

**City of Belfast  
Council Chambers-Belfast City Hall  
Tuesday, August 2, 2016  
6:30 p.m. Committee Interviews  
7:00 p.m. Regular Meeting**

**Public Hearing #1**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on August 2, 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 American Legion Post 43(Frank D Hazeltine), located at 143 Church Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Club Class liquor license.

**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 August 2, 2016 at 7:00 p.m. or as soon as possible thereafter, on an application for a Special Amusement Permit by American Legion Post 43(Frank D Hazeltine), for live entertainment, music, vocals - Karaoke, DJ and dancing at 143 Church Street, Belfast, Maine, interior/exterior.

**Regular Council Meeting No. 3**

**1) Call to order**

**2) Roll call:** Mayor Walter Ash, Jr.; Councilors Mary Mortier, Neal Harkness, Eric Sanders, Michael Hurley and John Arrison, City Manager Joseph Slocum, and Admin. Assistant Manda Cushman.

**3) Pledge of Allegiance**

**4) Adoption of the agenda**

**5) Acceptance of the minutes**

Regular Council Meeting of July 19, 2016.

**6) Open to the public**

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

**7) Communications**

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

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

- A. Request to approve an application by the American Legion Post 43(Frank D Hazeltine), located at 143 Church Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Club Class liquor license.**
- B. Request to approve a new application for a Special Amusement Permit by American Legion Post 43(Frank D Hazeltine), for live entertainment, music, vocals - Karaoke, DJ and dancing at 143 Church Street, Belfast, Maine, interior/exterior.**

## **10) Business**

- A) Consideration of an Order of Condemnation to take a public recreational easement across the land of Penobscot McCrum LLC.**
- B) Request from the Public Works Director, Bob Richards, for acceptance and award of bids for winter road salt.**
- C) Request from the Public Works Director, Bob Richards, for acceptance and award of bids for winter road sand.**
- D) Request from the Public Works Director, Bob Richards, for acceptance and award of bids for paving.**
- E) Consideration of open Committee Appointments.**
- F) Discussion with the Airport Committee on their thoughts relating to a proposed parallel taxiway at the airport.**
- G) Request from Assistant City Planner, Sadie Lloyd, to accept an award bid for the conversion to LED lighting.**
- H) Consideration of an application for an itinerant vendors permit.**
- I) Discussion from the City Planner Wayne Marshall on options for the Eastside Harbor walk.**
- J) Update on the front Street project Washington Street project, etc.**
- K) Request from the City manager to go into executive session to discuss real estate matter pursuant to 1 MRSA 405 6 C.**
- L) Signing of Council Orders**

**11) Open to the Public**

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

**12) Communications**

**13) Adjourn**



# CITY OF BELFAST

131 Church Street  
Belfast, Maine 04915

**Joseph J. Slocum**  
City Manager

E-mail: [jslocum@cityofbelfast.org](mailto:jslocum@cityofbelfast.org)

Tel: (207) 338-3370 ext. 10

Fax: (207) 338-2419

## MANAGER'S REPORT

Belfast City Council Meeting  
Tuesday, August 2, 2016

**6:30 Committee Interviews**  
**7:00 p.m. Regular Meeting**

**TO: Mayor Walter Ash Jr. and Honorable Members of Belfast City Council**

**FROM:** Joseph J. Slocum, City Manager

**DATE:** Friday, July 29, 2016

### Non-Agenda Items:

Everyone is advised to monitor the weather on Monday. If the street festival is rained out on Monday, it will move to Tuesday, which in turn will move the Council meeting to Wednesday. We should all know by 3 PM on Monday.

### Agenda Items:

**10-A Consideration of an Order of Condemnation to take a public recreational easement across the land of Penobscot McCrum LLC.**

At the regularly scheduled Council meeting of July 19, 2016 the City Council unanimously approved a resolution and order identifying findings and conclusions and setting a direction to take the necessary steps to prepare a condemnation order and certificate of taking, in accordance with title 23 MRSA Chapter 304, for the Council's approval, in order to accomplish the taking of the recreational easement by eminent domain in accordance with Maine law.

This resolution and order is attached in your packet, along with a copy of the legal description of the easement and a map of the easement and the order of condemnation for it.

The easement does not take all property rights away from Penobscot McCrum, LLC

The easement secures an ability for public pedestrian, bicycle and emergency and maintenance vehicle access across a 14 foot wide strip of land belonging to Penobscot McCrum, LLC. Penobscot McCrum, LLC will have full ability to run pipes or conduits underneath the easement and to cross over the actual easement at will. This will allow Penobscot McCrum or their successors to continue to enable both pedestrian and vehicle access over this easement and have full access to the waterfront belonging to Penobscot McCrum, LLC.

The City attorney will be at the meeting to assist with any questions you have on this matter.

Notice of the City's intent to lay out a public recreational easement under 23 MRSA 3022 was posted it to locations at Belfast City Hall, at the Belfast Library and at the wooden trash receptacle at the intersection of the Armistice Bridge and the Harbor Walk. A copy was also emailed and hand-delivered to Penobscot McCrum, LLC.

**10-B Request from the Public Works Director, Bob Richards, for acceptance and award of bids for winter road salt.**

**10-C Request from the Public Works Director, Bob Richards, for acceptance and award of bids for winter road sand.**

**10-D Request from the Public Works Director, Bob Richards, for acceptance and award of bids for paving.**

**10-E Consideration of open Committee Appointments.**

## **10-F Discussion with the Airport Committee on their thoughts relating to a proposed parallel taxiway at the airport.**

We are looking for understanding, not action, at this meeting. The City's Airport Master Plan for many years has included the concept of building a parallel taxiway for safety reasons. This parallel taxiway minimizes the amount of time a plane is on our only runway, thereby reducing the likelihood of a crashes between planes. The parallel taxiway gets a plane in position to take off with the least amount of time on the runway itself and also to gets that plane off the runway in less time.

We have been seeking funding for this for many years. Funding for such a large project comes from a small discretionary pool of funding from the FAA, which is spent throughout New England. The competition for these dollars is pretty stiff. Over the last 10 years we have been steadily talking to the FAA about securing enough discretionary funding so that we could add this safety measure to our airport.

This plan only refers to a parallel taxiway for our existing runway.

Our conversations with the FAA have led us to believe that we will finally be in an excellent position to secure funding from them in 2017. This is literally once in a decade type of funding. The Federal Government pays 90% of this cost and the State pays 5%. We are talking about an estimated project cost at \$6,100,000, with the City's share at about \$305,000.

Earlier projections for this work were less but the discovery of ledge in the work area has increased the cost of construction considerably. This is one of the concerns of the Airport Advisory Committee.

