

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, April 19, 2016
7:00 p.m.**

Public Hearing #1

Pursuant to Belfast Victualer License ordinance a public hearing will held on April 19, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers at Belfast City Hall on the following applications for a Victualer License renewal, due to expire May 31, 2016.

Donald Benson	dba	All Play Family Entertainment Center
Wayne Cookson	dba	American Legion Post
Anne Bartels	dba	Belhaven Inn, B&B
Jojo Oliphant	dba	Bell The Cat
Ronald Goldstein	dba	Belfast Co-op
Douglas Coffin	dba	Belfast Curling Club
WDQ Inc.	dba	Belfast Dairy Queen
Jane Liedtke	dba	Belfast Breeze Inn, LLC.
Ronald Benjamin	dba	Belfast Variety, Inc.
Joseph Benjamin	dba	BV52, LLC
Amanda Williams	dba	Capital Pizza Hut, Inc.
C.N Brown	dba	Big Apple #1037
Penelle Chase	dba	Chase’s Daily, LLC.
Zha zai Yung	dba	China One
Mac’s Stores LLC.	dba	Circle K #7011
Mac’s Stores LLC.	dba	Circle K # 7104
Victor Flick Corp.	dba	Colonial Theater
Sandra Moses	dba	Dockside Family Restaurant
Hannaford Bros	dba	Hannaford Bros. Co, LLC.
Daniel Jones	dba	Laan Xang Café
Lea Macdonald	dba	Dunkin Donuts
Ming’s Inc.	dba	Ming’s Restaurant
Rosamond Peters	dba	Nautilus Seafood & Grill
Michael Danforth	dba	Off The Hook
George Darling	dba	Perry’s Nut House
The Otis Inc.	dba	Rollie’s Bar & Grill
The Otis Inc.	dba	Scallions
Aumeduen Rogers	dba	Seng Thai Restaurant
David Bowen	dba	Waldo County Shrine Club
Raymond Young	dba	Young’s Lobster Pound

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 April 19, 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 The Otis Group Incorporated d/b/a Rollie’s Bar and Grill located 37 Main Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior deck.

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

Public Hearing #3

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 April 19, 2016 at 7:00 p.m. or as soon as possible thereafter on an application for a Special Amusement Permit for The Otis Group Incorporated d/b/a Rollie’s Bar and Grill for live entertainment, music, vocals - Karaoke, DJ and dancing at 37 Main Street, Belfast, Maine, interior/exterior.

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

Public Hearing #4

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on April 19, 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 Donald L. Benson d/b/a All-Play LLC located at 49 Searsport Avenue, Belfast, Maine for a renewal Malt, and Vinous Restaurant Class III & IV liquor license, interior only.

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

Public Hearing #5

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on April 19, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers at City Hall to hear an application by Xue Li Cui d/b/a Ming’s Restaurant, located at 185 Searsport Avenue, Belfast, Maine for a renewal Malt, and Vinous Restaurant Class IV liquor license, interior only.

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

Regular Council Meeting No. 20

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 as follows:

- Remove item **10) M** Consideration of a request by a mobile park owner to pay off outstanding taxes.
- Add item **10) L #1** Request by Bruce Spector and Liane Mohler to place steps in the rail road corridor for access to their property.
- Add item **10) O #1** Request to go into Executive Session to discuss a Real Estate matter pursuant to 1 MRSA 405 (6) C.

Councilor Arrison requested placing item 10) L #1 on the next agenda. Councilors briefly discussed the request and moved forward with the motion on the table.

Councilor Harkness, seconded by Councilor Mortier, made a motion to adopt the agenda including the addition of item 10) L #1. This motion was approved, 3-1 (Councilor Arrison opposed).

5) Acceptance of the minutes

Regular Council Meeting of April 5, 2016.

Councilor Arrison, seconded by Councilor Mortier, made a motion to accept the minutes from Regular Council Meeting of April 5, 2016. This was approved, 4-0.

6) Open to the public

Please state your name and town you are from when addressing the City Council.

Mayor Walter Ash requested that comments be directed to issues that are being discussed during the meeting and that comments stay within the 3 minute time limit due to the length of the meeting.

1. Ray Estabrook Director of the Game Loft gave an organization update.
2. Patricia Estabrook of the Game Loft invited the public to their “Issues on Trial” Opening Reception at the Searsport Blacksmith Restaurant on April 29th at 4:00 p.m.
3. Joan Willey of Belfast addressed item 10) N on the agenda.
4. Morten Moesswilde addressed items 10) A and 10) B on the agenda.

5. Amy Grant of Good Karma Farm addressed item 10) B on the agenda.
6. Anne Hallee of Rising Up Farm addressed concerns regarding potential tree clearing on her property.
7. Ridgley Fuller of Belfast spoke about confusion regarding airport projects.

