

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, March 15, 2016
7:00 p.m.**

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on March 15, 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 Wentworth LLLP d/b/a Wentworth Event Center located at 139 Searsport Ave., Belfast, Maine for a new Spirituous, Vinous and Malt liquor license.

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

Public Hearing #2

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 March 15, 2016 at 7:00 p.m. or as soon as possible thereafter on a new application for a Special Amusement Permit for Wentworth LLLP d/b/a Wentworth Event Center for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 139 Searsport Ave., Belfast, Maine, interior & exterior.

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

Regular Council Meeting No. 18

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) J** Further consideration of approval of a Union contract agreement covering the Public Works employees, Wastewater Treatment employees and one full-time employee at the Belfast Transfer Station.
- Add item **10) M #1** Request to go into Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C.

- Add item **10) M #2** Request to go into Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C.

City Manager Joseph Slocum noted that Council received an email from Glenn Montgomery, Chair of the Pedestrian, Biking and Hiking Committee which the Council may or may not want to add to the agenda for discussion.

Councilors discussed adding the request by the Pedestrian, Biking and Hiking Committee for discussion.

Councilor Harkness, seconded by Councilor Hurley, made a motion to adopt the agenda as amended including item 10) L #1 Discussion on the request by the Pedestrian, Biking and Hiking Committee. This motion was approved, 4-1 (Councilor Arrison opposed).

5) Acceptance of the minutes

Regular Council Meeting of March 1, 2016.

Councilor Arrison, seconded by Councilor Mortier, made a motion to accept the minutes from Regular Council Meeting of March 1, 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. Aynne Ames addressed the Council regarding a need for a senior recreation facility or meeting place within the community and requested that the Council consider creating a place in Downtown Belfast for this purpose.
2. Glenn Montgomery, Chair of the Pedestrian, Biking and Hiking Committee spoke on behalf of the Committees request.
3. Bre Bebb, Executive Director of Our Town Belfast informed the public that their Annual Meeting is on March 24th at 6:30 p.m. at the Belfast Boathouse.
4. Rob Dietz of Belfast requested that neighbors to the Airport have a chance to speak during discussion of item 10) C. Council agreed to the request.
5. Ann Hallee of Belfast discussed her concerns and the possible impact of tree cutting near her farm in regards to item 10) C on the agenda.
6. David Black requested permission to speak during item 10) B. Council agreed to the request.
7. Joanne Moesswilde of Belfast spoke of her concerns with possible tree cutting in regards to item 10) C.

8. Terrance Faulkingham requested permission to speak during item 10) B. Council agreed to the request.

7) Communications

Councilor Harkness informed the public that this month's round-up at the Co-op is in support of the Rail Trail, he also discussed a recent article in the Bangor Daily regarding short term rentals in Rockland.

Councilor Hurley informed the public that the Colonial Theatre is doing a fundraiser event on March 28th in support of the Rail Trail in which they will be showing Prairie Home Companion at 7:00 p.m., he also discussed the UU Church's proposed renovations.

Councilor Sanders discussed the projected school subsidies for the next fiscal year and gave an update from the Energy Committee.

City Manager Joseph Slocum informed the public that the RSU #71 will be conducting their Budget Workshop in the Council Chambers of City Hall on March 21st & 28th at 5:30 p.m.

8) Old Business and Council Committee Reports

No discussion.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve the application by Wentworth LLLP d/b/a Wentworth Event Center located at 139 Searsport Ave., Belfast, Maine for a new Spirituous, Vinous and Malt liquor license.
- B. Request to approve the application by Wentworth LLLP d/b/a Wentworth Event Center located at 139 Searsport Ave., Belfast, Maine for a new Special Amusement Permit for Live Music, DJ, Karaoke, all Live Entertainment, and dancing, interior and exterior.
- C. Request to approve off premises catering permit for American Legion Frank D. Hazeltine Post #43 for a private birthday party in the main function hall located at 143 Church St., Belfast, Maine on March 26, 2016 from 1:00 p.m. to 12:00 a.m.
- D. Request to approve off premises catering permit for Trillium Events, INC for the Our Town Belfast Annual Meeting located at the Belfast Boathouse, 34 Commercial St., Belfast, Maine on March 24, 2016 from 6:30 p.m. to 8:30 p.m.
- E. Request to approve off premises catering permit for Trillium Events, INC for the Cornerspring Montessori School Auction located in the atrium of AthenaHealth, 3 Hatley Rd., Belfast Maine on April 2, 2016 from 6:00 p.m. to 10:00 p.m.

