karaoke, DJ and dancing at 2 Pinchy Lane, Belfast, Maine, interior and exterior decks.

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, September 15, 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 Tall Pine Healthcare Inc. d/b/a The Residence at Tall Pines located at 24 Martin Lane, Belfast, Maine for a renewal Malt and Vinous Other (Assisted Living) Class liquor license, interior only.

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 September 15, 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 J J J & G, Inc. d/b/a Darby’s Restaurant located 155 High Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior only.

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

Regular Council Meeting No. 6

- 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) G#1** Discussion on curbside brush and leaves.
- Add item **9) D** Request to approve a Parade Permit application submitted by Philip Wich on behalf of Belfast Area High School Student Senate Homecoming for a parade on October 2, 2015 starting at Lions Way.
- Change items **10) I & 10) J** from discussion on Economic Development matter to Request from the City Manager to go into Executive Session to discuss a Legal matter pursuant to 1 M.R.S.A. 405 (6) E.
- Requested that after discussing item **10) C** Consideration of a recommendation from the City Manager to eliminate the payment in lieu of tax obligation of Waterfall Arts, to table the matter until a future date.

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

5) Acceptance of the minutes

Regular Council Meeting of September 1, 2015.

Councilor Arrison, seconded by Councilor Sanders, made a motion to accept the minutes from Regular Council Meeting of September 1, 2015. This was approved, 5-0.

6) Open to the public

Please state your name and town you are from when addressing the City Council.

1. Kathy Young, Development Director at Coastal Mountain Land Trust gave an update on the fundraiser efforts for the Rail Trail and informed the Council and public about the “Pennies for Passy” event.

7) Communications

Councilor Harkness provided an update on the efforts to get a City Radio Station up and running.

City Manager Joseph Slocum discussed the following:

- Thanked the organizers of the Wiener Fest for another successful event over the weekend.
- Informed Council that the water well at the Head of Tide Road has been damaged again.
- Updated Council on the status of the benches for the Armistice Bridge.
- Informed Council that he is generating ideas about Boathouse fees to be discussed at an upcoming date with the Council.
- Noted that the bid opening for the Waldo Ave. Reconstruction project will be on Thursday, September 17th.
- Updated Council and public on the status of the Rail Trail.

Mayor Ash thanked all those who helped with the Firefighters Parade and informed the public of a fundraiser event on October 24th from 2-6 p.m. at Bowen's for PALS.

Councilor Hurley reminded the public that on Saturday, September 19th at the Belfast Municipal Airport there will be the first Fly-In event.

Councilor Sanders discussed getting the word out to the public about where the Rail Trail is located, how citizens can access it, and where the City stands in its fundraising efforts.

8) Old Business and Council Committee Reports

Councilors Sanders and Hurley gave an update on the Energy Committee.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application for a Special Amusement Permit for Pinchy, Inc. d/b/a Three Tides for live entertainment, music, vocals – Karaoke, DJ and dancing at 2 Pinchy Lane, Belfast, Maine, interior and exterior decks.
- B. Request to approve an application by Tall Pine Healthcare Inc. d/b/a The Residence at Tall Pines located at 24 Martin Lane, Belfast, Maine for a renewal Malt and Vinous Other (Assisted Living) Class liquor license, interior only.
- C. Request to approve an application by J J J & G, Inc. d/b/a Darby's Restaurant located at 155 High Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior only.
- D. Request to approve a Parade Permit application submitted by Philip Wich on behalf of Belfast Area High School Student Senate Homecoming for a parade on October 2, 2015 starting at Lions Way.

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

10) Business

A) Consideration of a request for permission from the American Legion to place its dumpster in Crawford Park.

Parks and Recreation Director, Norm Poirier explained that since writing the memo enclosed within the Council packet some members of the Parks and Recreation Commission have reviewed the site and have changed their stance on the matter.

Carol Good, Parks and Recreation Commission informed the Council that the majority of the Commission no longer would recommend giving permission to place the dumpster in Crawford Park upon reviewing the requested location in person.

Wayne Cookson, American Legion discussed with Council the amount of space they would be requesting and alternative location options.

Council unanimously decided to table this issue until further information can be provided regarding dimensions and space availability at different locations around the building.

B) Request for approval of the 2015 Belfast combined Municipal Tax Rate and commit the taxes to the City Tax Collector for collection.

City Manager Joseph Slocum briefly explained valuation and the purpose of overlay and reviewed mil rate options with Councilors.

Councilors discussed their preference of the proposed mil rates.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the 2015 Belfast combined Municipal Tax Rate of 22.4 and commit the taxes to the City Tax Collector for collection. This motion was approved, 5-0.

C) Consideration of a recommendation from the City Manager to eliminate the payment in lieu of tax obligation of Waterfall Arts.

City Manager Joseph Slocum briefly explained his recommendation and requested that the Council table this issue as Waterfall Arts is currently working on applying for tax exemption.

