

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, January 5, 2016
7:00 p.m.**

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on January 5, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Michael Casby d/b/a Trillium Events, Inc. located at 31 Pendleton Street, Belfast, Maine for a renewed Malt, Spirituous and Vinous qualified 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 January 5, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Capital Pizza Huts, Inc. d/b/a Pizza Hut located at 15 Belmont Avenue, Belfast, Maine for a renewal Malt Restaurant liquor license, interior only.

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

Regular Council Meeting No. 13

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:

- Table item **10) G** Request from Maurice and Esther Darres to extend a private road and private utilities in the Court Street right-of-way.
- Table item **10) J** Renewal of 5 year agreement with Soil Preparation for the disposal of sludge.
- Remove item **10) L** Request to go into Executive Session to discuss a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C.
- Add item **10) I #1** Update on solid waste management in Belfast.

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

5) Acceptance of the minutes

Regular Council Meeting of December 15, 2015.

Councilor Arrison requested that on item 13 of the agenda the time of adjournment be changed from 12:21 p.m. to 12:21 a.m.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the minutes from Regular Council Meeting of December 15, 2015, as amended. 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. Sasha Kutsy, Belfast spoke about concerns with the lack of lighting along Miller Street and inquired about the sledding hill which has not been lined with hay bales this year to prevent children from going into the road.

2. Alison Rector, Monroe thanked the Council for taking the time to listen to the request of creating a Green Cemetery in Belfast.

7) Communications

City Manager Joseph Slocum discussed the following:

- MRC meeting at the Boathouse will be January 6th at 6:00 p.m.
- Airport Master Plan Meeting will be held at City Hall on January 7th at 9:30 a.m.
- Outer Harbor Plan Public Hearing will be held at the Hutchinson Center on January 25th at 6:30 p.m.
- The Community Ice Skating Rink is now open for the season.
- Dog license are due by January 29th at 5:00 p.m.
- Informed Council of a letter he sent to the Superintendent of Schools regarding
- Thanked Councilor Mary Mortier for another successful New Year's By The Bay event.

Councilor Mortier gave an update of the New Year's By The Bay celebrations, and thanked all those who volunteered and attended.

Councilor Arrison informed the public about upcoming performances by VOXX Voice of Twenty.

Councilor Harkness reminded Council of a couple items to keep on the radar: pesticide use in the parks and pickle ball courts.

Councilor Sanders addressed public concerns with the changing of the name of Columbus Day to Indigenous People's Day in Belfast.

Mayor Ash informed the Council that he was contacted by another community who has also recently changed Columbus Day to Indigenous People's Day and where wondering if we as a community had any plans to celebrate Indigenous People's Day.

Mayor Ash informed the Council and public that Saturday, January 9th is National Police Officer's Day and thanked all the Officer's within the Belfast Police Department for the work that they do.

8) Old Business and Council Committee Reports

City Manager Joseph Slocum informed the Council that information regarding the Mayor's Coalition came in late so discussion regarding it will take place at the next regularly scheduled Council Meeting.

Councilor Hurley requested further information on the Service Center Coalition as well.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve the application by Michael Casby d/b/a Trillium Events, Inc. located at 31 Pendleton Street, Belfast, Maine for a renewal Malt, Spirituous and vinous qualified caterer liquor license.
- B. Request to approve the application by Capital Pizza Huts, Inc. d/b/a Pizza Hut located at 15 Belmont Avenue, Belfast, Maine for a renewal Malt Restaurant liquor license, interior only.
- C. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for a holiday social/fundraiser event located at the Belfast American Legion, 143 High Street, Belfast, Maine on December 26, 2015 from 6:00 p.m. to 12:00 a.m.
- D. Request to approve a Facility Use application by Cold Comfort Theater for use of Park on Main on July 4, 2016 from 11:00 a.m. to 1:30 p.m. for the "Songs of America" performance.
- E. Request to approve a Facility Use application by Cold Comfort Theater for use of Steamboat Landing Park from July 6 – 10, 2016 from 5:30 p.m. to 9:30 p.m. for musical performances.
- F. Request to approve a Facility Use application by The Belfast Maskers for use of Steamboat Landing Park on July 28 – 31, 2016 at 7:00 p.m. for the "Addams Family Musical" performances.

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

10) Business

- A) Reconsideration of the bid award for a tax acquired mobile home.

City Manager Joseph Slocum explained that the bidder that was awarded at the last Council Meeting did not realize that the land did not come with the mobile home and has withdrawn their bid; the City is now requesting that the Council award the bid to the second highest bidder Shaina Brown for \$1,500.

Councilor Mortier, seconded by Councilor Sanders, made a motion to reverse the authorization to sell the mobile home to Jenifer Wenz and to authorize the sale of the tax acquired mobile home to Shaina Brown for \$1,500. This motion was approved, 5-0.

B) Request to carry forward some budgeted funds from fiscal year 2014 – 2015 and place them into fiscal year 2015 – 2016.

