

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, May 3, 2016
7:00 p.m.**

Public Hearing #1

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 May 3, 2016 at 7:00 p.m. or as soon as possible thereafter on a new application for a Special Amusement Permit for Robert W. Wlodyka d/b/a The Mill Restaurant Bar & Ice Cream Shop for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 100 Searsport Ave, Belfast, Maine, interior only.

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 May 3, 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 Robert W. Wlodyka d/b/a The Mill Restaurant Bar & Ice Cream Shop located at 100 Searsport Avenue, Belfast, Maine for a new Malt, Spirituous, and Vinous license.

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

Public Hearing #3

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on May 3, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application for Lafayette Belfast, LLC d/b/a Fireside Inn & Suites at Ocean's Edge, at 159 Searsport Avenue, Belfast, Maine for a renewal Hotel-Optional Food Class I-A liquor license, interior and exterior decks.

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

Public Hearing #4

Pursuant to Belfast Victualer License ordinance a public hearing will held on May 3, 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.

- | | |
|---------------------|-------------------------------|
| B & F Foot long LLC | d/b/a Subway |
| Crusty Crab LLC | d/b/a Front Street Pub |
| Robert Hogan | d/b/a McDonalds |
| Alessandro Scelsi | d/b/a Meanwhile In Belfast |
| Fire Side Inn | d/b/a Ocean's Edge Restaurant |

Aradio Clima	d/b/a	Oriental Cuisine
Phillip Burnham	d/b/a	Penobscot Shores Asse.
Melissa Steele	d/b/a	Perry’s Qwik Stop
Douglas Frost	d/b/a	Tarratine Tribe #13
Traci Mailloux	d/b/a	Traci’s Diner
Denise Fuller	d/b/a	Wasses Hot Dogs
Theodore Rakis	d/b/a	Alexias’s Pizza
Robert Wlodyka	d/b/a	The Mill Restaurant Bar Ice Cream
Anna Wagner	d/b/a	Wags Wagon, LLC
Gail Savitz	d/b/a	Darby’s Restaurant
Kevin Barrett	d/b/a	Jack’s Grocery
Cathy Heffentrager	d/b/a	The Jeweled Turret Inn

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

Regular Council Meeting No. 21

1) Call to order

2) Present: Mayor Walter Ash, Jr., Councilors Mary Mortier, Neal Harkness, Eric Sanders and John Arrison; City Manager Joseph Slocum and Admin. Assistant to the City Manager Manda Cushman.

Absent: Councilor Michael Hurley

3) Pledge of Allegiance

4) Adoption of the agenda

City Manager Joseph Slocum requested to add the following to the agenda:

- Add item **10) G #1** 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) E #1** Update on the Front Street Reconstruction Project.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adopt the agenda, as amended. This motion was approved, 4-0.

5) Acceptance of the minutes

Regular Council Meeting of April 19, 2016.

Councilor Arrison requested the following amendments to the minutes of April 19, 2016:

- Add to the title of item **10) A** “15 end”, to clarify what end of the runway was being discussed.
- Add to the following paragraph of item **10) A** Tim LeSiege from MDOT, who also spoke.
- Add to the motion on page 6, of item **10) A** the word “motion” following “made a”.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the minutes from Regular Council Meeting of April 19, 2016, as amended. This was approved, 4-0.

6) Open to the public

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

1. Ellie Daniels of Belfast read a letter to the City Council requesting that the Council consider voting to remove the expansion of the Airport runway from the Airport Master Plan, and submitted to the Council a petition from citizens regarding this request.
2. Shelly Butler, Executive Director of P.A.W.S. gave an update on the organizations upcoming P.A.W.S on Parade event in Belfast.
3. Barbra Finch, P.A.W.S. volunteer informed the public of the festivities during the upcoming P.A.W.S. on Parade which will be held on Saturday, May 14th at 9:30 a.m. at the Belfast City Park.
4. Kimberly Callas, Executive Director of the Belfast Creative Coalition gave an organization update.
5. Allison Rector of Monroe updated the public on efforts to create a green cemetery in Belfast and invited all to attend the special showing of *A Will for the Woods* at The Colonial Theater on Tuesday, May 10th at 6:30 p.m.
6. Helen Sahadi of Jackson informed the public that there is now a Green Cemetery Facebook page.