In the near term the City Council will be evaluating the recommendations of the Airport Master Planning Committee and one of those recommendations has to deal with the issue of having a parallel taxiway. This conversation with the Airport Committee will help the Council expand its perspective as it reviews the recommendations of the Committee.

## **10-G Request from Assistant City Planner, Sadie Lloyd, to accept an award bid for the conversion to LED lighting.**

The City's Energy and Climate Committee has studied and recommended changes to various lighting fixtures in the City, which will save us money and reduce our energy footprint. They have gone out to bid to get some of this lighting work done and we are prepared to award a bid. Sadie Lloyd will be at the meeting to answer any questions you may have.

**10-H Consideration of an application for an itinerant vendors permit.**

We have an application from a company that hires college students to go door-to-door selling educational materials. We have a City Ordinance that outlines a process but does not define criteria under which we can deny such an application. The City Attorney has confirmed this in a memo that is attached in your packet. Presently, the most the City appears to be able to do is to identify a list of places that do not want to be solicited at their doorstep.

Since we get few of these applications, there is not much of a run on City Hall from homeowners who tell us that they do not want to be solicited in their homes. If the City Clerk has a list of such homes, she will supply it to the vendor.

**10-I Discussion from the City Planner Wayne Marshall on options for the Eastside Harbor walk.**

We still have some funding and we want to make improvements to the East Side. The decision is, what those improvements will be.

**10-J Update on the front Street project Washington Street project, etc.**

**10-K Request from the City manager to go into executive session to discuss real estate matter pursuant to 1 MRSA 405 6 C.**

That's about it for now. Have a safe and enjoyable weekend and don't forget that the downtown street party is scheduled for this Monday, August 1. If it rains the rain date is Tuesday, August 2. If that happens the Council meeting will be moved to Wednesday, August 3<sup>rd</sup>.

**10-L Signing of Council Orders**

**City of Belfast  
Consent Agenda  
Tuesday, August 2, 2016  
Meeting #3**

The following items are proposed as our Consent Agenda. As in the past the items are voted on in one blanket motion to the affirmative. One Councilor makes a motion to approve the items as stated, and then another Councilor will second that motion and the whole Council votes. If a Councilor requests an item be removed from the consent agenda, they do so during the adoption of the agenda. If a member of the public requests that an item be removed from the consent agenda, they can do so in the open to the public section. Suggested motions are listed and supporting material is enclosed.

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

- A. Request to approve an application by the American Legion Post 43(Frank D Hazeltine), located at 143 Church Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Club Class liquor license.**

Motion to approve an application by the American Legion Post 43(Frank D Hazeltine), located at 143 Church Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Club Class liquor license.

- B. Request to approve a new application for a Special Amusement Permit by American Legion Post 43(Frank D Hazeltine), for live entertainment, music, vocals - Karaoke, DJ and dancing at 143 Church Street, Belfast, Maine, interior/exterior.**

Motion to approve a new application for a Special Amusement Permit by American Legion Post 43(Frank D Hazeltine), for live entertainment, music, vocals - Karaoke, DJ and dancing at 143 Church Street, Belfast, Maine, interior/exterior.



CITY OF BELFAST, MAINE 04915  
131 CHURCH STREET

10.B

Tel: (207) 338-2375  
Fax: (207) 338-6222

**Robert (Bob) Richards**  
Public Works Director  
publicworks@cityofbelfast.org

Date: July 28, 2016

To: Mayor, City Council,  
City Manager, Joe Slocum

From: Bob Richards  
Public Works Director

Re: **Salt Bids**

We received 3 bids for supplying salt for this up coming winter season. **Harcros Chemicals Inc.** was the low bidder at \$ **55.45** per ton. This is \$ 2.83 per ton less than last year's bid.

I would like to recommend that the bid be awarded to **Harcros Chemicals Inc.** for the amount of \$ **55.45** per ton, to be expended from account 410-570.

**Harcros Chemicals Inc.** has provided us in the past with road salt and we did not have any issues with their service or product.

Thank you,  
Bob Richards  
Public Works Director



# CITY OF BELFAST, MAINE 04915

131 Church Street

**Tel: (207) 338-3370**

**Fax: (207) 338-6222**

## Proposal Winter Salt Bid

**Bid Opening**

**July 28, 2016 at 10:30 a.m.**

**Present at the opening:** Amy Flood, Belfast City Clerk and Bob Richards, Public Works Director.

There were a total of four (4) bid envelopes submitted as follows:

**Gargill, Inc. De-icing Technology**  
24950 Country Club Blvd. Ste. # 450  
North Olmstead, OH 44070  
800-600-7258  
Jean Davis, Customer Solutions Specialist

**Price per Ton: \$ NO BID**

**New England Salt Co.**  
600 Odlin Rd.  
Bangor, ME 04401  
262-9779  
Greg Parker

**Price per Ton: \$59.14**

**Harcros Chemicals Inc.**  
50 Larrabee Road  
Westbrook, ME 04092  
800-286-6756  
Ramona Thibeault

**Price per Ton: \$55.45**

**Morton Salt, Inc.**  
123 N Wacker Drive  
Chicago, IL 60606  
1 570 479 2336

**Price per Ton: \$58.03**

Attest: \_\_\_\_\_

Amy Flood, Belfast City Clerk



CITY OF BELFAST, MAINE 04915  
131 CHURCH STREET

10.C

Tel: (207) 338-2375  
Fax: (207) 338-6222

**Robert (Bob) Richards**  
Public Works Director  
publicworks@cityofbelfast.org

Date: July 28, 2016

To: Mayor, City Council  
City Manager, Joe Slocum

Re: Sand bids

We received three bids for supplying sand for this upcoming winter season. **Scott Ellis Contractor** was the low bidder at \$ 6.45 per yard delivered. This is \$ 0.05 per yard more than last year's bid. This bid is for 3000 yards of sand.

I would like to recommend that the bid be awarded to **Scott Ellis Contractor** for the amount of \$ 6.45 per yard, to be expended from account # 410-571.

Thank you,  
Bob Richards  
Public Works Director



# CITY OF BELFAST, MAINE 04915

131 Church Street

Tel: (207) 338-3370

Fax: (207) 338-6222

## Proposal Winter Sand Bid

### Bid Opening

July 28, 2016 at 10:30 a.m.

