

\*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, April 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 Tuesday, April 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 Seng Thai Corporation d/b/a Seng Thai Restaurant located at 139 Searsport Avenue, Belfast, Maine for a renewal Malt and Vinous Restaurant license, interior only.

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

**Public Hearing #2**

Pursuant to Belfast Victualer License Ordinance a public hearing will be held on Tuesday, April 5, 2016 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Belfast City Hall on a new application for a Victualer’s License for Brandon Pierce d/b/a Sweet Frog Premium Frozen Yogurt located at 1 Belmont Avenue, Suite 1G, Belfast, Maine.

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

**Regular Council Meeting No. 19**

**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:

- Add item **10) N #1** Request to go into an Executive Session to discuss a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C.

City Manager Joseph Slocum informed the Council that Bryant Richardson is present if they would like to speak to him regarding his requested appointment to the Broadband Committee. Council requested to speak to Mr. Richardson during Council Committee Reports.

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

### **5) Acceptance of the minutes**

Regular Council Meeting of March 15, 2016.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of March 15, 2016. This was approved, 5-0.

### **6) Open to the public**

No public comments.

### **7) Communications**

Councilor Hurley requested that the Council consider supporting a letter to Senator Thibodeau regarding LD 1652, to be discussed further during final communications.

Councilors discussed the idea of reaching out to volunteers to assist with trash clean-up along the Rail Trail.

Councilor Harkness discussed the importance of dandelions to bee pollination and requested that City mowing crews to be mindful this season.

Councilors discussed the importance of finding a balance between maintaining the parks and allowing dandelions adequate growth time.

City Manager Joseph Slocum updated the Council on a recent meeting regarding the Group Home Foundation.

### **8) Old Business and Council Committee Reports**

Thomas Kittredge reviewed the request to appoint Bryant Richardson to the Broadband Committee and briefly updated the Council on the status of the Committee.

Bryant Richardson answered question from the Council regarding his interest in broadband.

Councilors discussed seeing a Broadband Committee update at an upcoming Council Meeting.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from Economic Development Director to appoint Bryant Richardson to the City's Broadband Committee. This motion was approved, 5-0.

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

- A. Request to approve the application by Seng Thai Corporation d/b/a Seng Thai Restaurant located at 139 Searsport Avenue, Belfast, Maine for a renewal Malt and Vinous Restaurant license, interior only.
- B. Request to approve an application by Holly Savage d/b/a Belfast Farmer's Market located at Waterfall Arts, 256 High Street, Belfast, Maine for a renewal, wine or malt liquor license.
- C. Request to approve an application by Brandon Pierce d/b/a Sweet Frog Premium Frozen Yogurt located at 1 Belmont Avenue, Suite 1G, Belfast, Maine for a new Victualer's license.
- D. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for a retirement party on March 26, 2016 from 4:00 p.m. to 8:00 p.m. at the Waldo County Shrine Club, 20 Northport Ave., Belfast, Maine.

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

**10) Business**

- A) Request from the Police Chief to confirm two new Police Officers.

Police Chief Michael McFadden introduced Benjamin Kolko and Michael Boucher, requesting that the Council appoint them as Reserve Officers to the Belfast Police Department.

Councilors discussed the department looking into utilizing media outlets such as Facebook and the local paper to introduce the public to the City's new officers.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from the Police Chief to confirm two new Police Officers, Benjamin Kolko and Michael Boucher. This motion was approved, 5-0.

- B) Request from the Harbor Master for authority to further regulate commercial use of the Belfast Public Landing.

Harbor Master Kathy Pickering reviewed the request for authority to further regulate commercial use of the Belfast Public Landing which includes requesting any commercial business that is using City landing for commercial purposes other than launching and pulling boats to name the City of Belfast as an "additional insured" on their insurance policy, to authorize a contract with Belfast Barge to operate a commercial activity at the Landing with a contract fee of \$500 for this next season and to work with the City Manager and attorney to update the Occasional Use Contract.

Councilors discussed what type of commercial users would be required to provide insurance.

