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**City of Belfast
Council Chambers-Belfast City Hall
Tuesday, November 3, 2015
7:00 p.m.**

Regular Council Meeting No. 9

1) Call to order

2) Present: Mayor Walter Ash, Jr., Councilors Mary Mortier, Neal Harkness, Michael Hurley and John Arrison; City Manager Joseph Slocum and Admin. Assistant to the City Manager Manda Cushman.

Absent: Councilor Eric Sanders

3) Pledge of Allegiance

4) Adoption of the agenda

City Manager Joseph Slocum requested to amend the agenda, adding item **10) J #1** Discussion on additional funding for the purchase of an energy efficient boiler for the Fire Station.

Councilor Harkness, seconded by Councilor Mortier, made a motion to adopt the agenda as amended. This motion was approved, 4-0.

5) Acceptance of the minutes

Regular Council Meeting of October 20, 2015.

Councilor Mortier, seconded by Councilor Hurley, made a motion to accept the minutes from Regular Council Meeting of October 20, 2015. This was approved, 4-0.

6) Open to the public

No public comments.

7) Communications

City Manager Joseph Slocum reminded the public that voting is taking place until 8:00 p.m., Wards 1, 2, 3 & 4 at the Belfast Boathouse and Ward 5 at the United Methodist Church.

Councilor Hurley reminded the public that Coastal Mountain Land Trust and the Colonial Theater are teaming up for a free screening of the film *Stand by Me*, on Monday, November 9th at 5:30 p.m.

Council Mortier informed the Council and the public that there will be another New Years by the Bay celebration this year.

City Manager Joseph Slocum gave updates on the following topics:

- Penobscot McCrum Emergency Management Plan
- Outer and Coastal Harbor Plan
- Crocker Road
- Rail Trail
- Waldo Ave sidewalk
- Leaf pick-up
- Winter parking ban

8) Old Business and Council Committee Reports

Councilor Mortier and Arrison discussed with Council the recent meetings they have attended for the Outer and Coastal Harbor Plan and commending the hard work that everyone has been putting in to get this Plan accomplished by December.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a license for coin-operated machines for Capital Pizza Huts d/b/a Pizza Hut located at 15 Belmont Avenue, Belfast, Maine.
- B. Request to approve a license for coin-operated machines for Lafayette Belfast LLC d/b/a Fireside Inn located at 159 Searsport Avenue, Belfast, Maine.
- C. Request to approve an off premises catering permit for the Crusty Crab LLC d/b/a The Front Street Pub for a Halloween Party from 11:00 a.m. on October 30th to 1:00 a.m. on October 31st, 2015 located at The Front Street Pub, 37 Front Street, Belfast, Maine, interior and exterior (parking lot of premise).
- D. Request to approve an off premises catering permit for the Otis Group Inc. d/b/a Rollie's Bar & Grill for the Chamber of Commerce Business After Hours event on October 28, 2015 from 5:00 p.m. to 7:00 p.m. located at the Belfast Boathouse, 34 Commercial Street, Belfast, Maine.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the consent agenda. This motion was approved, 4-0.

10) Business

- A) Request to remove a tree in the City right-of-way on Congress Street between CMP poles 15 and 16.

City Manager Joseph Slocum reviewed the request from CMP and noted that the City had not received any public comment about its possible removal.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request by CMP to remove a tree in the City right-of-way on Congress Street between CMP poles 15 and 16. This motion was approved, 4-0.

B) Request to authorize the CMP pole permit for a new pole on Pitcher Road for the Solar Project at the landfill.

City Manager Joseph Slocum noted that this new pole is for the Solar Project at the landfill.

Councilor Arrison, seconded by Councilor Hurley, made a motion to accept the request to authorize a CMP pole permit for a new pole on Pitcher Road for the Solar Project at the landfill. This motion was approved, 4-0.

C) Request from the Economic Development Director to authorize a \$400,000 grant application to the US EPA Brownfield Assessment Program.

Economic Development Director Thomas Kittredge requested authorization to submit a \$400,000 grant application to the US EPA Brownfield Assessment Program, and discussed what these grant funds have and could be utilized for in the future.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the request from the Economic Development Director to authorize a \$400,000 grant application to the US EPA Brownfield Assessment Program. This motion was approved, 4-0.

D) Request to authorize an application to Maine DEP Brownfield Revolving Loan Fund for grant assistance in the cleanup of 45 Front Street.

Economic Development Director Thomas Kittredge explained the grant and that it will be strictly utilized to assist with the oil deposits found during the demolition of the Maskers building at 45 Front Street now referred to as Belfast Yards.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request to authorize an application to Maine DEP Brownfield Revolving Loan Fund for grant assistance in the cleanup of 45 Front Street. This motion was approved, 3-0 (Councilor Harkness stepped out of the room).

E) Request to transfer \$4,700 to account 730 – 823 from the Airport Runway Reserve for additional survey work related to the Parallel Taxiway Project.

Economic Development Director Thomas Kittredge explained that these funds are for additional topographic work related to the Parallel Taxiway Project for existing airport safety, and that the City will be reimbursed 95% in 2017.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request to transfer \$4,700 to account 730-823 from the Airport Runway Reserve for additional survey work related to the Parallel Taxiway Project. This motion was approved, 4-0.