**Present at the opening:** Amy Flood, Belfast City Clerk and Bob Richards, Public Works Director.

There were a total of three (3) bid envelopes submitted as follows:

**Scott Ellis, Contractor**

488 Townhouse Rd.  
Swanville, ME 04915  
207-338-2990  
Scott Ellis

**Price per yard: \$ 6.45**

**Farley & Son Landscaping**

310 Commercial St  
Rockport, ME 04856  
207-236-4787

**Price per yard: \$ 10.00**

**Michael A. Tripp**

RFD 1 Box 3110  
Frankfort, ME 04438  
207-223-8805

**Price per yard: \$ 12.25**

Attest:

Amy Flood, Belfast City Clerk



CITY OF BELFAST, MAINE 04915  
131 CHURCH STREET

10.D

**Robert (Bob) Richards**  
Public Works Director  
publicworks@cityofbelfast.org

Tel: (207) 338-2375  
Fax: (207) 338-6222

Date: July 28, 2016

To: Joe Slocum, City Manager  
Mayor, City Council

From: Bob Richards  
Public Works Director

Re: Paving Bids

We received (Thirteen) bids for paving the streets. I would like to recommend we accept **Bard Paving Construction** bid of \$ 56.00 per ton for HMA (Hot Mix Asphalt). This is about \$ 17.00 a ton less than last year. This was budgeted in account # 450-577 of the current budget. I called some references (5) that they have done work for and received satisfactory results.

Thank you,  
Bob Richards



# CITY OF BELFAST, MAINE 04915

131 Church Street

**Tel: (207) 338-3370**

**Fax: (207) 338-6222**

## **Proposal Paving Project Bid**

### **Bid Opening**

**July 28, 2016 at 10:15 a.m.**

**Present at the opening:** Amy Flood, Belfast City Clerk and Bob Richards, Public Works Director.

Also Present: Vaughn D. Thibodeau II, Mr. Hopkins from Hopkins Paving, Vaughn Stevens from Hagar Enterprises, David West from B&B Paving, Uno Llvonen from Performance Paving, Richard Nichols from Lane Construction, Eric Martin from Wellman Paving, and Brandon Cummings from Pike Industries.

There were a total of thirteen (13) bid envelopes submitted as follows:

<b>F. Cameron Paving &amp; Son</b> 28 Cobb Rd. Searsport, ME 04974 207-322-2235 Fred Cameron	<b>Price per Ton: <u>\$74.00</u></b>
<b>Eaton Paving &amp; Excavation, LLC</b> P.O. Box 92 Deer Isle, ME 04627 207-348-5630	<b>Price per Ton: <u>\$65.50</u></b>
<b>K.J. Dugas Construction Inc</b> P.O. Box 298 Surry, ME 04684 207-667-5735 Ken Dugas	<b>Price per Ton: <u>\$61.12</u></b>
<b>F.C. Work &amp; Sons, Inc</b> 774 Moosehead Trail Jackson, ME 04921 207-722-3206	<b>Price per Ton: <u>\$66.00</u></b>
<b>B&amp;B Paving, Inc</b> 61 Dave's Way Hermon, ME 04401 207-848-7099 David West	<b>Price per Ton: <u>\$63.24</u></b>
<b>Wellman Paving, Inc</b> 89 Gosher Road Winterport, ME 04496 207-223-8820 Eric V. Martin	<b>Price per Ton: <u>\$66.00</u></b>
<b>Hopkins Landscaping &amp; Paving</b> 917 Blackstream Rd. Hermon, ME 04401 207-848-7007	<b>Price per Ton: <u>\$66.50</u></b>



# CITY OF BELFAST, MAINE 04915

131 Church Street

**Tel: (207) 338-3370**

**Fax: (207) 338-6222**

## Proposal Paving Project Bid(Cont)

### Bid Opening

July 28, 2016 at 10:15 a.m.

**Performance Paving**

P.O. Box 1002  
Rockland, ME 04841  
207-975-4880  
Uno Llvonen

**Price per Ton: \$61.50**

**Bard Paving Const. Corp**

P.O. Box 29  
Fairfield, ME 04937  
207-314-5517  
Shelly Bard

**Price per Ton: \$56.00**

**Vaughn D. Thibodeau II Inc**

924 Odlin Rd.  
Bangor, ME 04401  
207-974-2011

**Price per Ton: \$67.90**

**Vaughn D. Thibodeau II**

**Pike Industries, Inc**  
95 Western Ave.  
Fairfield, ME 04937  
207-592-0583  
Jeff Mullis

**Price per Ton: \$65.79**

**Hagar Enterprises, Inc**

54 Biscay Rd.  
Damariscotta, ME 04543  
207-563-8588  
Vaughn Stevens

**Price per Ton: \$59.00**

**Lane Construction**

837 Waldoboro Rd.  
P.O. Box 357  
Washington, ME 04574  
207-945-0850  
Richard Nichols

**Price per Ton: \$64.15**

Attest:

Amy Flood, Belfast City Clerk

City of Belfast  
 Committee's with July 1st 2016  
 Expirations or Vacancies

(Application Received)

	(1) Vacancy		Terms: 3 year
<b>Airport Advisory:</b>			
<b>Board of Assessment Review:</b>	(1) Term Expiration Biff Atlas	Yes	Terms: 3, 2, 1 year (3 year)
<b>Brownfields Selection Committee:</b>	(1) Vacancy		
<b>CDBG Downtown Revitalization Advisory:</b>	(1) Vacancy		Terms: Upon Completion of Project (9/30/2016)
<b>CDBG Housing Assistance Advisory:</b>	(1) Vacancy		Terms: Upon Completion of Project (extended through 6/30/2015)
<b>CDBG Micro-Enterprise Assistance Advisory:</b>	(2) Vacancy		Terms: Until Completion of Project (extended through 2015/2016)
<b>CDBG Micro-Enterprise Assistance Advisory:</b>	(1) Vacancy		Terms: Until Completion of Project (6/30/2015)
<b>Cemetery Board of Trustees:</b>	(1) Alternate Vacancy	(as of September 2016)	Terms: 3 year
<b>Harbor Advisory:</b>	(3) Term Expiration	New: Gerald Brand	Terms: 2 year
		New: Joanne Moesswilde	
	David Carlson	Yes	
	James Black	Not intended to renew	(Alternate)
	Robert Winslow	Yes	
<b>Library Board of Trustees:</b>	No Vacancies		Terms: 3 year
<b>Parks &amp; Recreation Commission:</b>	No Vacancies		Terms: 3 year
<b>Pedestrian Biking &amp; Hiking:</b>	(1) Term Expiration Elizabeth Fitzsimmons	Not intended to renew	Terms: 1 & 2 year
	(1) Vacancy		
<b>Planning Board:</b>	(2) Alternate Vacancies	New: Ryan Harnden	Terms: 5 year
		New: Ernie Cooper	
		New: David Bond	
<b>Water District:</b>	No Vacancies		
<b>Zoning Board of Appeals:</b>	(1) Alternate Vacancy		Terms: 3 year

10.E

10.6

## MEMORANDUM

TO: MAYOR & CITY COUNCIL

FROM: SADIE LLOYD, ASSISTANT PLANNER

DATE: JULY 27, 2016

RE: ENERGY COMMITTEE UPDATES

*Actions requested:* One of two things: 1) award a contractor the building lighting retrofit contract, or 2) allow the Assistant Planner to directly solicit and negotiate cost with a contractor. See below for explanation.