7) Communications

Councilor Arrison informed the public that the First Church in Belfast will be collecting items for NuDay Syria on Saturday, April 23rd at 9:00 a.m.

8) Old Business and Council Committee Reports

No discussion.

9) Permits, Petitions and Licenses - Consent Agenda

A. Request to approve the following applications for a Victualer License renewal, due to expire May 31, 2016.

Donald Benson	dba	All Play Family Entertainment Center
Wayne Cookson	dba	American Legion Post
Anne Bartels	dba	Belhaven Inn, B&B
Jojo Oliphant	dba	Bell The Cat
Ronald Goldstein	dba	Belfast Co-op
Douglas Coffin	dba	Belfast Curling Club
WDQ Inc.	dba	Belfast Dairy Queen
Jane Liedtke	dba	Belfast Breeze Inn, LLC.
Ronald Benjamin	dba	Belfast Variety, Inc.
Joseph Benjamin	dba	BV52, LLC
Amanda Williams	dba	Capital Pizza Hut, Inc.
C.N Brown	dba	Big Apple #1037
Penelle Chase	dba	Chase's Daily, LLC.
Zha zai Yung	dba	China One
Mac's Stores LLC.	dba	Circle K #7011
Mac's Stores LLC.	dba	Circle K # 7104
Victor Flick Corp.	dba	Colonial Theater
Sandra Moses	dba	Dockside Family Restaurant
Hannaford Bros	dba	Hannaford Bros. Co, LLC.
Daniel Jones	dba	Laan Xang Café
Lea Macdonald	dba	Dunkin Donuts
Ming's Inc.	dba	Ming's Restaurant
Rosamond Peters	dba	Nautilus Seafood & Grill
Michael Danforth	dba	Off The Hook
George Darling	dba	Perry's Nut House

The Otis Inc.	dba	Rollie's Bar & Grill
The Otis Inc.	dba	Scallions
Aumeduen Rogers	dba	Seng Thai Restaurant
David Bowen	dba	Waldo County Shrine Club
Raymond Young	dba	Young's Lobster Pound

- B. Request to approve the application by The Otis Group Incorporated d/b/a Rollie's Bar and Grill located 37 Main Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior deck.
- C. Request to approve an application for a Special Amusement Permit for The Otis Group Incorporated d/b/a Rollie's Bar and Grill for live entertainment, music, vocals - Karaoke, DJ and dancing at 37 Main Street, Belfast, Maine, interior/exterior.
- D. Request to approve an application by Donald L. Benson d/b/a All-Play LLC located at 49 Searsport Avenue, Belfast, Maine for a renewal Malt, and Vinous Restaurant Class III & IV liquor license, interior only.
- E. Request to approve an application by Xue Li Cui d/b/a Ming's Restaurant, located at 185 Searsport Avenue, Belfast, Maine for a renewal Malt, and Vinous Restaurant Class IV liquor license, interior only.
- F. Request to approve a Facility Use application by Belfast Rotary Club to organize and operate the 4th Annual 5K Kilted Canter Road Race in conjunction with the 2016 Celtic Celebration on Saturday, July 16, 2016 from 8:30 a.m. to 10:00 a.m. starting and finishing at the Belfast Area High School.

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

10) Business

A) Discussion and possible action on the cutting of tree obstructions to preserve the safe airspace for the 15 end of the existing runway at the Belfast Airport.

Economic Development Director Thomas Kittredge, Rich Lasdin of Airport Solutions Group and Tim LeSiege of MDOT addressed Council questions and comments regarding the proposed cutting of tree obstructions.

Councilor Arrison, put a motion on the floor that in response to the Councils motion from the middle of March and what the Council sees before them tonight, that the Economic Development Director proceed with the grant application to the FAA for only City property cutting to the large extent which was approved in the middle of March. As a result the Council is authorizing City staff to work with the owners of the other effected areas to achieve the minimum cutting necessary as approved a month ago, with a method in place to guarantee that the property owner is in compliance. No Council action was taken on this motion.

Councilors discussed how to proceed with the FFA grant for the cutting of tree obstructions.

Councilor Arrison, seconded by Councilor Harkness, made a motion to authorize the Economic Development Director to apply for FAA grant funding only on City property to the extent that was approved at the Council Meeting in March. This motion was approved, 4-0.

Councilors discussed how the City could come to an agreement with Rising Up Farm in which they would be responsible to maintain their own property in compliance with FAA standards.

Anne Hallee of Rising Up Farm supported the motion by the City and provided suggestions on how to work together to create an agreement.

