

\*These are "Action Only" minutes. Video of comments may be found on recorded discs at City Hall or at [www.cityofbelfast.org](http://www.cityofbelfast.org)\*

**City of Belfast  
Council Chambers-Belfast City Hall  
Tuesday, October 6, 2015  
7:00 p.m.**

**Public Hearing #1**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, October 6, 2015 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of City Hall to hear an application for Lawrence and Sandra Moses d/b/a Dockside Family Restaurant, located at 30 Main Street for a renewal Malt Spirituous and Vinous Restaurant Class liquor license, interior and exterior decks.

Councilor Mortier 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, October 6, 2015 at 7:00 p.m. or as soon as possible thereafter on an application by The Crusty Crab LLC d/b/a Front Street Pub, located at 37B Front Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior fenced in deck.

Councilor Mortier asked for proponents and opponents and hearing none declared the hearing closed.

**Public Hearing #3**

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 Tuesday, October 6, 2015 at 7:00 p.m. or as soon as possible thereafter on an application for a renewal Special Amusement Permit by The Crusty Crab LLC d/b/a Front Street Pub, located at 37B Front Street, Belfast, Maine for live entertainment, music, vocals- Karaoke, DJ and dancing, interior and exterior deck.

Councilor Mortier 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, October 6, 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 Legion Post 43 (Frank D. Hazeltine), located at 143 Church Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Club Class liquor license.

Councilor Mortier asked for proponents and opponents and hearing none declared the hearing closed.

**Public Hearing #5**

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 Tuesday, October 6, 2015 at 7:00 p.m. or as soon as possible thereafter on an application for a Special Amusement Permit by American Legion Post 43 (Frank D. Hazeltine), located at 143 Church Street, Belfast, Maine for live entertainment, music, vocals- Karaoke, DJ and dancing, interior/exterior.

Councilor Mortier asked for proponents and opponents and hearing none declared the hearing closed.

**Public Hearing #6**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, October 6, 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 Bowen's Tavern, located at 181 Waterville Road, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license.

Councilor Mortier asked for proponents and opponents and hearing none declared the hearing closed.

**Public Hearing #7**

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 Tuesday, October 6, 2015 at 7:00 p.m. or as soon as possible thereafter on an application for a Special Amusement Permit by Bowen's Tavern, located at 181 Waterville Road, Belfast, Maine for live entertainment, music, vocals-Karaoke, DJ and dancing, interior/exterior.

Councilor Mortier asked for proponents and opponents and hearing none declared the hearing closed.

**Regular Council Meeting No. 7**

**1) Call to order**

**2) Present:** 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.

**Absent:** Mayor Walter Ash, Jr.

### 3) Pledge of Allegiance

### 4) Adoption of the agenda

City Manager Joseph Slocum requested to amend the agenda as follows:

- Add item 9) O Request from the City Clerk to approve and sign the Election Warrant.
- Add item 10) A #1 Update from Waldo County Sheriff Trafton.
- Add item 10) J #1 Update on the Rail Trail.
- Add item 10) M #1 Request to move \$4,500 from the Heritage Park account to replace the roof on the Trap Shack.

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 15, 2015.

Councilor Arrison, seconded by Councilor Hurley, made a motion to accept the minutes from Regular Council Meeting of September 15, 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. Police Chief Mike McFadden informed the Council and Public about an upcoming WeCare event on October 19<sup>th</sup> at 6:00 p.m. in the Abbott Room of the Belfast Library in which they will be viewing a film about Chief Leonard Campanello, from Gloucester, Massachusetts program that helps assist people with drug addiction.

2. Breanna Pinkham Bebb, Our Town Belfast Executive Director gave a brief organization update and informed the public that the Promotions Committee will be meeting October 7<sup>th</sup> at 4:00 p.m. at the Our Town Belfast Office to begin working on holiday ideas and all are welcome to attend.

3. Jay Foster, Experimental Aircraft Association (EAA) gave an overview of the first Fly-In event at the Belfast Municipal Airport.

4. Mark Dittrick, spoke about his request to place two signs along the Harbor regarding North Atlantic Right Whales as an educational and outreach program through NOAA and informed the Council that he has selected two possible locations for their approval.

Councilors unanimously agreed to add this to the agenda for discussion as item 10) A #2 Discussion on placement of North Atlantic Right Whales educational and outreach signage.