**Building lighting LED retrofit**

On Friday, July 8<sup>th</sup>, the RFP for a lighting installer for the LED retrofit of 8 City buildings (only those which were authorized by the City Council during the budget process) was posted and distributed. The due date was Monday, July 25<sup>th</sup>.

We did not receive any bids at that time so I extended the bid due date to Monday, August 1<sup>st</sup>. I have already heard from one contractor who intends to bid. I am not sure if there will be others at this time. The lighting auditor we worked with to audit the buildings has reached out to lighting suppliers who are sharing it with installers in their networks. From what I have heard installers are very busy right now and this is the main reason why people are not bidding. It is my suspicion that the short window of time that the Efficiency Maine business lighting rebate program is available this year is part of the reason for the shortage of installers right now.

I will review any bids we receive on the 1<sup>st</sup> and report to you regarding such at your meeting, and provide a recommendation to enter into contract with one if that appears to be a good option. Otherwise, I will ask you for permission to immediately begin direct solicitation and negotiation.

I note that I will not be meeting with the Energy Committee between receiving the bids and meeting with you. The reason is time; the Efficiency Maine rebates expire September 30th. As well, the retrofit work is based on the work plan in the lighting audit, so there is little to review. I do understand that you may prefer that a recommendation come directly from the Energy Committee as opposed to myself, and may request that step be taken. If so, I will set up a meeting with the Committee as soon as possible for after August 1<sup>st</sup>. Note that schedules are somewhat constrained this time of year with Committee members taking extended vacations.

I look forward to our discussion and your direction.



City of  
Belfast

10.H

Manda Cushman <managersasst@cityofbelfast.org>

## Legal Question

Kristin Collins <kcollins@bluestreakme.com>  
To: Manda Cushman <managersasst@cityofbelfast.org>

Mon, Jul 25, 2016 at 10:11 AM

Manda,

There is a state statute requiring registration of these "transient sellers of commercial merchandise." This is at 32 MRS ch. 128 (subchapter 2). These vendors must meet certain standards in order to be registered with the state. They can't misrepresent themselves or their product, and must also meet the criteria in 10 MRS Sec. 8003(5-A):

- (1) The practice of fraud, deceit or misrepresentation in obtaining a license from a bureau, office, board or commission, or in connection with services rendered while engaged in the occupation or profession for which the person is licensed;
- (2) Any gross negligence, incompetence, misconduct or violation of an applicable code of ethics or standard of practice while engaged in the occupation or profession for which the person is licensed;
- (3) Conviction of a crime to the extent permitted by Title 5, chapter 341;
- (4) Any violation of the governing law of an office, board or commission;
- (5) Any violation of the rules of an office, board or commission;
- (6) Engaging in any activity requiring a license under the governing law of an office, board or commission that is beyond the scope of acts authorized by the license held;
- (7) Continuing to act in a capacity requiring a license under the governing law of an office, board or commission after expiration, suspension or revocation of that license;
- (8) Aiding or abetting unlicensed practice by a person who is not licensed as required by the governing law of an office, board or commission;
- (9) Noncompliance with an order or consent agreement of an office, board or commission;
- (10) Failure to produce any requested documents in the licensee's possession or under the licensee's control concerning a pending complaint or proceeding or any matter under investigation; or
- (11) Any violation of a requirement imposed pursuant to section 8003-G.

I looked up Southwestern Advantage, and they are registered with the state.

As far as the City's ordinance is concerned, it has no substantive standards that could be grounds for denial. It is intended really just to register these companies so there is a means of keeping track of who's doing business locally. I do not think the Council has any grounds on which it can deny this application, as long as the information on the applicant is necessary and the applicant complied with all of the relevant procedures.

Thanks,  
Kristin

-----  
Kristin M. Collins, Esq.  
Kelly & Collins, LLC  
96 High Street  
Belfast, ME 04915  
(207)338-2702  
(207)380-0083 (cell)

### CONFIDENTIALITY NOTICE

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JUL 01 2016

**APPLICATION FOR ITINERANT VENDOR'S PERMIT**  
131 CHURCH STREET, BELFAST, ME 04915

APPLICANT'S NAME: Shawn Hagginbotham

BUSINESS NAME: Southwestern Advantage

LOCAL ADDRESS: 33B Main St, Camden Maine

PERMANENT BUSINESS ADDRESS: 2451 Atrium Way  
Nashville TN 37214

TELEPHONE #: (636) 368-5381

Please describe type of wares or services you are offering by means of door-to-door solicitation, within the City of Belfast. **For fundraisers:** All groups intending to raise funds for profit or non-profit, please explain in detail who the funds are for and how you intend to raise funds: Educational Resources (Books and web sites)

Please give a statement on the back of this page of all judgments secured or outstanding against you arising out of sales to consumers during the last two years or any other criminal convictions against you.

Please list all additional individuals involved in the solicitation on a separate sheet with their addresses and telephone numbers.

**TO THE MEMBERS OF THE BELFAST CITY COUNCIL:** I hereby apply for an Itinerant Vendor's Permit pursuant to the Itinerant Vendor Ordinance, said license to expire 30 days after issue, for a **fee of \$25.00** with a **renewal fee of \$10.00**

Applicant signature: 

Clerk's signature: \_\_\_\_\_ Date: \_\_\_\_\_

submitted to the city clerk. Inspections will be based on public health, safety and welfare performance requirements stated in the latest edition of the state department of human services' "Rules Relating to Eating and Lodging Places, Life Safety 101" (as amended to regulate such facilities as home occupations) and the applicable zoning regulations (chapter 102), plumbing code, electrical code, and building code adopted by the city. Inspection will include, but not be limited to, fire safety, sanitation and food handling, water supply and waste disposal. The primary responsibility for safety under the (amended) fire safety code (NFPA 101) shall be with the appropriate fire inspector. No entry or inspection shall be made without the permission and presence of the owner or the owner's designee. Entry and inspection shall be during business hours, or at a reasonable time.