Councilor Harkness, seconded by Councilor Arrison, made a motion for the City of Belfast to enter into an agreement with Rising Up Farm in which they will be responsible for cutting trees on their property to FFA standards which would be enforceable by the City of Belfast. This motion was approved, 4-0.

Economic Development Director Thomas Kittredge reviewed the bid tab and discussed FAA funding, including the ability to have Norridgewock Airport loan the City of Belfast \$150,000 of their Federal money allowing the City to only put in the mandatory 5% match.

Councilor Arrison, seconded by Councilor Mortier, made a motion to accept the bids. This motion was approved, 4-0.

B) Request from the Economic Development Director for the Council to approve an application for FAA funding for the runway 33 easement acquisition project.

Economic Development Director Thomas Kittredge explained the request.

Rich Lasdin of Airport Solutions Group explained the survey and the purpose of easements acquisitions.

Councilor Mortier, seconded by Councilor Hurley, made a motion to accept the request to authorize the Economic Development Director to make an application to FFA for funding for the runway 33 easement avigation acquisition project. This motion was approved, 4-0.

C) Request from the Police Chief and the Harbor Master to expand the scope of a grant application for security cameras at the Waterfront to include the Harbor Walk.

City Manager Joseph Slocum explained that unlike the initial project proposed by the Harbor Master on April 5th for cameras at the Public Landing this proposed project would also include

cameras along the length of the Harbor Walk would require a match due to the amount of funds now being requested.

Harbor Master Kathy Pickering and Police Chief Mike McFadden discussed what this proposal would include and how it would be utilized by both departments.

Councilors discussed the request.

No motion was made, the Council was unanimously in support of the initial grant request for \$25,000 as presented at the April 5th Council Meeting.

D) Discussion on possible authorization for the City Manager to negotiate the purchase of an easement across the Penobscot McCrum property at the bottom of Pierce Street to connect the Harbor Walk, the Armistice Bridge and the Belfast Rail Trail.

City Manager Joseph Slocum explained the request for authorization from the City Council to negotiate the acquisition of an easement from Penobscot McCrum.

Councilor Hurley spoke of the importance connectivity between the Harbor Walk and Rail Trail.

Councilor Hurley, seconded by Councilor Mortier, made a motion to authorize the City Manager to negotiate the purchase of an easement across the Penobscot McCrum property at the bottom of Pierce Street to connect the Harbor Walk, the Armistice Bridge and the Belfast Rail Trail. This motion was approved, 4-0.

E) Update on the Rail Trail including the acceptance of bids relating to various aspects of construction and possible approval of the construction design for the 50 foot approaches on either side of the Trestle Bridge.

City Manager Joseph Slocum reviewed the bids submitted for stone dust, paving and wooden fencing.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the bids for the wooden fence, stone dust and paving of the Rail Trail. This motion was approved, 4-0.

Councilors discussed the bids.

Councilor Hurley, seconded by Councilor Harkness, made a motion to award the bids to the following: Stone dust bid to R. F. Jordan & Sons, Paving bid to R. F. Jordan & Son's and Wooden Fence bid to C.A. Newcomb. This motion was approved, 4-0.

City Manager Joseph Slocum reviewed the proposed design for the approaches to the Trestle Bridge, no action was taken, and Council unanimously supported the design.

F) Request from Stephen Look for permission to organize a 5K race and a half marathon race that would utilize both the Harbor Walk and the Footbridge on Sunday, June 5th from 8:00 a.m. to 11:00 a.m.

Parks and Recreation Director Norm Poirier reviewed the request, reviewing the Department and Commission's recommendations.

Councilors discussed the details of the request, including the five recommendations and the need to create a policy for use of the Harbor Walk.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from Stephen Look for permission to organize a 5K race and half marathon race that would utilize both the Harbor Walk and the Footbridge on Sunday, June 5th from 8:00 a.m. to 11:00 a.m., incorporating the five recommendations from the Parks and Recreation Department and directing the Department and Commission to develop a policy for the use of the Harbor Walk and Rail Trail to be presented to the Council in a timely manner. This motion was approved, 4-0.

G) Request from the Parks and Recreation Director to allow Waldo County Woodshed to utilize a shed at Walsh Fields to distribute wood to the needy.

Parks and Recreation Director Norm Poirier explained the request by Waldo County Woodshed to utilize a shed at Walsh Fields as a storage and distribution center during cold months.

Councilor Hurley inquired about the details and requested that the request limited to one year, at which time it will be revisited by Council if they wish to continue to utilize that space.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from the Parks and Recreation Director to allow Waldo County Woodshed to utilize a shed at Walsh Fields to distribute wood to the needy for one year and to review the request after one year if they would like to continue to utilize that space. This motion was approved, 4-0.