City Manager Joseph Slocum explained the items/amounts being requested to be carry forward.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request to carry forward up to \$58,772 budgeted funds from fiscal year 2014-2015 and place them into fiscal year 2015-2016.

Councilor Hurley inquired about the carry forward of the Tree Maintenance and Planting lines.

Councilor Mortier, seconded by Councilor Sanders, amended the motion to accept the request to carry forward up to \$58,772 budgeted funds from fiscal year 2014-2015 and place them into fiscal year 2015-2016, and to include any carry forward of budgeted funds from the Tree Maintenance and Planting lines. This motion was approved, 5-0.

C) Request to cancel a Property Lien.

City Manager Joseph Slocum explained the request, noting that the mobile home is no longer located on the property.

Mayor Ash inquired about how this happened and how the City can improve to ensure this doesn't happen again.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to cancel a property lien on a mobile home at 9 Cory Lane which is no longer located at this location. This motion was approved, 5-0.

D) Request from the Fire Chief to waive the formal bid process to acquire a new ambulance that will retrofit an existing ambulance body onto a completely new engine and chassis.

City Manager Joseph Slocum explained how the City has purchased ambulances in the past versus now, noting that the Fire Chief has found a more cost effective way to purchase either the box or the body and that the Chief is requesting to waive the bidding process because only select companies do this type of work.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the request from the Fire Chief to waive the formal bid process to acquire a new ambulance that will retrofit an existing ambulance body onto a completely new engine and chassis. This motion was approved, 5-0.

E) Request from the Librarian for permission to refill a 20 hour per week Library Assistant position.

City Manager Joseph Slocum explained that the Library Assistant has submitted her letter of resignation and the Librarian is requesting permission to refill that position.

Councilors inquired why this department has requested authority to refill a position while other departments do not.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the request from the Librarian for permission to refill a 20 hour per week Library Assistant position. This motion was approved, 4-0 (Councilor Sanders stepped out of the room).

F) Update on proposed changes to the Cemetery Ordinance.

City Manager Joseph Slocum informed the Council that he and Councilor Arrison have been working with both the Cemetery Trustees, Cemetery Superintendent and the City Attorney to fine tune the draft ordinance amendments, once a draft ordinance has been completed it will need to go before both the Trustees and Attorney before being brought before the Council for consideration.

G) Request from Maurice and Esther Darres to extend a private road and private utilities in the Court Street right-of-way.

Agenda item tabled until a future meeting.

H) Follow-up on the request of East Coast Greenway Alliance to place signs on the Harbor Walk and the Armistice Bridge to designate that they are part of the East Coast Greenway Trail.

City Manager Joseph Slocum briefly updated the East Coast Greenway Alliance request noting that the signs are \$8.00 each and that they would like to place a sign at each end of the Harbor Walk.

Councilor Arrison, seconded by Councilor Harkness, made a motion to accept the request from the East Coast Greenway Alliance and to purchase two of their signs to be placed on either end of the

Harbor Walk (one at the Boathouse and the other at East Side of the Armistice Bridge). This motion was approved, 5-0.

D) Update on consideration of new rental fees for nonprofit entities who wish to rent the Boathouse.

City Manager Joseph Slocum and Councilor Mortier explained the work that they have done to create a fair fee schedule for all who utilize the Boathouse and they would like the Council to review their proposal and revisit it at the next regular Council Meeting.

D) #1 Update on solid waste management in Belfast.

City Manager Joseph Slocum informed the Council about what the Municipal Review Committee Informational Meeting at the Boathouse on January 6th.

J) Renewal of 5 year agreement with Soil Preparation for the disposal of sludge.

Agenda item tabled until a future meeting.

K) Request to go into Executive Session to discuss a Poverty Abatement matter pursuant to 38 M.R.S.A 841 (2) E.

Councilor Sanders, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss a request for a Poverty Abatement matter pursuant to 38 M.R.S.A. 841 (2) E at 8:52 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Arrison, made a motion to adjourn Executive Session to discuss a request for a Poverty Abatement matter pursuant to 38 M.R.S.A. 841 (2) E at 9:00 p.m. This motion was approved, 5-0.

L) Request to go into Executive Session to discuss a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C.

Item removed from agenda.

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

Councilor Hurley, seconded by Councilor Harkness, made a motion to go into Executive Session to discuss a real estate matter pursuant to Title 1 M.R.S.A Section 405 (6) C at 9:00 p.m. The motion passed, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss a real estate matter pursuant to Title 1 M.R.S.A Section 405 (6) C at 9:59 p.m. The motion passed, 5-0.

N) Signing of Council Orders and housekeeping items.

11) Open to the Public

No comments.

12) Communications

Councilor Hurley discussed the solar array at the old landfill.

Councilor Mortier thanked Councilor Hurley for putting together another successful bonfire for the New Year's By The Bay celebration.

13) Adjourn

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn the meeting at 9:59 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