(Ord. No. 2-1999, § 11, 7-6-1999)

#### **Sec. 14-60. Suspension or revocation.**

In addition to the remedies provided in sections 14-32 and 14-33, the city council, upon notice and hearing, for cause, may at any time suspend or revoke a bed and breakfast license issued pursuant to this article. Cause shall mean the violation of any license provision or any provision of this article, or any condition causing a threat to the public health, safety, or welfare, including but not necessarily limited to the following: neighborhood disruption, disorderly customers, or excessively loud or unnecessary noise that initiates complaints to or requires a response from police, fire or other city regulatory bodies or employees, or failure to abide by parking requirements in the zoning regulations (chapter 102).

(Ord. No. 2-1999, § 12.3, 7-6-1999)

#### **Secs. 14-61—14-80. Reserved.**

### **ARTICLE III. ITINERANT VENDORS\***

#### **DIVISION 1. GENERALLY**

##### **Sec. 14-81. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Itinerant vendor* means any vendor of merchandise or goods who engages in the practice of selling his wares or services by means of door-to-door solicitation. The term "itinerant vendor" does not include a person who canvasses door-to-door for purposes other than for the purpose of selling merchandise, goods, or services. Persons who canvass door-to-door for political or religious purposes are not itinerant vendors for purposes of this article.

(Ord. No. 69-1998, § 1, 5-5-1998)

Cross reference—Definitions generally, § 1-2.

##### **Sec. 14-82. List of addresses where vendors may not solicit.**

(a) Upon receipt of an itinerant vendor's permit, an itinerant vendor shall receive a copy of a list of addresses where the vendor may not solicit. This provision does not limit the rights of any property owner or resident of the city to exercise his own authority to control access to his property by other means.

(b) Upon request of a property owner or other authorized person, the clerk, or other employee at the clerk's direction, shall place the address of a premises on the list. A property owner or other authorized person may have his address removed from the list at any time.

(c) Without limiting the rights of property owners/residents, this list is meant to provide an owner or other authorized person a method of notifying itinerant vendors that they may not enter upon the premises, and any such entry in

\*Cross reference—Peddling or soliciting in parks, § 38-80.

State law reference—Itinerant vendors, 32 M.R.S.A. § 4681 et seq.

defiance of this request may subject the itinerant vendor to prosecution under 17-A M.R.S.A. § 402. (Ord. No. 69-1998, § 5(ii)—(iv), 5-5-1998)

State law reference—Criminal trespass, 17-A M.R.S.A. § 402.

**Secs. 14-83—14-100. Reserved.**

DIVISION 2. PERMIT

**Sec. 14-101. Penalty.**

A violation of section 14-102, 14-106 or 14-107 is a civil violation for which a fine as provided in section 1-14 may be adjudged.

(Ord. No. 69-1998, § 2, 5-5-1998)

**Sec. 14-102. Permit required.**

No itinerant vendor shall operate or attempt to sell, door-to-door, any merchandise, goods, or services within the city without first having obtained a written itinerant vendor's permit from the city clerk.

(Ord. No. 69-1998, § 2(i), 5-5-1998)

**Sec. 14-103. Application; notification of changes in information.**

(a) In order to obtain a written itinerant vendor's permit, an applicant must provide and attest to the following:

- (1) The name and local and permanent business address of the applicant.
- (2) A statement of all judgments secured or outstanding against the applicant arising out of sales to consumers during the two years immediately prior to the making of the application. Further, the applicant shall provide a statement of any criminal convictions of the applicant.

(b) The applicant is responsible for informing the city clerk of any changes in the information required by this section.

(Ord. No. 69-1998, § 3, 5-5-1998)

**Sec. 14-104. Fee.**

Upon application for an itinerant vendor's permit, each person shall pay the sum of \$15.00. A renewal of the permit may be obtained for an additional \$5.00.

(Ord. No. 69-1998, § 4, 5-5-1998)

**Sec. 14-105. Issuance.**

Upon receipt of the information required by 14-103 and upon receipt of the required application fee, an applicant may receive an itinerant vendor's permit.

(Ord. No. 69-1998, § 5(i), 5-5-1998)

**Sec. 14-106. Possession and display.**

Every itinerant vendor shall have a valid permit as required by this division in his immediate possession at all times when engaging in door-to-door solicitation, and shall present the permit for inspection upon request of any person.

(Ord. No. 69-1998, § 2(ii), 5-5-1998)

**Sec. 14-107. Term; renewal.**

An itinerant vendor's permit shall be valid for a period of 30 days. A renewal permit may be obtained if the renewal fee, as required by section 14-104, is paid and the statement required by section 14-103 is made within the time during which the prior permit is valid. Each renewal permit is valid for 30 days from the date of the expiration of the prior permit.

(Ord. No. 69-1998, § 2(iii), 5-5-1998)

**Secs. 14-108—14-130. Reserved.**

**ARTICLE IV. JUNKYARDS\***

DIVISION 1. GENERALLY

**Sec. 14-131. Purpose of article.**

The purpose of this article is to provide adequate controls to ensure that automobile grave-

\*State law references—Certain automotive graveyards and junkyards declared public nuisance, 17 M.R.S.A. § 2801; junkyards and automobile graveyards, 30-A M.R.S.A. § 3751 et seq.

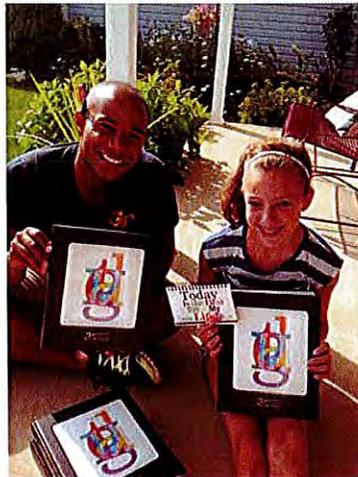
**Mission**  
Our mission at Southwestern Advantage is to be the best company in the world at helping young people develop the skills and character they need to reach their goals.

**Program**

Southwestern Advantage (est. 1855) is one of the world's most successful and longest running programs for college and university students.

Approximately 2,500 students from 300+ colleges and universities around the world run their own businesses selling the Southwestern Advantage educational learning system throughout North America.

Southwestern Advantage is part of a corporate family of ten businesses, most of them started by former student participants. They include fundraising company, Great American Opportunities, Inc., executive search firm, Thinking Ahead, natural food company, Wildtree, and full-service financial company, Southwestern Investment Group, just to name a few. More information can be found at [www.southwestern.com](http://www.southwestern.com).



**Training:** Southwestern Advantage is known for its world-class sales training. "Sales School" teaches students business management, sales principles, ethics, product knowledge, and life skills.

