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City of Belfast
Council Chambers-Belfast City Hall
Tuesday, February 2, 2016
7:00 p.m.

Regular Council Meeting No. 15

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 move item **10) M** on the agenda to **10) B #1**.

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

5) Acceptance of the minutes

Regular Council Meeting of January 19, 2016.

Councilor Arrison requested that the minutes reflect a motion to write a letter to the Maine State Police.

Councilors discussed whether or not a motion was made, ultimately deciding not to amend the minutes.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the minutes from Regular Council Meeting of January 19, 2016. 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. Karna Olsson spoke on behalf of the Library Trustees informing the Council and public of upcoming programming at the Library during school vacation.

2. Debbie Hockensmith of Belfast spoke on behalf of the Friends of Belfast Parks regarding the labyrinth and herbicide use at Belfast Commons.
3. Duncan Newcomer of Northport spoke in favor of the proposal for a labyrinth at Belfast Commons.
4. Ann Mullen of Belfast spoke on behalf of the Garden Club and their opposition to use of pesticides or herbicides within City Parks.
5. David Crabiel and Jess Woods gave an update on behalf of the RSU #71 School Board regarding academics, facilities and structure.
6. Mirabelle Kutsy Durbin and Sasha Kutsy of Belfast spoke in opposition of the use of pesticides within City Parks requesting that the City consider creating a policy that all City of Belfast parks be pesticide free zones, and inquired who is responsible for utilizing pesticides in the field by Waterfall Arts.
7. Jasmine Fowler of Morrill addressed the issue of herbicide use at Belfast Commons.
8. Breanna Pinkham Bebb, Executive Director of Our Town Belfast gave an organization update.
9. Alan Crichton, Director of Waterfall Arts informed the Council that the field behind their property that utilizes pesticides is not property of Waterfall Arts.
10. Peter Wilkinson spoke in opposition of pesticide and herbicide use within City Parks.
11. Kimberly Callas, Executive Director of Belfast Creative Coalition informed the public that they have been selected by Bangor Savings Bank for their Community Matters More program and urged the public to take the opportunity to vote.
12. Steve Ryan of Belfast informed the public of The Community Institute's educational program on Farms, Food and the Conservation Connection to Economically Healthy Communities on February 4th at Waterfall Arts from 8:30 a.m. to 4:30 p.m.

7) Communications

Councilor Harkness spoke about the following:

- Informed the public that the next Belfast Community Radio Meeting will be Monday, February 8th at 7:00 p.m. at City Hall.
- Congratulated Front Street Shipyard for their Refit Excellence Award.
- Addressed concerns regarding Group Home Foundation closing.

Councilor Hurley addressed the Group Home Foundation closing.

Councilor Arrison read an email from Rev. Joel Krueger in support of a community labyrinth.

City Manager Joseph Slocum gave an update on OnProcess and their plans to have an open house this coming Spring.

Councilor Hurley gave an update regarding his meeting with Councilor Harkness and City Planner Wayne Marshall regarding housing in Belfast.

Councilors discussed the importance of open to the public and the opportunity for citizens to be heard even if the topic is sensitive to discuss.

Mayor Ash updated the Council on the recent Mayor's Coalition meeting.

8) Old Business and Council Committee Reports

No discussion.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for the "Ohmybidness" fundraiser located at the Waldo County Shrine Club, 85 Northport Ave., Belfast, Maine on January 30, 2016 from 4:00 p.m. to 11:00 p.m.
- B. Request to approve an off premises catering permit for Crusty Crab LLC d/b/a The Front Street Pub for the "The Burns Supper" hosted by the Maine Celtic Celebration located at the Waldo County Shrine Club, 20 Northport Ave., Belfast, Maine on January 23, 2016 from 5:00 p.m. to 12:00 a.m.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the consent agenda. This motion was approved, 4-0 (Councilor Hurley stepped out of the room).