Councilor Arrison, seconded by Councilor Hurley, made a motion to authorize the Harbor Master to request commercial businesses utilizing City Landing for purposes other than launching and pulling boats to name the City of Belfast as “additionally insured” on their policy, authorize a contract with Belfast Barge to operate a commercial activity at the Landing with a contract fee of \$500 for next season and to authorize the Harbor Master to work with the City Manager and attorney to update the Occasional Use Contract. This motion was approved, 5-0.

C) Request from the Harbor Master to apply for a grant to install security cameras around the Belfast Public Landing, dock, launch ramp and fuel system areas.

Harbor Master Kathy Pickering explained the request and how she expects these cameras would be utilized at the Harbor.

Councilors weighed in on the usage of cameras at the Harbor.

Chief Michael McFadden informed the Council of the Police Department’s experience with Seacoast Security’s camera systems.

Councilor Sanders, seconded by Councilor Mortier, made a motion to authorize the Harbor Master to apply for a grant in the amount of \$25,000 for the installation of cameras around the Belfast Public Landing. This motion was approved, 5-0.

D) Request from the Harbor Master to waive dock fees for the Schooner America for August 10<sup>th</sup> and August 11<sup>th</sup>.

Harbor Master Kathy Pickering explained the request to waive dock fees for Schooner America and informed the Council and public that they are willing to be available for fundraising opportunities.

Councilor Arrison gave a brief history of Schooner America.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from the Harbor Master to waive dock fees for the Schooner America for August 10<sup>th</sup> and August 11<sup>th</sup>. This motion was approved, 4-0 (Councilor Harkness stepped out of the room during the vote).

E) Update from the Harbor Master on the City’s efforts to delineate the Special Anchorage in the harbor.

Harbor Master Kathy Pickering updated the Council on Special Anchorage which is a Federal designation and informed the public that at this point in the process the City is looking for public input.

Councilors briefly discussed possible options to consider, no action was taken.

F) Request from the Pedestrian, Biking, and Hiking Committee for the City to pursue safety street signs that remind motorists that State Law requires 3 feet of space while passing a cyclist or a pedestrian.

Pedestrian, Biking and Hiking Committee Chair Glenn Montgomery explained the request to pursue 10 free signs from the State, reviewing the committee's recommendations for signage locations.

Assistant City Planner Sadie Lloyd explained to the Council that at this point the committee is requesting that she has the authority to pursue this opportunity for signage and thus will be able to gather more information regarding the location requirements from MDOT.

Councilors discussed the recommended locations and design of signage.

Councilor Arrison, seconded by Councilor Mortier, made a motion to authorize Assistant City Planner to request 3 foot passing signs for cyclists and pedestrians from MDOT. This motion was approved, 5-0.

G) Request for permission to install an outdoor exercise area for the general public in Belfast City Park.

Parks and Recreation Director Norm Poirier explained the request to place three pieces of equipment in a cluster at City Park noting that funding will be allocated through both a grant acquired by Our Town Belfast and budgeted funds in the Parks and Recreation Maintenance account.

Councilors weighed in on the location and type of equipment.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request from Parks and Recreation Director to install an outdoor exercise area for the general public in Belfast City Park. This motion was approved, 5-0.

H) Request from Bike the US for MS to camp out at Heritage Park between May 28<sup>th</sup> and May 29<sup>th</sup>.

Parks and Recreation Director Norm Poirier explained the request and that due to possible construction on Front Street he will be staying in touch with those organizing the event in case alterations to the route need to be made.

Councilors discussed limiting the amount of cyclists on the Harbor Walk as not to impose on the general public's ability to access it at the same time.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the Facility Use request from Bike the US for MS to camp out at Heritage Park between May 28<sup>th</sup> and May 29<sup>th</sup>. This motion was approved, 5-0.

**I)** Request from Alison Chase for permission to put on a dance performance on Wednesday, July 27 at 6:00 p.m. at Steamboat Landing.

Parks and Recreation Director Norm Poirier briefly explained the request.