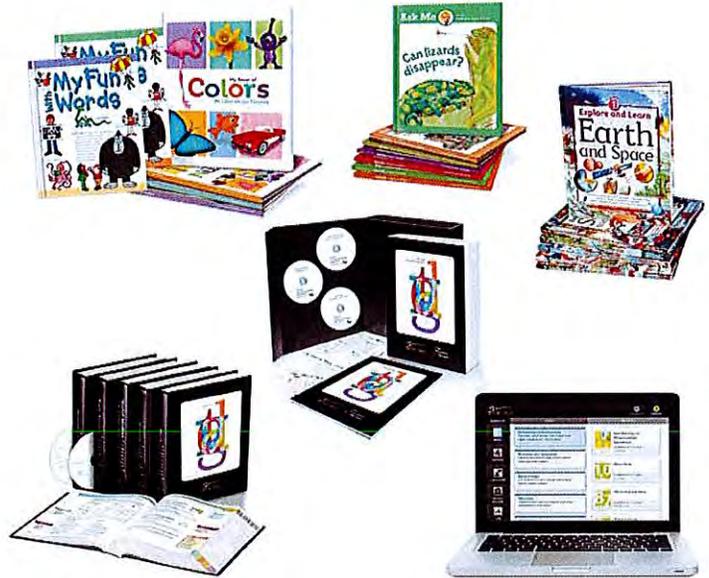
**Alumni:** Over 200,000 alumni have applied Southwestern Advantage principles to their careers.

Contact: Trey Campbell  
tcampbell@southwestern.com  
888-602-7867

**Products**

The Southwestern Advantage educational learning system includes printed and digital resources developed by experts to save time, improve grades and prepare young people for kindergarten, classes, and college.

[southwesternadvantage.com/ExperienceOurProducts](http://southwesternadvantage.com/ExperienceOurProducts)



**Share the Advantage**

"Share the Advantage" is a giving back program intended to share learning and life skills with every child and family, regardless of their circumstances through involvement with organizations focused on helping young people.

In addition to sharing the advantages and products of the program, we donate one subscription to our educational websites for every subscription purchased.





# Law Enforcement

## Information Sheet

College students have participated in the Southwestern Advantage sales and leadership program since 1868. It is our goal that the independent dealer be respectful and abide by all laws in the community while building their businesses selling educational products to families.

Southwestern Advantage is an accredited member of the Better Business Bureau and maintains an A+ rating. The student living in your community for the summer has completed more than 90 hours of in-person and online training in such areas as business management, product knowledge, sales presentations, ethics, and safety.

Thank you for welcoming them to your community.

## Dealer Contact Info:

Name: \_\_\_\_\_

Cell phone: \_\_\_\_\_ Email: \_\_\_\_\_

Facebook Business Page URL: \_\_\_\_\_

## Dealer Info:

Hometown: \_\_\_\_\_

College/ University \_\_\_\_\_

Dealer Account # with Southwestern Advantage:   1     1   \_\_\_\_\_

Birthdate: \_\_\_ / \_\_\_ / \_\_\_\_ Sex: M / F Height: \_\_\_' \_\_\_"

Vehicle:  Yes  No

Make/ Model of vehicle / Color: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

State / License Plate #: \_\_\_\_\_ / \_\_\_\_\_

**General Questions, Dealer Verification:**  
Customer Contact Center  
888-551-5901 (M-F 8am-5pm CST)  
customer@southwesternadvantage.com

**Company Contact:**  
Trey Campbell, Director of Communications  
888-602-7867  
tcampbell@southwestern.com

**Southwestern Advantage**  
2451 Atrium Way  
Nashville, TN 37214  
southwesternadvantage.com

**SOUTHWESTERN**  
**advantage Learning System**

**PLATINUM**



- Math I
- Math II
- Science
- Social Studies / Language
- AdvantageOnline
- Topic Source
- Honors
- College Entrance Advantage
- Startup/ACT/SAT Practice Test
- ACT/SAT Resource Manual
- Financial Aid Seminar
- College Admissions Seminar

**SOUTHWESTERN**  
**advantage Learning System**

**PLATINUM**



**GOLD**



- Math I
- Math II
- Science
- Social Studies / Language
- AdvantageOnline
- Topic Source
- Honors

**GOLD**

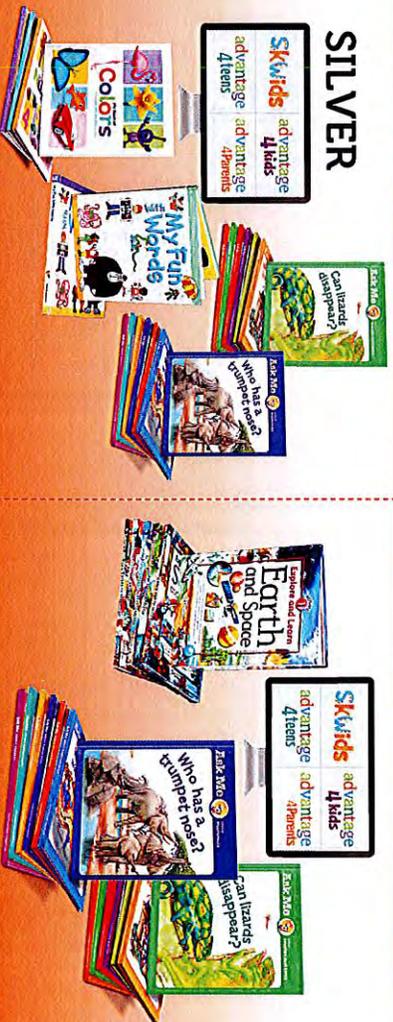


**SILVER**



- Math I
- Math II
- Science
- Social Studies / Language
- AdvantageOnline

**SILVER**



**advantage Learning System**

**DIAMOND**



**Skwids**

**advantage 4teens**

**advantage 4kids**

**advantage 4Parents**



# AGENDA TOPIC 10.

TO: Mayor & City Council  
FROM: Wayne Marshall, City Planner  
DATE: July 29, 2016  
RE: Belfast Harbor Walk - Eastside Work

## **REQUESTED ACTION**

The Council, at your last meeting (July 19), decided that at your next meeting (August 2), you would discuss work the City should perform for the Eastside area of the Harbor Walk (eastside of Armistice Bridge and Footbridge Road). The Council most recently discussed the Eastside area at its meeting of December 15, 2015 and Councilors expressed mixed opinions on what should be done, ranging from doing little at the present time to constructing many of the improvements identified through past planning efforts. Staff is now seeking your direction regarding work that you would like to perform on the Eastside area.