10) Business

- A) Discussion on future charges for fire protection for the Town of Swanville.

Fire Chief and Ambulance Director Jim Richards reviewed his proposed recommendation on charges for fire suppression for the Town of Swanville, noting that he is recommending increasing their annual contract from 5% to 10% per year for five years as well as increase the charge for each fire truck from \$75 to \$125 and increase the firefighter hourly pay from \$14.50 to \$15.50.

Councilors discussed the proposed recommendation unanimously agreeing that the proposal seemed fair to both communities and their tax payers.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the proposal for the annual fire suppression contract with the Town of Swanville as presented. This motion was approved, 5-0.

- B) Update from RSU #71 on financial legal claims involving RSU #20.

Attorney Kristin Collins representing RSU #71 briefly reviewed the withdrawal process and how RSU #71 and RSU #20 are interpreting who should receive what percentage of the \$3 million refund from the Maine Public Employees Retirement Fund. She informed Council that they will mediate on Thursday, February 4th and will come back before the Council with any updates.

Councilors discussed what their role in this process would be.

B) # 1 Requests from the Public Works Director to accept the bids submitted for a vacuum sweeper truck and to award the bid as recommended.

Public Works Director Bob Richards reviewed the two bids submitted and recommended that the Council award the bid to the lowest bidder Viking-Cives for \$240,594.00, noting that funding would come from the following accounts: \$154,414 from account #410-535 and \$88,180 from account #410-537.

Councilors discussed the vehicles specifications and time frame for the trucks arrival.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the bids submitted for a vacuum sweeper. This was approved, 5-0.

Councilor Hurley, seconded by Councilor Mortier, made a motion to award the bid to the lowest bidder Viking-Cives of Lewiston, Maine for \$240,594.00 with funds coming from the following accounts: \$154,414 from the Purchase of Equipment account #410-535 and \$86,180 from the Equipment Capital Reserve account #410-537. This was approved, 5-0.

C) Updated report and recommendations on the use of herbicides in Belfast Common.

Parks & Recreation Director Norm Poirier and Carol Good, Parks & Recreation Commission Chair informed the Council that it is recommendation from both the Department and the Commission to remove the pavers on the walkway rather than use herbicides or pesticides.

Councilors discussed the recommendation and citizen concern with the use of herbicides or pesticides within City parks.

Councilor Arrison, seconded by Councilor Harkness, made a motion to accept the recommendation from the Parks and Recreation Director to remove the pavers along the narrow path at the Belfast Commons rather than to utilize herbicides or pesticides. This was approved, 5-0.

D) Request that the City join other cultural organizations led by the Belfast Creative Coalition to develop a cultural plan for the Belfast area.

Executive Director of the Belfast Creative Coalition, Kimberly Callas reviewed the purpose of developing a cultural plan for the Belfast area and how it will serve the community.

Councilors discussed the economic impact that the arts has on the community and that this cultural plan and economic impact study will help document the positive contribution the arts has in this region.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request that the City of Belfast join other cultural organizations led by the Belfast Creative Coalition to develop a cultural plan for the Belfast area. This was approved, 5-0.

E) Request from the Creative Coalition for the City to participate in an economic impact study of the arts and culture in Waldo County and provide funding up to \$1,500 to match \$8,500 already conferment from State and local sources.

Councilors inquired about funding for the study and discussed the importance of investing in both the arts and economic development.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from the Belfast Creative Coalition for the City of Belfast to participate in an economic impact study of the arts and culture in Waldo County and provide funding up to \$1,500 to match \$8,500 already conferment from State and local sources. This was approved, 5-0.

F) Request for slight modifications to recently established Boathouse fees and rules.

Item moved to 10) O #1.

G) Discussion over statutory opportunity for the City to purchase land owned by the Belfast Water District that is deemed by the Water District Trustees to be no longer needed.