## 7) Communications

Councilor Hurley acknowledged the Festival of Champions and thanked all those who responded to the rain storm that hit Belfast last Wednesday.

City Manager Joseph Slocum informed the Council that he has received a letter from Dale Rowley, Waldo County Emergency Management requesting the City Manager to sign off on utilizing Troy Howard Middle School as a warming location in case of an emergency.

City Manager Joseph Slocum discussed with Council a recent concern from a citizen regarding non-emergency transfers to hospitals out of state and being unable to utilize City ambulances for that purpose. He explained that he is gather more information on this and plans to bring this back for Council discussion at a future date.

## 8) Old Business and Council Committee Reports

No discussion.

## 9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a Facility Use application by the Maine Celtic Celebration for use of the Belfast Common, Steamboat Landing and Front Street for the 2016 Maine Celtic Celebration on July 15<sup>th</sup> -17<sup>th</sup>, 2016.
- B. Request to approve a Facility Use application by the Waldo County Y for use of City streets for the annual Child Shall Lead Race/Walk on Sunday, October 11, 2015 beginning at 7:30 a.m. from the Belfast Area High School.
- C. Request to approve a Facility Use Application by Mary Weaver for use of Church Street between Miller Street and Beaver and Spring Streets between Court and Church Streets for the annual Church Street Festival on Saturday, October 3, 2015 from 9:00 a.m. to 3:00 p.m.
- D. Request to approve a Parade Permit application submitted by Mary Weaver for the Annual Church Street Festival parade on Saturday, October 3, 2015 starting at 10:00 a.m. at 49 High Street.
- E. Request to approve a permit for coin-operated machines for Bowen's Tavern LLC located at 181 Waterville Road, Belfast, Maine.
- F. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for a wedding reception located at the Belfast Boathouse, 34 Commercial St., Belfast, Maine on September 17, 2015 from 6:00 p.m. to 10:00 p.m.
- G. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for the Oktoberfest by the Bay fundraiser located at the dirt lot, 47 Main St., Belfast, Maine on September 12, 2015 from 12:00 p.m. to 5:00 p.m.
- H. Request to approve an application by Lawrence and Sandra Moses d/b/a Dockside Family Restaurant located at 30 Main Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior decks.

- I. Request to approve an application by The Crusty Crab LLC d/b/a Front Street Pub located at 37B Front Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior fenced in deck.
- J. Request to approve an application by The Crusty Crab LLC d/b/a Front Street Pub located at 37B Front Street, Belfast, Maine for a renewal Special Amusement Permit for live entertainment, music, vocals – Karaoke, DJ and dancing, interior and exterior deck.
- K. Request to approve an application by American Legion Post 43 (Frank D. Hazeltine) located at 143 Church Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Club Class liquor license.
- L. Request to approve an application by American Legion Post 43 (Frank D. Hazeltine) located at 143 Church Street, Belfast, Maine for a Special Amusement Permit for live entertainment, music, vocals-Karaoke, DJ, interior/exterior.
- M. Request to approve an application by Bowen’s Tavern located at 181 Waterville Road, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license.
- N. Request to approve an application by Bowen’s Tavern located at 181 Waterville Road, Belfast, Maine for a Special Amusement Permit for live entertainment, music, vocals-Karaoke, DJ and dancing, interior/exterior.
- O. Request from the City Clerk to approve and sign the Election Warrant.

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

#### 10) Business

A) Request from Goose River Farms for permission to place a sign on a City easement.

City Planner Wayne Marshall explained the request noting where the sign would be located on a map.

Chris Boynton addressed questions regarding the request and access to his property.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request from Goose River Farms for permission to place a sign on a City easement. This motion was approved, 5-0.

A) #1 Update from Waldo County Sheriff Trafton.

Waldo County Sheriff Trafton reviewed the role of the Sheriff’s Office within the community and highlighted the Office’s top priorities for the next year.

A) #2 Discussion on placement of North Atlantic Right Whales educational and outreach signage.

Mark Dittrick reviewed with Council the two proposed locations for signage:

1. On a year round trash can near Thompson's Wharf.
2. On the outside of the Harbor Master's Office.

Councilors discussed the proposed locations noting that Mr. Dittrick may want to reach out to Front Street Shipyard to determine if they have a suitable location for sign number two.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request to post signage for North Atlantic Right Whales, one on the permanent garbage bin at Thompson's Wharf and to authorize Mr. Dittrick to coordinate with the Belfast Harbor Master or Front Street Shipyard to find an appropriate location for the second sign. This motion was approved, 5-0.