## **BACKGROUND INFORMATION**

### **Available Funding:**

There is about **\$150,000** in uncommitted funds remaining in the Harbor Walk account, and all of these funds are controlled directly by the City; none involve any of the 4 past grant awards the City received for this project. The total allocation for this project was about \$1,600,000; \$802,600 in grant awards and \$800,000 in City funds with repayment via a 20 year bond using Downtown Waterfront TIF revenues. To date, the City has expended about \$1,430,000 of these funds, and I am reserving about \$20,000 to pay for 1 kiosk and 4 sign posts and signs.

### **Past Plans for the Eastside Area**

I have attached the following plans that were prepared to reflect past direction provided by the City Council and the City Steering Committee for the Harbor Walk project:

- Plan 1 - Concept drawing prepared by Richardson & Associates, landscape architect for the Harbor Walk project, based on the results of an on-site design charrette held in 2013.
- Plan 2 - Preliminary engineering drawing prepared by Olver Associates in October 2013 to help implement direction provided on Plan 1 above.
- Plan 3 - Aerial photo that I prepared in December 2015 to help illustrate some of above concepts.

The 2013 cost estimate from Olver Associates to complete most work identified on the above Plans ranged from \$75,000 - \$90,000. I also have attached 8 photographs of the area to help identify some of the features that the Council will be discussing.

I offer the following background information regarding the eastside area (repeated from December 15 2015):

- The width of the right of way that the City owns on the lower section of Footbridge Road (the area from Harborview Lane to the Bridge) is typically 90 feet, 9 inches.
- The City must retain vehicle access to both driveways that serve the Gaudette residence at 17 Footbridge Road.
- The City sewer pump station that is located within the chain link fence and the adjacent electrical panel box both must remain.
- The plan mostly addresses the area on Footbridge Road between the Armistice Bridge and Harborview Lane. No improvements were proposed through the above plans for the section of Footbridge Road between Harborview Lane and Searsport Avenue.

The key components of the proposed plan(s) are as follows. In my discussion of such I also have referenced some of the comments made by the Council at your December 15, 2015 meeting.

- 1) **Parking.** City would construct 8 - 9 parking spaces on the northeasterly side of Footbridge Road in the area between Harborview Lane and the sewer pump station. This work requires installing a guardrail because of the steep bank, constructing drainage improvements, and using Olver Associates to do a specific construction design. This was anticipated to be the only parking that the City would provide or allow in the eastside area. The Council, at your December 15 meeting, had various opinions regarding the need for the parking area or paying the anticipated construction cost of such. Continuing, if you do not want to construct this parking area, do you have other thoughts regarding how to provide orderly parking?
- 2) **Pump Station.** The main goal was to provide screening of the pump station area. The City explored ways to reduce the size of the fenced area for the pump station, but ultimately decided that it would be too costly to pursue such (likely \$15,000 - \$20,000) for the minimal amount of area that would be freed up. Thus, the main suggestion was to screen the pump station by either erecting a wooden stockade fence, or by installing a curtain screen on the existing chain link fence. Also considered the possibility of installing low level landscaping (shrubs) adjacent to the fence to green up the area, and to potentially replace the existing guardrail with several protective bollards. Some concern with how this landscaping would be affected by snow plowing. There was no consensus approach expressed at the Council's December 15 meeting.
- 3) **Monument.** An issue that was undecided was what to do with the former monument that was part of the original bridge. This monument is crumbling a bit and it is on a large concrete footer. At your December 15 meeting, the Council discussed the possibility of refurbishing the monument and relocating it to the intersection of Footbridge Road and Searsport Avenue. I spoke with Steve Bogue following the Council meeting and he reached out to others to obtain their thoughts regarding the practicality of refurbishing the monument. All thought it could be skim coated to restore some of its original luster, and that we could install new signage on the monument. Is the Council interested in relocating the monument and using it as signage for the eastside of the Bridge and Harbor Walk?

- 4) **Gaudette Residence Area.** On the southerly side of the street, between the two driveways that serve the Gaudette residence, the City could plant additional trees. I note that the City has relocated 2 of the crab apple trees from the Front Street parking lot to this area. Do you want to plant more trees? There could be room for another flowering crab.
- 5) **Closing Area Near Bridge to Parking/Vehicles.** The recommended approach was to close the lower section of Footbridge Road (southwesterly of the 2nd Gaudette driveway) to vehicular traffic. Considered the possibility of relocating granite blocks to this area to block it off. Also could install bollards. Also identified the possibility of removing some of the existing asphalt (which is in very poor condition) in this area and replacing it with grass and low level landscaping. Intent was to leave only a 12' wide asphalt path (rather than a full width asphalt road) in the area from the granite blocks to the stone dust area near the bridge. Direction is needed. Proposed blocks shown in white on Plan 3 (aerial photo).
- 6) **Area Near the Bridge.** The main intent was to create a casual use area for folks to congregate by potentially relocating the existing granite blocks that border the area to establish informal seating and/or by locating benches in the area. At least one person has spoken with Joe Slocum regarding their interest in paying the cost to locate a bench in the area. Continuing, the initial thought was that this area would continue using stone dust as the base material, however, we could establish a path out of pavers through the middle of the area to connect to the existing memorial bricks near the Bridge. Direction is needed on this area. What do you think of allowing memorial benches?
- 7) **Memorial Bricks.** There is an existing area of memorial bricks adjacent to the Bridge. Mike Hurley expressed concern regarding this area at the July 19 Council meeting, noting that some of the memorial bricks have heaved a bit. The City could consider removing the bricks to install a asphalt base on which to set them and then reinstall the bricks; such as was done on the west end of the Bridge and for the paver work done on Cross Street and now Front Street. Councilor Hurley also suggested relocating the memorial bricks off to the side. Any thoughts from the Council?
- 8) **Kiosk or Directional Signage.** An issue that was not discussed or included in the plans was the potential construction of a kiosk or directional signage on the east side. The Council, at your first meeting in July, decided to construct a kiosk on the west end of the Armistice Bridge and to install the identified 'piling' directional sign. Do you have any interest in such for the eastside area?
- 9) **Other Thoughts and Concerns.** Are there any other thoughts for the eastside area that the Council would like to propose? I note that I received a call last week from Dennis Kelleher, who owns a house on Footbridge Road, who expressed his disappointment that no improvements have been constructed on the eastside entrance of the Bridge when the City has done such nice work on the west end. He also noted that he counted 9 cars parked on the eastside on a recent weekend.

City staff will work to implement the direction you provide.

**Additional comment from City Planner.**

The City is now doing work on the Front Street Reconstruction project and may soon pursue constructing a portion of the Rail Trail through the McCrum property. At the Council meeting of December 2015, I believe some Councilors and the Mayor expressed some ambivalence regarding construction of the Eastside Harbor Walk improvements. I simply ask --- how much work and amount of these funds does the Council want to reserve for the Eastside Harbor Walk improvements, and/or to either the Front Street Reconstruction or Rail Trail projects?