H) Request from the Director of Video Services to transfer \$4,900 from the Cable Capital Reserve Account to purchase a video switcher.

No discussion.

Councilor Mortier, seconded by Councilor Hurley, made a motion to accept the request from the Director of Video Services to transfer \$4,900 from the Cable Capital Reserve Account to purchase a video switcher and to seek reimbursement from the Penobscot Cable Consortium. This motion was approved, 4-0.

I) Discussion of possible purchase for additional benches for the downtown area.

City Manager Joseph Slocum explained the request and requested Council direction on bench design and cost.

Councilors discussed design and funding, no motion was taken and Council table the issue until further research on design and cost alternatives can be brought forward for discussion.

J) Request to name Mayor Walter Ash Jr. as a public-sector representative to the Waldo Community Action Partners Board.

Mayor Walter Ash briefly explained the request.

Councilor Arrison, seconded by Councilor Mortier, made a motion to accept the request to name Mayor Walter Ash Jr. as a public-sector representative to the Waldo County Community Action Partners Board. This motion was approved, 4-0.

K) Update on the Front Street Project.

City Planner Wayne Marshall updated the Council on the first week of this construction project and briefly reviewed the proposed schedule of work.

L) Consideration of a request to prohibit City reimbursement for travel by City employees to either North Carolina or Mississippi. (Councilor Hurley)

No Council discussion.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request that the City of Belfast will not reimburse non-emergency travel or participation expenses for City of Belfast staff to the states of North Carolina or Mississippi due to recent discriminatory legislation. This motion was approved, 4-0.

L) #1 Request by Bruce Spector and Liane Mohler to place steps in the rail road corridor for access to their property.

City Planner Wayne Marshall explained the request brought forward by property owners Bruce Spector and Liane Mohler and the process in which if granted the City would issue a license to erect the stairs and would contain a revocable clause in which the City could withdraw the right to use those steps.

Councilors discussed how the property owners would limit public access.

Councilor Harkness, seconded by Councilor Hurley, made a motion to approve a permit for Bruce Spector and Liane Mohler to construct stairs in the rail road corridor for access to their property. This motion was approved, 4-0.

M) Consideration of a request by a mobile park owner to pay off outstanding taxes.

Item removed from agenda.

N) Consideration of whether or not the City will enter into a Joinder agreement with MRC for purposes of committing the City to a long-term solid waste disposal agreement at a new waste disposal facility in Hampden constructed by Fiberright.

City Manager Joseph Slocum briefly discussed the agreement, informing the Council that the date in which the City would need to decide by has changed from May 1st to June 1st, thus no action is needed at this time.

Councilors discussed the possibility of committing to this agreement and tabling the issue until all five Council members could be present to vote.

Councilor Harkness, seconded by Councilor Arrison, made a motion to table the consideration of the City of Belfast entering into a “Joinder” agreement with MRC for purposes of committing the City to a long-term solid waste disposal agreement at a new waste disposal facility in Hampden constructed by Fiberright until the May 17th Council Meeting. This motion was approved, 4-0.

O) Request to go into Executive Session to discuss a Real Estate matter pursuant to 1 MRSA 405 (6) C.

Councilor Mortier, 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 11:09 p.m. This motion was approved, 4-0.

Councilor Harkness, 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 11:29 p.m. This motion was approved, 4-0.

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

Councilor Arrison, seconded by Councilor Harkness, 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 11:29 p.m. This motion was approved, 4-0.

Councilor Mortier, seconded by Councilor Harkness, 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 11:47 p.m. This motion was approved, 4-0.

P) Signing of Council Orders and housekeeping items.

Council Order #37 Signed by Councilor Hurley, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$4,900.00 to purchase a video switcher. Funds will come from the Cable Capital Reserve Account (250-537), which will be reimbursed by the Penobscot Cable Consortium's Reimbursement Program. (Approved April 19, 2016)

11) Open to the Public

Please state your name and town you are from when addressing the City Council.

1. Morten Moesswilde of Belfast addressed the decision made by the Council regarding tree clearing and recommended creating a vegetation management plan.
2. Peter Wilkenson of Belfast requested the City consider the long term importance of the Airport.
3. Ridgely Fuller of Belfast spoke requested further information about when the public will be able to have input.

4. Peter Wilkenson of Belfast spoke about the need to address citizens' concerns about an expansion of the Airport.

5. Morten Moesswilde of Belfast spoke about the perception of keeping the expansion of the runway on the Airport Master Plan.

12) Communications

City Manager Joseph Slocum noted that the opportunity for the City to purchase land from the Water District expired today.

13) Adjourn

Councilor Harkness, seconded by Councilor Mortier, made a motion to adjourn the meeting at 11:47 p.m. This motion was approved, 4-0.

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