Councilor Mortier, seconded by Councilor Harkness, made a motion to table the request to eliminate the payment in lieu of tax obligation of Waterfall Arts. This motion was approved, 4-0 (Councilor Sanders stepped away during the vote).

D) Request from the City Manager for the Council to approve a three-year collective bargaining agreement from July 1, 2014 to June 30, 2017 covering full-time employees in the Public Works, Wastewater Treatment and the Transfer Station departments.

City Manager Joseph Slocum explained the agreement and requested that the Council ratify the proposed 3 year agreement from July 1, 2014 to June 30, 2017 which will cover full-time employees in the Public Works, Wastewater Treatment and Transfer Station departments.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the three-year collective bargaining agreement from July 1, 2014 to June 30, 2017 covering full-time employees in the

Public Works, Wastewater Treatment and the Transfer Station departments. This motion was approved, 5-0.

E) Request from Ryan Otis for consideration of a request to extend power lines across the Washington Street Parking Lot toward Front Street in order to expand his business.

City Planner Wayne Marshall explained the request noting possible options as to where to run these extended powerlines.

Councilors requested clarification of the proposed options.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the request to extend power lines along Park on Main in order to expand his business. This motion was approved, 5-0.

F) Consideration of a request from the Parks and Recreation Director to spend up to \$5,000 from the Parks Maintenance budget line to provide for certain repairs and changes to the Steamboat Landing Gazebo.

Parks and Recreation Director Norm Poirier reviewed the proposal explaining what he hopes to accomplish aesthetically with these repairs and changes.

Councilors discussed the proposal and their concerns with eliminating seating.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request from the Parks and Recreation Director to spend up to \$5,000 from the Parks Maintenance budget line to provide for certain repairs and changes to the Steamboat Landing Gazebo, with the addition to the proposed design of movable seating. This motion was approved, 4-1 (Councilor Arrison opposed).

G) Update on the Project Canopy Grant with request to expand the footprint of certain tree locations in the Downtown area.

City Manager Joseph Slocum and Administrative Assistant Manda Cushman reviewed the downtown locations in which the arborist is recommending expanding the footprint.

Councilors discussed these locations and their recommendations of ensuring that the holes are dug deep enough, the soil is amended, that species are hardy and that they are properly watered.

Councilors unanimously decided that once tree species recommendations are submitted by the arborist that they are to be sent to the City Council with Councilors Mortier and Hurley having the authority to grant approval of the selection.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request to expand the footprint of certain tree locations in the Downtown area for the Project Canopy Grant, and that a memo will be provided to the Council of recommended species with Councilor Mortier and Hurley signing off on their approval. This motion was approved, 4-0 (Councilor Arrison abstained).

G) #1 Discussion on curbside brush and leaves.

City Manager Joseph Slocum discussed recent citizen concern and upon review of some streets throughout the City he agrees that there is an abundance of leaf and brush being left curbside inside the Bypass.

Council discussed possible ordinance changes to help enforce that no one is leaving brush or leaves curbside when it is not time for the City to pick-up those items.

City Manager Joseph Slocum informed the Council that he will be putting out public notices to remind the public about when these pick-ups occur.

H) Updated discussion on the creation of signs to notify the public about their opportunity to vote in elections.

City Manager Joseph Slocum discussed with Council the possibility of reaching out to a local school to help design and create election signs that could be utilized throughout the City on Election Day as a reminder to citizens both that it is voting day and where they can vote.

I) Request from the City Manager to go into Executive Session to discuss a Legal matter pursuant to 1 M.R.S.A. 405 (6) E.

Councilor Hurley, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 9:40 p.m. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Arrison, made a motion to adjourn Executive Session to discuss a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 10:32 p.m. This motion was approved, 5-0.

J) Request from the City Manager to go into Executive Session to discuss a Legal matter pursuant to 1 M.R.S.A. 405 (6) E.

Councilor Sanders, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 10:32p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 11:05 p.m. This motion was approved, 5-0.

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

Councilor Sanders, 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 11:05 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 11:25 p.m. This motion was approved, 5-0.

L) Signing of Council Orders and housekeeping items.

Council Order #15 Signed by Councilor Mortier, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$5,000 for repairs to the Gazebo at Steamboat Landing Park. Funds are to come from the Parks Maintenance Account #610-585. (Approved on September 15, 2015)

11) Open to the Public

No comments.

12) Communications

Councilor Sanders requested that the City contact Camden National Bank about the tree that needs to be replaced.

City Manager Joseph Slocum informed the Council that when the City accepted the Goose River Apartment Road as a City Road we also took on the CMP lights that are located on that road.

Mayor Ash inquired about lighting along Cross Street.

City Planner Wayne Marshall discussed the plan to look at lighting at both Cross Street and Miller Street.

Councilor Hurley inquired about the condition of the sidewalk between City Hall and Superior Court.

13) Adjourn

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn the meeting at 11:25 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