**B) Discussion of an EPA administrative complaint against Penobscot McCrum Company and related City safety and emergency response activities.**

City Manager Joseph Slocum briefly reviewed the EPA administrative complaint against Penobscot McCrum and reviewed how City, County and State representatives are working with Penobscot McCrum to create a safety and emergency response plan as well as determining how the City can become better educated and trained in case of an emergency.

Councilors discussed the importance of having a plan and educating appropriate parties regarding what they should do in case of an emergency.

**C) Request to accept the bids and to award the bid for the abatement of hazardous building materials and the demolition of two buildings located at 45 Front St.**

Economic Development Director Thomas Kittredge reviewed the bids solicited by Ransom Consulting who have recommended awarding the bid to the lowest bidder Cross Excavation of Bethel, Maine.

Councilors discussed timeline for work to begin and be completed and reviewed the process in which artifacts will be removed and set aside for organizations who have requested.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the bids and for the abatement of hazardous building materials and the demolition of two buildings located at 45 Front Street. This motion was approved, 5-0.

Councilor Hurley, seconded by Councilor Sanders, made a motion to award the bid to the lowest bidder Cross Excavation of Bethel, Maine for the abatement of hazardous building materials and the demolition of two buildings located at 45 Front Street. This motion was approved, 5-0.

**D)** Request to authorize the City Manager to sign a Declaration of Environmental Covenant for the Belfast Harbor Walk.

Economic Development Director Thomas Kittredge explained that the City has created a Soil Management Plan as part of the Maine Department of Environmental Protection's Voluntary Response Action Program this Soil Management Plan directs how the City should deal with soil underneath the Harbor Walk if they are ever encountered again during reconstruction and this covenant ensures that the City lives up to that plan.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the request to authorize the City Manager to sign a Declaration of Environmental Covenant for the Belfast Harbor Walk. This motion was approved, 5-0.

**E)** First Reading on a request to amend the General Assistance Ordinance.

General Assistance Administrator Pam Chase reviewed the overall limits and discussed with Council that they have the option to not adopt the caps on housing giving the City more flexibility.

Councilors discussed the possibility of not adopting the caps on housing and whether or not it could have an effect on the application or reimbursement process.

General Assistance Administrator Pam Chase noted that the Public Hearing and Second Reading will be conducted at the October 20<sup>th</sup> Council Meeting.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the First Reading of amendments to the General Assistance Ordinance. This motion was approved, 5-0.

**F)** Revised First Reading of an Ordinance Amendment regarding the location of no parking areas for Cross Street, Front Street between Main Street and Commercial Street and Miller Street between Main Street and Front Street.

City Planner Wayne Marshall reviewed the locations of no parking and clean-up changes to this ordinance regarding stop signs and one way streets.

Councilors discussed the options regarding no parking zone from High Street to Cross Street along Miller St. and the effects that each option has on the amount of parking spaces.

Council unanimously agreed to amend the prohibition of parking to the Matthews Brothers side of Miller Street from High Street to Cross Street.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the revised First Reading of Ordinance Amendments regarding the location of no parking areas for Cross Street, Front Street between Main Street and Commercial Street and Miller Street between Main Street and Front Street, with the amendment made to prohibition of parking to the Matthews Brothers side of Miller Street. This motion was approved, 5-0.

G) Request to accept the bids and to award the bid for the enhancement of the entrance at City Park.

Parks and Recreation Director Norm Poirier reviewed the bids recommending that the Council award the bid to the lowest bidder Landscape Design Services of Camden, Maine.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the bids for the enhancement of the entrance at City Park. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Hurley, made a motion to award the bid to the lowest bidder Landscape Design Services of Camden, Maine for the enhancement of the entrance at City Park. This motion was approved, 5-0.

H) Request to accept the bids and award the bid for the reconstruction of the Waldo Avenue sidewalk.

City Manager Joseph Slocum reviewed the bids, recommending that the Council award the bid to the lowest bidder F. Cameron Paving and Son of Searsport, Maine.

Councilor Hurley, seconded by Councilor Arrison, made a motion to accept the bids for the reconstruction of the Waldo Avenue sidewalk. This motion was approved, 4-0 (Councilor Harkness stepped out of the room during the vote).