F) Request to transfer up to \$15,786.67 from the Airport Runway Reserve Account to be used as a local match for the acquisition of aviation easements on private properties near the Airport.

Economic Development Director Thomas Kittredge explained that these aviation easements will be focused on the runway 33 end obstructions, and that the easements are not for purchase of property only to eliminate or restrict obstructions in the air space of the Municipal Airport.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request to transfer up to \$15,786.67 from the Airport Runway Reserve Account to be used as a local match for the acquisition of aviation easements on private properties near the Airport. This motion was approved, 4-0.

G) Request from the City Manager to take lease payments received from the Low Hanger at the Belfast Municipal Airport and deposit them in a Capital Projects Fund to maintain that Hanger.

City Manager Joseph Slocum explained that the City will be receiving \$350 a month for the next three years from the Low Hager at the Belfast Municipal Airport, his recommendation is that the City place those funds into a Capital Projects account for future maintenance and repairs of that hanger.

Councilor Arrison suggested that the Council consider keeping the lease monies as income rather than to place it in a Capital Projects account.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from the City Manager to take lease payments received from the Low Hanger at the Belfast Municipal Airport and deposit them in a Capital Projects Fund to maintain that Hanger. This motion was approved, 3-1 (Councilor Arrison opposed).

H) Discussion on the 2016 – 2017 budget and any and all Council requested budget analysis.

City Manager Joseph Slocum discussed providing the Council with historical budget analysis to prepare for next year's budget discussions.

I) Discussion on a request to add equipment to a phone tower on the East Side that revealed a conflict between Belfast Zoning Ordinance and Federal Regulation.

City Planner Wayne Marshall explained the existing Belfast Zoning Ordinance and how it currently conflicts with Federal Regulation, he requested that the Council acknowledge that the Code Enforcement Officer will be issuing a permit to add equipment to this tower which goes against the City's current Code based on the attorney's recommendation.

City Council unanimously acknowledged the issuance of a permit to add equipment to a phone tower.

City Planner Wayne Marshall noted that proposed amendments that will revise the Code to comply with Federal Standards will come before the Council at a later date.

J) Request to schedule Work Sessions on Council Goals and the Manager Evaluation.
Councilors scheduled the following:

- Work Session on Council Goals and the Manager Evaluation: Tuesday, November 24th at 6:15 p.m.
- Swearing-in Ceremony: Monday, November 9th at 10:00 a.m.
- Special City Council Meeting: Thursday, November 5th at 6:15 p.m.

J) #1 Discussion on additional funding for the purchase of an energy efficient boiler for the Fire Station.

City Manager Joseph Slocum explained that the City went out to bid for a new boiler for the Fire Station, only one bid from Lakeside Burners Service was submitted. This boiler will cost \$12,850; the City Manager is requested additional funding of \$2,850 from the Undesignated Fund Balance to pay for the purchase and installation of this boiler.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request from the City Manager to utilize additional funding of up to \$2,850 from the Undesignated Fund Balance for the purchase of a new energy efficient boiler for the Fire Station. This motion was approved, 4-0.

K) Request from the City Manager to go into Executive Session to discuss a legal matter involving real estate pursuant to 1 MRSA 405 (6) C.

Councilor Mortier, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss a legal matter involving real estate pursuant to 1 M.R.S.A. 405 (6) C at 8:40 p.m. This motion was approved, 4-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to adjourn Executive Session to discuss a legal matter involving real estate pursuant to 1 M.R.S.A. 405 (6) C at 8:48 p.m. This motion was approved, 4-0.

L) Discussion and possible action on certain lien rights belonging to the City.

City Manager and Councilors discussed lien rights.

Councilor Mortier, seconded by Councilor Arrison, made a motion to authorize the City Manager to enter into a memorandum of agreement and partial release of lien with Martin J. Crowe for property located at 11 Kaler Road, Belfast, Maine reflected on Tax Map 17, Lot 7 and described in a deed recorded in Book 1078 Page 215. This motion was approved, 4-0.

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

Councilor Mortier, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 8:55 p.m. This motion was approved, 4-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to adjourn Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 9:00 p.m. This motion was approved, 4-0.

N) Signing of Council Orders and housekeeping items.

Council Order #18 Signed by Councilor Harkness, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$14,000 for the Energy Committee for consulting services. Funds will come from the following: Wastewater Treatment Plant Reserves (\$4,000) and Undesignated Fund Balance (\$10,000). (Approved on October 20, 2015)

Council Order #19 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$740 for the purchase of 2'x3' plastic election signs. Funds will come from the Undesignated Fund Balance. (Approved on October 20, 2015)

Council Order #20 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$4,000 to replace the roof on the Trap Shack building. Funds will come from the Heritage Park Account. (Approved on October 20, 2015)

Council Order #21 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$4,700 for additional survey work related to the Belfast Municipal Airport's parallel taxiway project. Funds to be transferred from the City's Airport Runway Capital Reserve Account to account 730-823. (November 3, 2015)

Council Order #22 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$15,786.67 as the City's required 5% local match for an aviation easement acquisition project for Belfast Municipal Airport. Funding to come from the City's Airport Runway Capital Reserve Account. (November 3, 2015)

11) Open to the Public

No public comments.

12) Communications

No communications.

13) Adjourn

Councilor Mortier, seconded by Councilor Harkness, made a motion to adjourn the meeting at 9:00 p.m. This motion was approved, 4-0.

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