

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, July 19, 2016
6:30 p.m. Committee Interviews
7:00 p.m. Regular Council Meeting

Public Hearing #1

In accordance with the Belfast City Charter a public hearing will be held to discuss the proposed budget for the City of Belfast 2016-2017 fiscal year. The hearing will be held on Tuesday, July 19, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall at 131 Church Street, Belfast, Maine. The hearing will also be broadcast live on Bel-TV, Time Warner Cable Channel 7.

A copy of the proposed budget may be found in the July 7, 2016 edition of the Republican Journal and also on the City of Belfast web site at www.cityofbelfast.org. The complete proposed budget may be examined weekdays between the hours of 8:00 a.m. to 5:00 p.m. in the office of the City Treasurer.

All citizens are invited to attend and will have the opportunity to give written and/or oral comments at the hearing. Written comments need to be received prior to the hearing in order to be considered. The Council Chambers - Belfast City Hall is handicap accessible. If there are any questions please feel free to contact the City Clerk's Office Monday through Friday 8:00 a.m. to 5:00 p.m. at 338-3370.

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

Regular Council Meeting No. 2

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 add the following:

- **10. M #1** Consideration of applying for the Davis Family Foundation Grant to be utilized for the creation of the Radio Station.
- **10. M #2** Update on the Rail Trail.

- **9. H Facility Use Request by Our Town Belfast for the Dinner on the Footbridge event on July 28, 2016 from 5:00 p.m. to 10:00 p.m.**

Councilor Sanders, 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 July 5, 2016.

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

6) Open to the public

1. Lindsay Lewis informed the Council that she was here to speak on behalf of the pickle ball request.
2. Breanna Pinkham Bebb, Executive Director of Our Town Belfast gave an organization update.
3. Rev. Joel Kruger, The First Church in Belfast invited the public to celebrate the updates to their building on August 7th starting at 10:00 a.m.
4. Michaelene Achorn, Executive Director of the Belfast Area Chamber gave an organization update.

7) Communications

Councilor Harkness briefly discussed a letter from Our Town Belfast regarding the Radio Station and reminded the Council that the bicentennial for the State of Maine is in 2020.

Councilor Sanders informed the Council about the upcoming Addams Family Musical.

Councilor Hurley acknowledged Bob MacGregor and the 10 years of the Celtic Celebration, briefly discussed the bricks on the footbridge, reminded the Council that the rain date for the Street Party is the next sunny day, and updated the Council on the recent Our Town Belfast Business Coffee Hour at City Hall.

City Manager informed the Council of the Maine Senior Magazine featuring Harbor Master Kathy Pickering, discussed the Maine Municipal Association survey, the Waldo County Budget Committee and the new Director of the Belfast Creative Coalition.

Councilor Arrison thanked all those involved in the Celtic Celebration and the great fireworks.

Mayor Ash thanked all the volunteers of the Celtic Celebration and all the festivals that happen throughout the year which help bring people to the community.

8) Old Business and Council Committee Reports

No comments.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an off premises catering permit for Nautilus Seafood & Grill for the Belfast Celtic Festival located at the Belfast Boathouse, 34 Commercial Street, Belfast, Maine on July 16, 2016 from 8:30 p.m. to 12:30 a.m. on July 17th.
- B. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for a private wedding located at the Belfast Boathouse, 34 Commercial Street, Belfast, Maine on July 2, 2016 from 4:00 p.m. to 10:30 p.m.
- C. Request to approve an off premises catering permit for American Legion Frank D. Hazeltine Post #43 for an Anniversary Party located at the American Legion Hall (Main Function Hall), 143 Church Street, Belfast, Maine on August 13, 2016 from 1:00 p.m. to 11:00 p.m.
- D. Request to approve a Facility Use application by Spectrum Generations Meals on Wheels and the Belfast Soup Kitchen for a 5K Road Race on Saturday, September 10, 2016 from 10:00 a.m. to 12:00 p.m. beginning and ending at the Belfast Area High School.
- E. Request to approve a Facility Use application by Duke Tomlin on behalf of the Experimental Aircraft Association for use of the Belfast Airport for a Belfast Airport Open House and Fly-In on Saturday, September 17, 2016 from 7:30 a.m. to 3:00 p.m.
- F. Request to approve a Facility Use application by Our Town Belfast for use of High Street and Church Street for the Annual Street Party to be held on Monday, August 1, 2016 from 5:00 p.m. to 10:00 p.m.
- G. Request to approve a Facility Use application by Patrick Colleran, Logistics Coordinator for the Climate Ride to utilize Heritage Park on Thursday, September 8th from 1:30 p.m. to 4:30 p.m. for a water stop during their 5 day cycle from Bar Harbor to Boston.
- H. Facility Use Request by Our Town Belfast for the Dinner on the Footbridge event on July 28, 2016 from 5:00 p.m. to 10:00 p.m.

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

10) Business

- A) Request from Literacy Volunteers to locate several 'Little Free Library' structures in the City.