Councilors discussed how Steamboat Landing Park is utilized and what types of events the City should request a fee for its use.

Councilor Harkness, seconded by Councilor Sanders, made a motion to accept the Facility Use request from Alison Chase for permission to put on a dance performance at Steamboat Landing on Wednesday, July 27<sup>th</sup> at 6:00 p.m., authorizing the Parks and Recreation Director to request a fee if this event is collecting admission. This motion was approved, 5-0.

**J)** Request from City Economic Development Director Thomas Kittredge to have the Council appoint Bryant Richardson to the City's Broadband Committee.

Item was discussed and action was taken during agenda item **8)** Old Business and Committee Reports.

**K)** Request from City Treasurer for one of the members the Council to sign the auditor's management letter.

City Manager Joseph Slocum briefly explained the letter and requested that one Councilor sign on behalf of the City Council.

Councilor Sanders offered to sign the auditor's management letter on behalf of the City Council.

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

City Planner Wayne Marshall updated the Council on the status of both the Cross Street and Front Street Projects. He requested Council action on the following items:

1. Request to transfer without compensation the monument building on the Clarke property to Paul Carlson.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to transfer without compensation the monument building on the Clarke property to Paul Carlson. This motion was approved, 5-0.

2. Request to put out feelers to determine if there are any interested parties in the City flag pole in front of the Waste Water Treatment Facility, which will need to be removed as part of the Front Street Project.

The City Council unanimously agreed to have the City Planner put out feelers for interested parties in the flag pole, no formal action was taken.

3. Requested that businesses have short term ability to place signage curbside so that pedestrians are aware that they are open during construction period (May through July).

The City Council unanimously agreed to allow businesses effected by the Front Street Construction to place signage curbside so that pedestrians are aware that they are open for business during construction (May through July), no formal action was taken.

#### **M) Update on Construction on the Rail Trail.**

City Manager Joseph Slocum updated the Council on the three projects currently out to bid for the Rail Trail and discussed possible design options for the approaches.

Council discussed the design of the approaches and the timeline of the projects; it was Council consensus to proceed with paving of the Rail Trail without knowing the exact timeline of other construction projects such as the approaches.

#### **N) Request to go into an 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 1 M.R.S.A Section 405 (6) C at 10:30 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 10:40 p.m. This motion was approved, 5-0.

N) #1 Request to go into an 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 1 M.R.S.A Section 405 (6) C at 10:40 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Arrison, 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 11:10 p.m. This motion was approved, 5-0.

O) Signing of Council Orders and housekeeping items.

Council Order #34 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend \$1,765 for the Main Street lighting audit. Funds will come from the Energy Initiatives Capital Project account (730-643). (Approved on March 1, 2016)

Council Order #35 Signed by Councilor Mortier, Ordered That:

The City Manager and the City Treasurer are authorized to transfer \$500 from Office Equipment Capital Reserve Account (100-603) to Office Equipment Account (100-513). (Approved on March 15, 2016)

Auditors Management Representation Letter signed by City Manager Joseph Slocum and Councilor Sanders.

## 11) Open to the Public

No public comments.

## 12) Communications

Councilor Harkness informed the public of the current fundraising campaign to replace the Harbor Muses.

Councilors scheduled the following dates for Budget Sessions:

- Tuesday, April 26<sup>th</sup> from 12:30 p.m. to 4:30 p.m. and 7:00 p.m. to 9:00 p.m.
- Wednesday, May 18<sup>th</sup> from 6:00 p.m. to 9:30 p.m.
- Tuesday, May 24<sup>th</sup> from 12:30 p.m. to 4:30 p.m. and 7:00 p.m. to 9:30 p.m.

Councilor Hurley requested that the Council support the City Manager writing a letter to Senator Thibodeau regarding LD 1652.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to authorize the City Manager to write a letter to Senator Thibodeau regarding LD 1652. This motion was approved, 5-0.

**13) Adjourn**

Councilor Sanders, seconded by Councilor Arrison, made a motion to adjourn the meeting at 11:10 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