Councilor Hurley, seconded by Councilor Arrison, made a motion to award the bid to the lowest bidder F Cameron Paving and Son of Searsport, Maine for the reconstruction of the Waldo Avenue sidewalk. This motion was approved, 4-0 (Councilor Harkness stepped out of the room during the vote).

**I)** Request for engagement of the City Auditor for the annual audit and authorization to sign the Auditor's Management Letter.

City Manager Joseph Slocum briefly explained what the Auditor's Management Letter is, requesting that one member of Council sign the letter on behalf of the City Council.

Councilor Sanders offered to sign the letter on behalf of the City Council.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the request for engagement of the City Auditor the annual audit and authorization to sign the Auditor's Management Letter. This motion was approved, 5-0.

**J)** Request from the City Manager to allocate additional funding for the conclusion of consultant assistance in the Union Negotiations.

City Manager Joseph Slocum requested that the \$401.75 be paid from the Undesignated Fund Balance.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the request from the City Manager to expend up to \$401.75 from the Undesignated Fund Balance for the conclusion of consultant assistance in the Union Negotiations. This motion was approved, 5-0.

**J) #1** Update on the Rail Trail.

City Manager Joseph Slocum requested that the bid be postponed until winter to allow for Public Works crews to conduct ditching, pushing the application of the stone dust on the trail to the spring of 2016.

Councilors discussed the request unanimously agreeing to postpone the bid until the winter, noting that they would like the application of the stone dust to be priority for the spring and to be completed by the end of May 2016.

**K)** Request from the City Manager to allocate additional funding for the remodeling of the City-owned offices leased to the Coast Guard.

City Manager Joseph Slocum explained that the remodeling is part of the lease agreement with the Coast Guard in which the City will be repaid, he requested to amend Council Order #54 from June 2, 2015 from \$18,000 to \$27,000 to provide additional funding for some unexpected expenses.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the request from the City Manager to allocate additional funding for the remodeling of the City owned offices leased to the Coast Guard. This motion was approved, 5-0.

**L)** Update on the Front Street Reconstruction Project.

City Planner Wayne Marshall reviewed where the project currently stands and what they plan to accomplish at the City Council Work Session on Tuesday, October 13<sup>th</sup> at 5:15 p.m.

**M)** Update and discussion on broadband and internet efforts.

Councilors requested to have a broader discussion on the matter at the October 20<sup>th</sup> Council Meeting, noting that they would like the Broadband Committee to meet before that time.

**M) #1** Request to move \$4,500 from the Heritage Park Trust Account to replace the roof on the Trap Shack.

Councilors discussed whether or not there are any restrictions on how funds are utilized from this account and if there are any limitations on what they can do to the structures within the park. Council unanimously decided to table this request until the October 20<sup>th</sup> Council Meeting to allow for the ability to gather more information.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the request to move \$4,500 from the Heritage Park Trust Account to replace the roof on the Trap Shack. Councilor Sanders withdrew his motion.

N) Request 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 Arrison, 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 10:00 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 matter pursuant to 1 M.R.S.A. 405 (6) C at 10:17 p.m. This motion was approved, 5-0.

O) Request to go into Executive Session to discuss a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A.

Councilor Hurley, seconded by Councilor Harkness, made a motion to go into Executive Session to discuss a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 10:17 p.m. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Arrison, made a motion to adjourn Executive Session to discuss a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 10:37 p.m. This motion was approved, 5-0.

P) Signing of Council Orders and housekeeping items.

Council Order #16 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$401.75 to pay for a consultant from the Maine Municipal Association who provided assistance in Union Negotiations. Funds are to come from the Undesignated Fund Balance. (Approved October 6, 2015)

Council Order #17 Signed by Councilor Sanders, Ordered That:

\*Amending Council Order # 54 June 2, 2015

The City Manager and the City Treasurer are authorized to expend up to \$27,000 to make improvements to the Coast Guard offices that will be repaid to the City under the lease agreement. Funds will come from the Undesignated Fund Balance. (Approved October 6, 2015)

## 11) Open to the Public

No public comment.

**12) Communications**

Councilor Hurley requested Councilors consider having an Economic Development Work Shop in the near future.

Economic Development Director Thomas Kittredge discussed the proposed Work Session with the Airport Advisory Committee.

Councilor Sanders informed the Council of the Annual Pie & Story Festival that took place over the weekend.

**13) Adjourn**

Councilor Sanders, seconded by Councilor Arrison, made a motion to adjourn the meeting at 10:37 p.m. This motion was approved, 5-0.

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