Denise Pendleton of Literacy Volunteers discussed their proposal and requested Council permission to install two 'Little Free Library' structures at the Belfast City Park and Whales Park.

Councilors discussed the proposal.

Mayor Ash inquired about limitations on structures within Whales Park.

Councilor Arrison, seconded by Councilor Mortier, made a motion to accept the request from Literacy Volunteers to located ‘Little Free Libraries’ at Belfast City Park and Whales Park in consultation with the Parks and Recreation Director. This motion was approved, 5-0.

B) Request from Belfast citizens to expand the existing pickleball opportunities in Belfast City Park.

Lyndsey Lewis spoke on behalf of the pickleball request, explaining that they are looking for Council approval to use the space as a designated space for pickle ball and to start the process of creating more detailed financials and timeline for the project.

Parks and Recreation Director Norm Poirier discussed the possibility of creating an alternate basketball court.

Councilors discussed the request and how it would be funded and transferred to a pickleball court.

Susan Lauchlan discussed the noise of pickleball and the park as an ideal location for the court.

Bill Carr of Belmont and Dr. Hall of Belfast discussed the history and growth of pickleball in the area.

Councilor Hurley, seconded by Councilor Harkness, made a motion to approve the concept of turning a basketball court into a pickleball court at Belfast City Park and to defer to the Parks and Recreation Department to work with the group to bring back a financing plan to be approved by the City Council. This motion was approved, 5-0.

C) Consideration of committee appointments.

City Clerk Amy Flood briefly reviewed the status of committee interviews.

Councilor Mortier, seconded by Councilor Arrison, made a motion to appoint Geoffrey Gilchrist and Richard O’Connor as full members to the Planning Board. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to appoint Robert Adler as a member of Library Board of Trustees. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Arrison, made a motion to appoint Aynne Ames, Catherine Gleeson, Larry Theye, Robert Gordan, Rafe Blood as members to the Parks and Recreation Commission. This motion was approved, 5-0.

Councilor Hurley, seconded by Councilor Sanders, made a motion to reappoint Ann Mullen, and appoint Megan Pinette (effective September 1st) as members of the Cemetery Board of Trustees. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Arrison, made a motion to reappoint Bill Ryan to the Airport Advisory Committee. This motion was approved, 5-0.

Council requested clarification on Biff Atlas's request to be appointed to the Board of Assessment Review and unanimously decided to begin the August 2nd Council Meeting at 6:30 for final committee interviews.

D) Second Reading of the proposed amendments to the Harbor Ordinance.

Harbor Master Kathy Pickering briefly explained the amendments.

No Council discussion.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the Second Reading of the proposed amendments to the Harbor Ordinance as presented. This motion was approved, 5-0.

E) Request from the Economic Development Director, Thomas Kittredge, for authority to exchange City property with the State of Maine for some of their property in order to benefit the efficient layout of the City Airport.

Economic Development Director Thomas Kittredge explained the request, and authority for the exchange of property, the City Manager's signature on required documents, and the City Attorney to handle the closing.

Councilors clarified information for the public regarding the request.

Councilor Mortier, seconded by Councilor Harkness, made a motion to authorize exchange City property with the State of Maine for some of their property in order to benefit the efficient layout of the City Airport. This motion was approved, 5-0.

F) Request to appoint an Ad Hoc Committee to help select a qualified environmental professional to carry out environmental assessment work under the City's \$400,000 EPA Brownfields Assessment Grant.

Economic Development Director Thomas Kittredge explained the grant and the role of the committee, requesting authorization to create a committee; interested members would be brought back before the Council for appointment at a future meeting.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request to appoint an Ad Hoc Committee to help select a qualified environmental professional to carry out environmental assessment work under the City's \$400,000 EPA Brownfields Assessment Grant. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Arrison, made a motion to have up to 5 members serve on an Ad Hoc Committee to help select a qualified environmental professional to carry out environmental assessment work under the City's \$400,000 EPA Brownfields Assessment Grant. This motion was approved, 5-0.

G) Consideration of a recommendation to increase certain fees at the Belfast Transfer Station.

City Manager explained the request which includes increasing fees for construction/demolition waste and tires.

Councilor Hurley discussed concerns with individuals utilizing the Transfer Station without a sticker and requested the department bring forward a proposal for a better system for stickers to be presented to the Council at an upcoming Council Meeting.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request to increase fees for construction and demolition waste from \$130 a ton to \$140 a ton and to increase the fees on tires from \$2 to \$3 to take effect on Monday, August 15, 2016. This motion was approved, 5-0.

H) Further discussion on the City's request to purchase an easement across the Penobscot McCrum plant that would connect the Rail Trail to Pierce and Front streets and possible consideration of the decision on taking such an easement by eminent domain.

City Manager Joseph Slocum handed out a letter to the Council from the attorney representing Penobscot McCrum.

Council took a moment to read the email.