7) Communications

Councilor Arrison inquired about the annual Please Be Seated benches.

Councilor Harkness gave an update on efforts to organize a celebration for Indigenous People’s Day and invited all to a meeting on Monday, May 9th in Conference Room A of Belfast City Hall to begin the discussion.

Councilor Sanders requested that the City invite the Superintendent of RSU #71 to speak to the Council regarding their proposed budget at the next Council Meeting, May 17th.

City Manager Joseph Slocum informed the public that currently Public Works is planting new trees throughout Downtown as part of the Project Canopy Grant that the City was awarded.

Mayor Ash requested a moment of silence on behalf of Frank Bissel Jr. a former Belfast Police Officer who passed on April 21st.

A moment of silence was taken to honor the passing of Frank Bissel Jr.

8) Old Business and Council Committee Reports

Councilor Arrison informed the Council the he and another member of the Broadband Committee will be attending the MMA Municipal Technology Conference on Thursday, May 5th.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a new Special Amusement Permit application for Robert W. Wlodyka d/b/a The Mill Restaurant Bar & Ice Cream Shop for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 100 Searsport Ave, Belfast, Maine, interior only.
- B. Request to approve the application by Robert W. Wlodyka d/b/a The Mill Restaurant Bar & Ice Cream Shop located at 100 Searsport Avenue, Belfast, Maine for a new Malt, Spirituous, and Vinous license.
- C. Request to approve an application by Lafayette Belfast, LLC d/b/a Fireside Inn & Suites at Ocean's Edge, at 159 Searsport Avenue, Belfast, Maine for a renewal Hotel-Optional Food Class I-A liquor license, interior and exterior decks.
- D. Request to approve the following applications for a Victualer License renewal, due to expire May 31, 2016.
- | | |
|---------------------|---|
| B & F Foot long LLC | d/b/a Subway |
| Crusty Crab LLC | d/b/a Front Street Pub |
| Robert Hogan | d/b/a McDonalds |
| Alessandro Scelsi | d/b/a Meanwhile In Belfast |
| Fire Side Inn | d/b/a Ocean's Edge Restaurant |
| Aradio Clima | d/b/a Oriental Cuisine |
| Phillip Burnham | d/b/a Penobscot Shores Assc. |
| Melissa Steele | d/b/a Perry's Qwik Stop |
| Douglas Frost | d/b/a Tarratine Tribe #13 |
| Traci Mailloux | d/b/a Traci's Diner |
| Denise Fuller | d/b/a Wasses Hot Dogs |
| Theodore Rakis | d/b/a Alexias's Pizza |
| Robert Wlodyka | d/b/a The Mill Restaurant Bar Ice Cream |
| Anna Wagner | d/b/a Wags Wagon, LLC |
| Gail Savitz | d/b/a Darby's Restaurant |
| Kevin Barrett | d/b/a Jack's Grocery |
| Cathy Heffentrager | d/b/a The Jeweled Turret Inn |

Request to approve an off premises catering permit for White Flour Catering, LLC for the Northport Yacht Club Kick Off Party located at the Waldo Shrine Club, 89 Northport Ave., Belfast, Maine on May 29, 2016 from 5:00 p.m. to 10:00 p.m.

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

10) Business

A) Further discussion on the possibility of donating a used flagpole to the Penobscot Marine Museum and First Congregational Church of Searsport.

City Planner Wayne Marshall explained the request, explaining that as of April 25th the department received one response by the Penobscot Marine Museum and First Congregational Church of Searsport. The City has since received a response from the Belfast Shrine Club that they too would be interested in the flagpole.

Councilors discussed the two requests for the flagpole.

Councilor Sanders, seconded by Councilor Harkness, made a motion to donate the used flagpole located at the Wastewater Treatment Facility to the Belfast Shrine Club. This motion was approved, 4-0.

B) Update and presentation from Ned Lightner on the progress of Belfast Community TV which is celebrating its 10th anniversary.

Director of Video Services Ned Lightner gave a presentation on the progress of Belfast Community TV over the past 10 years and presented the Council with a photograph of Belfast.

C) Consideration of issuing a 'No Action Letter' for a property located at 391 Belmont Avenue, Map 2, Lot 78, and also at a property located at 393 Belmont Avenue, Map 2, Lot 79, with respect to certain violations of the City Zoning Ordinance.