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

10) Business

- A) Update on the CMP Environmental Remediation Project on Washington Street and discussion on the partial closure of the street from August 15, 2016 to December 1, 2016.

City Planner Wayne Marshall explained the request to amend the original agreement outlining the six proposed changes.

Paul Fecteau, CMP Project Manager reviewed the proposed changes with the Council.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request from CMP to amend the agreement with six changes as presented for the Environmental Remediation Project. This motion was approved, 5-0.

B) Second Reading on the Outer Harbor Management Plan and various proposed changes to the Harbor Ordinance.

Harbor Master Kathy Pickering addressed the recommendation to remove Sec. 30-159 and requested that the Council consider removing this section at this time and approve the Outer Harbor Management Plan and amendments to the Harbor Ordinance as presented.

David Black discussed his concerns with proposed language of Sec. 30-159.

TJ Faulkingham addressed his concerns with Sec. 30-159 and requested the opportunity for the Harbor Committee to continue to work on this section.

Councilor Arrison, seconded by Councilor Mortier, made a motion to accept the Second Reading on the Outer Harbor Management Plan and amendments to the Harbor Ordinance, with the exception of Sec.30-159 which has been removed. This motion was approved, 5-0.

C) Further discussion on clearing trees on private property near the Airport where the City has easements in order to comply with FAA safety regulations.

Airport Manager Thomas Kittredge briefly reviewed possible clearing and funding options.

Councilors discussed the options and the process of clearing trees with consultant Rich Lasdin of Airport Solutions Group.

Citizens Rob Dietz; Ann Hallee, of Rising Up Farm; Cody Keithan of K Construction; Amy Grant of Good Karma Farm and Matthew Merando expressed their concerns regarding possible tree clearing.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request to clear trees on private property near the Airport where the City has easements in order to comply with FAA safety regulations, using option/map 3 for clearing on private ownership and using option/map 5 for clearing on public ownership. This motion was approved, 4-0 (Councilor Hurley abstained).

D) Request from Mainstay After School Program under the direction of RSU 20 and 71 to use the Armistice Bridge to the Boathouse via the Harbor Walk on March 17th from 4:00 p.m. to 5:00 p.m. for a St. Patrick's Day parade.

Councilors briefly discussed the request.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request from the Mainstay After School Program under the direction of RSU 20/71 to use the Armistice Bridge to the Boathouse via the Harbor Walk on March 17th from 4:00 p.m. to 5:00 p.m. for a St. Patrick's Day parade.. This motion was approved, 5-0.

E) Request from the Belfast Rotary to use Steamboat Landing for the 7th Annual Harbor Fest on August 19th to the 21st, 2016.

Councilors briefly discussed concerns that arose after last year's event and how the organizers are working to address them.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the request from the Belfast Rotary to use Steamboat Landing for the 7th Annual Harbor Fest on August 19th to the 21st, 2016. This motion was approved, 5-0.

F) Request from the Belfast Co-op to use Steamboat Landing for their annual Community Appreciation Day on Saturday, August 13th from 10:00 a.m. to 4:00 p.m.

Parks and Recreation Director Norm Poirier briefly discussed the request with the Council addressing the move in the location from pervious years and whether or not the event conflicted with the rental of the Boathouse.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from the Belfast Co-op to use Steamboat Landing for their annual Community Appreciation Day on Saturday, August 13th from 10:00 a.m. to 4:00 p.m. This motion was approved, 5-0.