City Attorney Kristin Collins reviewed the negotiation meeting of July 7th and reviewed the process moving forward with eminent domain if the Council chooses to do so.

Councilors discussed the email and concerns with lack of communication.

Councilors read the Resolution and Order.

Councilors made amendments to the Resolution and Order.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the Resolution and Order as amended. This motion was approved, 5-0.

I) Further discussion on the City budget for July 1, 2016 to June 30, 2017.

City Manager Joseph Slocum briefly explained the proposed budget and thanked all those who worked on it over the last few months, and welcomed public communication regarding the budget throughout the year.

Councilor Harkness requested that the Council reconsider the request for funding from the Soup Kitchen to increase what was authorized from \$6,000 to \$7,500.

Councilors discussed the request to amend the budget.

Councilor Harkness, seconded by Councilor Hurley, made a motion to accept the request to amend the budget to include an increase to the Soup Kitchen from \$6,000 to \$7,500. This motion was approved, 5-0.

Councilor Hurley, seconded by Councilor Arrison, made a motion to accept the City budget for July 1, 2016 to June 30, 2017 as amended. This motion was approved, 5-0.

J) Request from Darby's for an off premises liquor permit (Hurley)

Councilor Hurley discussed the request on behalf of the Our Town Belfast Street Party.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request from Darby's for an off premises liquor permit for the Annual Street Party on August 1st to extend from their property at 155 High Street, Belfast onto the sidewalk. This motion was approved, 5-0.

K) Consideration of bids for four parcels of tax acquired property.

City Manager explained the bids, noting only one bid was submitted to be opened for the Amy Feener property located at 7 Cardinal Circle (building only), the only other bid that came in the property was redeemed by the owner.

Council discussed how to proceed with the Turner property in which there was no bid submitted.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the bid of \$2,159 to Dan McQuerre of Holden, ME for the Feener property located at 7 Cardinal Circle. This motion was approved, 5-0.

L) First reading on amendments to the Belfast sign ordinance.

City Planner Wayne Marshall explained the proposed amendments which now include the political sign policy that the City would adopt year to year and updates to codify it to keep constant with the rest of the City Ordinances.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the First Reading on amendments to the Belfast Sign Ordinance, the Public Hearing and Second Reading to be held at the August 16th Council Meeting. This motion was approved, 5-0.

M) Consideration of a request for an itinerant vendors license.

Councilors requested further information on State Law.

Councilor Sanders, seconded by Councilor Arrison, made a motion to table the request for an itinerant vendors license. This motion was approved, 5-0.

M) #1 Consideration of applying for the Davis Family Foundation Grant to be utilized for the creation of the Radio Station.

Economic Development Director Thomas Kittredge explained the grant.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the request to apply for the Davis Family Foundation Grant. This motion was approved, 5-0.

M) #2 Update on the Rail Trail.

City Manager Joseph Slocum gave an update on the paving of the stone dust on the Rail Trail and requested Council approval on naming the trail The Belfast Rail Trail on the Passagassawakeag River.

Councilor Harkness, seconded by Councilor Sanders, made a motion to officially name the trail The Belfast Rail Trail on the Passagassawakeag River. This motion was approved, 5-0.

N) Updates on the Front Street Reconstruction Project, Washington Street project, Revitalization project.

City Planner Wayne Marshall updated the Council on various construction projects and discussed Council signing off on granite options for the Belfast Common project.

O) Request to go into Executive Session to discuss a Legal matter pursuant to 1 MRSA 405 (6) E.

Councilor Mortier, seconded by Councilor Sanders, made a motion to go into Executive Session to discuss a Legal matter pursuant to 1 M.R.S.A Section 405 (6) E at 10:50 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss a Legal matter pursuant to 1 M.R.S.A Section 405 (6) E at 11:00 p.m. This motion was approved, 5-0.

P) Consideration of a recommendation to rescind a previously issued ‘No Action Letter’.

City Planner Wayne Marshall explained the request to rescind the ‘No Action Letter’ for David Goldschmidt, owner of Cottage Unity #14 in the Wonderview Campground located at 213 Searsport Ave., Belfast, Maine due to concerns with authenticity of information provided to the City.

Councilor Sanders, seconded by Councilor Arrison, made a motion to rescind a previously issued ‘No Action Letter’. This motion was approved, 5-0.

Q) Consideration of applications for poverty abatements to be done in Executive Session pursuant to 36 MRSA 841-844.

Councilor Sanders, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss poverty abatements pursuant to 36 M.R.S.A 841-844 at 11:06 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn Executive Session to discuss poverty abatements pursuant to 36 M.R.S.A 841-844 at 11:30 p.m. This motion was approved, 5-0.

R) Signing of Council Orders and housekeeping items.

11) Open to the Public

No comments.

12) Communications

Councilor Hurley wished the Fire Chief a happy birthday and recent events in the news in which police officers have been attacked.

13) Adjourn

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn the meeting at 11:31 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