City Manager Joseph Slocum briefly reviewed the notice given by the Belfast Water District noting that the Council will need to make a decision within 90 days of the written notice if they would like to purchase this land, the request will be brought back before the Council for a formal decision.

H) Consideration of a recommendation from the Belfast Parks and Recreation Commission to permit the use of Belfast Common for the creation of a public “labyrinth” to be funded by the Friends of Belfast Parks.

Parks & Recreation Director Norm Poirier briefly reviewed the Friends of Belfast Parks proposal noting that the Parks & Recreation Commission has voted in favor of the proposal.

Debbie Hockensmith, Friends of Belfast Parks discussed with the Council the proposed design, specifications, cost and maintenance.

Councilor Hurley, seconded by Councilor Arrison, made a motion to accept the request from the Friends of Belfast Parks to create a public “labyrinth” at Belfast Common which will be funded by the Friends of Belfast Parks and authorized the City Manager to write a letter of support for this project. This was approved, 5-0.

I) Request from the Parks and Recreation Commission to use up to \$5,000 from the Parks Capital Reserve account to hire a company to help design and develop cost estimates for a new Skateboard Park in Belfast.

Parks & Recreation Director Norm Poirier briefly explained the request.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request from the Parks and Recreation Commission to use up to \$5,000 from the Parks Capital Reserve account to hire a company to help design and develop cost estimates for a new Skateboard Park in Belfast. This was approved, 5-0.

J) Request from the Parks and Recreation Director to renew the concession agreement at City Park.

Parks & Recreation Director Norm Poirier discussed with Council how both the City and Dave’s Old Fashion Drive-In are working in conjunction to improve upon last season.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request the request from the Parks and Recreation Director to renew the concession agreement with Dave’s Old Fashion Drive-In for the Snack Shack at the City Park. This was approved, 5-0.

K) Update from the Police Chief on various law enforcement issues within the City.

Police Chief Mike McFadden updated the Council on the status of the department and law enforcement issues they are currently facing.

L) Update from the City Planner on the Front Street Re-construction Project.

City Planner Wayne Marshall gave an update on the pre-bid meeting and informed the Council that bids are due on February 16th.

M) Requests from the Public Works Director to accept the bids submitted for a vacuum sweeper truck and to award the bid as recommended.

Item moved to **10) B #1**.

N) Update on the environmental cleanup by CMP on Washington Street.

City Planner Wayne Marshall gave an update on cleanup by CMP on Washington Street and discussed with Council the possibility of authorizing an alternate project start date.

O) Update on outdoor lighting issues in the City.

City Planner Wayne Marshall informed Council that he has filed a request with CMP to adjust lights by Cross Street and informed the Council that the Energy Committee will be coming up with possible recommendations and that this could impact a long term lighting policy in the future.

O) #1 Request for slight modifications to recently established Boathouse fees and rules.

City Manager Joseph Slocum briefly reviewed the recommended modifications.

Council requested to table this issue until the following Council Meeting.

P) Request from the City Manager to go into Executive Session to discuss a Real Estate 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 a Real Estate matter pursuant to Title 1 M.R.S.A Section 405 (6) C at 10:56 p.m. The motion passed, 5-0.

Councilor Mortier, seconded by Councilor Arrison, 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 11:49 p.m. The motion passed, 5-0.

Q) Signing of Council Orders and housekeeping items.

11) Open to the Public

No comments.

12) Communications

Councilor Hurley discussed concerns with use of flags within the Downtown and the lack of available ramps at some businesses.

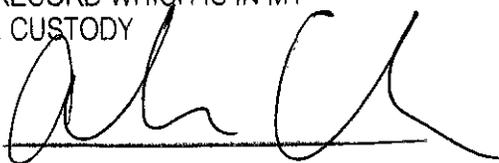
City Planner Wayne Marshall addressed how the Planning and Code Department will be working to address these types of issues.

13) Adjourn

Councilor Arrison, seconded by Councilor Mortier, made a motion to adjourn the meeting at 11:50 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