City Planner Wayne Marshall explained the violations to the City Zoning Ordinance in which a property was split into two illegal sized lots in 1998. He recommended that the Council issue a 'No Action Letter', and outlined specific conditions.

Councilors inquired about the two properties and the proposed 'No Action Letter.'

City Planner Wayne Marshall noted that both property owners are willing to agree to the conditions.

Councilor Harkness, seconded by Councilor Sanders, made a motion to issue a 'No Action Letter' for a property located at 391 Belmont Avenue, Map 2, Lot 78, and also at a property located at 393 Belmont Avenue, Map 2, Lot 79, with respect to certain violations of the City Zoning Ordinance, under the conditions outlined at the meeting by the City Planner Wayne Marshall and including edits made by the City Attorney to the agreement. This motion was approved, 4-0.

D) Update on the construction of the Rail Trail.

City Manager Joseph Slocum updated the Council on the current construction of the Rail Trail fencing along with the Construction Committee Meeting that was held on Monday, May 2nd.

City Manager Joseph Slocum briefly reviewed the proposed bench and location by a donor.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the location and design of the donor bench. This motion was approved, 4-0.

City Manager Joseph Slocum discussed the stone dust mix and trestle bridge, noting that Committee Member Larry Jones has offered to oversee the construction of the bridge for a fee.

Councilor Sanders, seconded by Councilor Arrison, made a motion to hire Larry Jones to oversee the construction of the Trestle Bridge. This motion was approved, 4-0.

City Manager Joseph Slocum requested to waive the bid process to hire a contractor for the construction of the Trestle Bridge.

Councilor Sanders, seconded by Councilor Arrison, made a motion to waive the bid process to hire a contractor for the Trestle Bridge. This motion was approved, 4-0.

City Manager Joseph Slocum informed the Council regarding the status of apply to the Planning Board to remove the structure at 75 City Point Road and requested authorization from the Council to remove the structure once approved by the Planning Board.

Councilor Sanders, seconded by Councilor Arrison, made a motion to authorize the removal the structure at 75 City Point Road upon approval from the Planning Board. This motion was approved, 4-0.

Councilors briefly discussed the removal of the structure and future plans for the property.

Councilor Sanders requested that the City inquire about how Acadia manages ticks along their trails.

E) Consideration of a request to cut down a large tree at 16 Church St.

Council tabled the request until the May 17th Council Meeting, no action was taken, Councilors unanimously agreed.

E) #1 Update on the Front Street Reconstruction Project.

City Planner Wayne Marshall updated the Council on the current progress of construction.

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

Councilor Harkness, seconded by Councilor Sanders, 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 8:35 p.m. This motion was approved, 4-0.

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 8:50 p.m. This motion was approved, 4-0.

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

Councilor Harkness, 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 8:50 p.m. This motion was approved, 4-0.

Councilor Harkness, seconded by Councilor Sanders, 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 9:05 p.m. This motion was approved, 4-0.

G) #1 Request to go into Executive Session on a Real Estate matter pursuant to 1M.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 9:05 p.m. This motion was approved, 4-0.

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 9:22 p.m. This motion was approved, 4-0.

H) Signing of Council Orders and housekeeping items.

Council Order # 36 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend \$7,732.00 for the purchase and installation of commercial exercise equipment at City Park to include Plyometric Steps, Ab Crunch/Leg Lift and Pull-up/Dip Station from Landscape Structures. Funds will come from the following accounts: \$5,000 from Fitness Equipment account (730-819) and \$2,732 from Park Maintenance account (610-585). (Approved on April 5, 2016)

11) Open to the Public

No comments made.

12) Communications

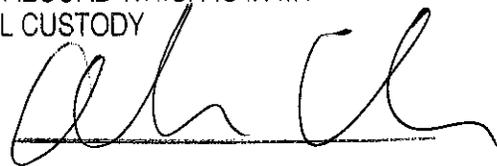
City Manager Joseph Slocum explained that the letter submitted by Ellie Daniels would be given to the Airport Master Plan Committee at their meeting on Thursday, May 5th.

13) Adjourn

Councilor Mortier, seconded by Councilor Arrison, made a motion to adjourn the meeting at 9:22 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