G) Request from Paws Animal Adoption Center to use Walsh Fields Dog Park on Saturday, May 14, 2016 for a walk-a-thon fundraiser.

Parks and Recreation Director Norm Poirier explained that organizers are requesting to change the location to City Park due to the lack of space at Walsh Field and overlap with baseball season.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from Paws Animal Adoption Center to use City Park on Saturday, May 14, 2016 for a walk-a-thon fundraiser. This motion was approved, 5-0.

H) Request from The American Lung Association for the 2016 Trek Across Maine event to be held in Belfast on Sunday, June 19, 2016.

No Council discussion.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from The American Lung Association for the 2016 Trek Across Maine event to be held in Belfast on Sunday, June 19, 2016. This motion was approved, 5-0.

I) Request from Donna Miller to use the corner of the Post Office Sq. for National Day of Prayer on Thursday, May 5th from 5:30 p.m. to 7:00 p.m.

City Manager Joseph Slocum explained that this item is on the agenda only to bring it to the Councils attention, no action is needed.

Councilor Hurley, seconded by Councilor Arrison, made a motion to take no action on the request from Donna Miller to use the corner of the Post Office Square for National Day of Prayer on Thursday, May 5th from 5:30 p.m. to 7:00 p.m. This motion was approved, 5-0.

J) Further consideration of approval of a Union contract agreement covering the Public Works employees, Wastewater Treatment employees and one full-time employee at the Belfast Transfer Station.

Item tabled.

K) Update on the Front Street Reconstruction Project.

City Planner Wayne Marshall discussed proposed lighting and truck traffic.

Council decided to review the lights on site following the meeting.

L) Request from the City Manager to move \$500 from Office Equipment Capital Reserve Account (100-603) to Office Equipment Account (100-513).

No Council discussion.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request from the City Manager to move \$500 from Office Equipment Capital Reserve Account (100-603) to Office Equipment Account (100-513). This motion was approved, 5-0.

L) #1 Discussion on the request by the Pedestrian, Biking and Hiking Committee.

Council tabled the item until the April 5th Council Meeting.

M) Update on the Rail Trail.

City Manager Joseph Slocum briefly reviewed the fence design for the Rail Trail and requested that the Council approve the design.

Councilors briefly discussed the fence design and bid process.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the wooden fence design for the Rail Trail. This motion was approved, 5-0.

City Manager Joseph Slocum outlined the construction sequence plan, discussed the impact of the two grants (the Recreational Trails Grant and a private grant) on the construction plan and reviewed the proposed design concept for the trestle bridge approaches.

Councilors discussed budgeting for future work, the permit process to remove and rebuild a structure at the City owned Thorne property and whether or not to move forward with the project or to wait until the City hears back regarding the award of the private grant.

Councilor Sanders, seconded by Councilor Hurley, made a motion to authorize the City Manager to move forward on the Rail Trail project, without award notice from the private grant. This motion was approved, 5-0.

M) #1 Request to go into Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C.

Councilor Sanders, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss a Real Estate matter pursuant to 1 M.R.S.A Section 405 (6) C at 10:47 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss a Real Estate matter pursuant to 1 M.R.S.A Section 405 (6) C at 10:54 p.m. This motion was approved, 5-0.

M) #2 Request to go into Executive Session on a Real Estate matter pursuant to 1 MRSA 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 1 M.R.S.A Section 405 (6) C at 10:54 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss a Real Estate matter pursuant to 1 M.R.S.A Section 405 (6) C at 11:22 p.m. This motion was approved, 5-0.

N) Signing of Council Orders

11) Open to the Public

No public comments.

12) Communications

Councilors discussed concerns with a lack of senior recreation center in Belfast.

Mayor Ash requested that the Council consider submitting Councilor Sanders name to serve on a commission that the Governor is creating to study an initiative on education. Councilors supported this request.

Mayor Ash gave a brief update on the Mayor's Coalition.

13) Adjourn

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn the meeting at 11:22 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