The construction, engineering and inspection contracts for the Front Street Reconstruction project are about \$3.9 million, and the City has reserved a contingency of only \$50,000 for this project. While we have committed less than \$20,000 of the contingency funds to date, the project has a long way to go. The uncommitted Harbor Walk funds could help to pay potential cost overruns on the Front Street Reconstruction project.

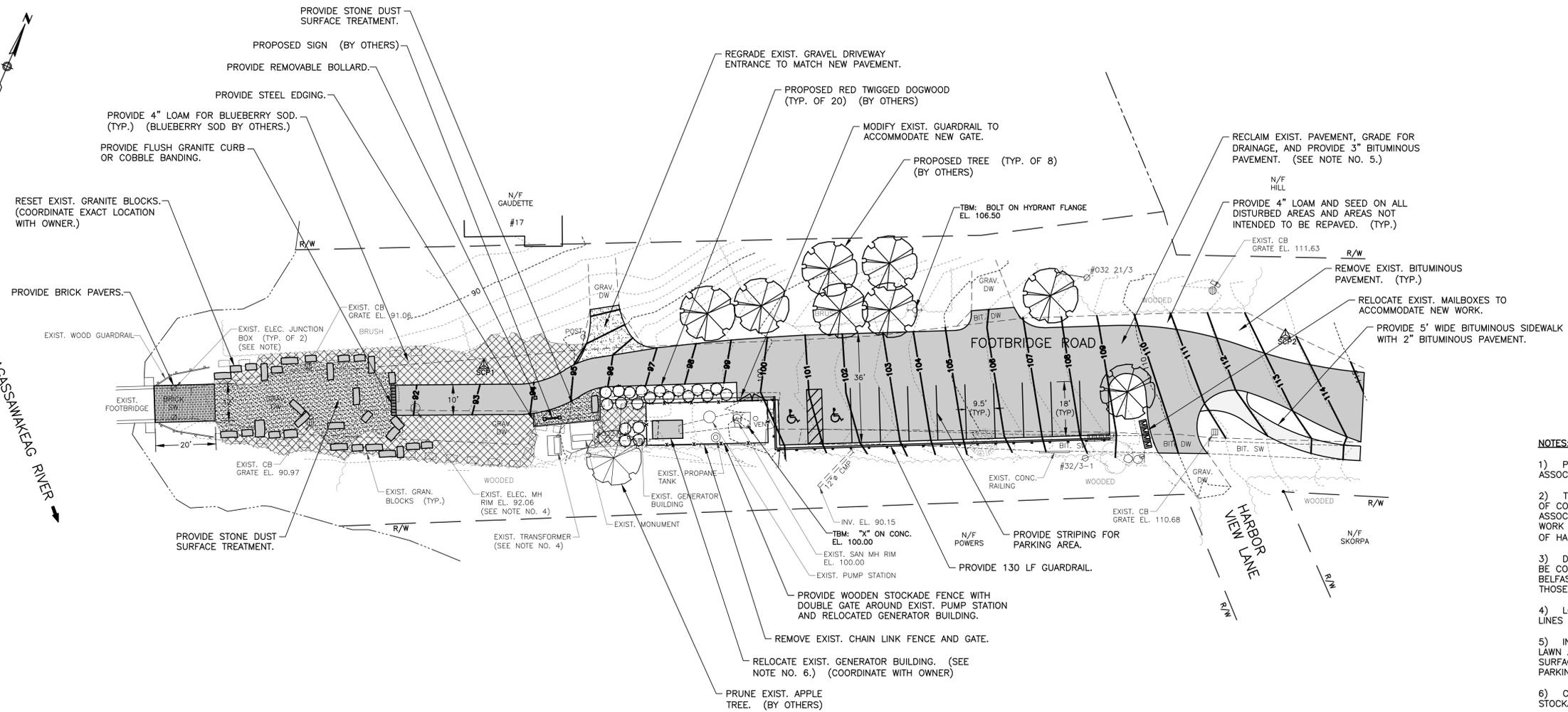
Similarly, the City may soon need to pay both land acquisition and project construction costs for the section of the Rail Trail through the McCrum property. The uncommitted Harbor Walk funds could similarly be used for this project.

I am not suggesting that the Council not pursue improvements for the eastside Harbor Walk area, particularly as it was the initial priority established for the use of any unspent Harbor Walk funds, however, as these are City (and not grant) funds, the Council does have flexibility regarding how you want to allocate the unexpended funds.





PASAGAMUNK RIVER



**NOTES:**

- 1) PLAN IS BASED ON CONCEPT DRAWING BY RICHARDSON ASSOCIATES, EASTSIDE HARBOR WALK, MAY 17, 2013.
- 2) THIS PLAN IS CONCEPTUAL IN NATURE, WITH INTENTION OF CONVEYING CONSTRUCTION CONTENT PER RICHARDSON ASSOCIATES PLAN. INTENT IS TO BE CONSISTENT WITH WORK BEING COMPLETED IN PREVIOUS CONTRACT FOR REST OF HARBOR WALK. (SEE NOTE NO. 3.)
- 3) DETAILS AND SPECIFICATIONS FOR INSTALLATIONS SHALL BE CONSISTENT WITH PLANS BY TYLIN INTERNATIONAL, BELFAST HARBOR WALK, DECEMBER 17, 2012. REFER TO THOSE CONTRACT DOCUMENTS FOR ADDITIONAL INFORMATION.
- 4) LOCATE EXISTING PRIVATE UNDERGROUND ELECTRICAL LINES PRIOR TO EXCAVATION.
- 5) INTENT IS TO GRADE SMOOTH TRANSITION TO ADJACENT LAWN AREAS AND DIRECT SURFACE RUNOFF TO EXISTING SURFACE OUTLET AT SOUTHERN CORNER OF PROPOSED PARKING AREA.
- 6) COORDINATE FINAL LOCATION OF GENERATOR AND STOCKADE FENCE WITH CITY STAFF.

DRAFT

<b>OLVER ASSOCIATES INC.</b> ENVIRONMENTAL ENGINEERS <small>290 MAIN STREET WINTERPORT, MAINE</small>	
DATE	ADDITION OR REVISION
DES. BY: MHO	DR. BY: NWD
CITY OF BELFAST, MAINE	
EASTSIDE HARBOR WALK	
<b>PROPOSED SITE PLAN</b>	
SCALE: 1" = 20'	PROJECT NO.: 9358
DATE: OCTOBER, 2013	SHEET: C-1

















1921





Footbridge Rd

SPEED  
LIMIT  
35  
SPEED  
ENFORCED  
BY  
RADAR

STOP