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**City of Belfast
Council Chambers-Belfast City Hall
Tuesday, September 20, 2016
7:00 p.m.**

Public Hearing #1

The Belfast City Council, at its meeting of Tuesday, September 20, 2016, beginning at 7:00 p.m. or as soon as practical thereafter, in the Council Chambers of Belfast City Hall, which is located at 131 Church Street, shall conduct a public hearing regarding a request from Phoenix Row Investments, LLC, to subdivide an existing building and property (Phoenix Row Building) located at 159 High Street, Map 11, Lot 89, into 3 properties. Property is in the Downtown Commercial zoning district. Request requires City Council review and approval of a contract rezoning agreement pursuant to the City Code of Ordinances, Chapter 102, Zoning, Article V, District Regulations, Downtown Commercial zoning district, and Article X, Contract Rezoning, Division 5, Downtown Commercial zoning district. The September 20 meeting is the Council's Second Reading of the proposal, which is considered an amendment to the City Zoning Ordinance for the applicant property. The Belfast Planning Board, at its meeting of August 10, 2016, conducted its review of the subdivision application and contract rezoning agreement and is recommending Council approval of the agreement.

Persons who may be affected by this proposal are encouraged to attend the September 20 public hearing and to offer comment. Comment also may be submitted in writing or via email by the date of the hearing. Written comment should be sent to: City of Belfast, Code and Planning Department, 131 Church St, Belfast, ME 04915. Email comment should be sent to: wmarshall@cityofbelfast.org. The Department has a copy of the application available for public inspection at its offices in City Hall during regular business hours, Monday – Friday, 8:00 a.m. to 5:00 p.m. Questions regarding the application should be directed to Wayne Marshall, City Planner, 338-1417 x 25, or via email at wmarshall@cityofbelfast.org.

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 September 20, 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 Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior decks.

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 28A Section 1054 MRSA a public hearing will be held in the Council Chambers of Belfast City

Hall on September 20, 2016 at 7:00 p.m. or as soon as possible thereafter on an application for a renewal Special Amusement Permit for Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine for live music, vocals, karaoke, DJ, dancing, and all live entertainment (interior/exterior).

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

Regular Council Meeting No. 6

1) Call to order

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

3) Pledge of Allegiance

4) Adoption of the agenda

City Manager Joseph Slocum requested to amend the agenda as follows:

- Add item **10) F #1** Update on the Low Power Radio Station.
- Add item **10) F #2** Discussion on the phone system at City Hall.

Councilor Harkness, seconded by Councilor Sanders, made a motion to adopt the agenda, as amended. This motion was approved, 5-0.

5) Acceptance of the minutes

Regular Council Meeting of September 6, 2016.

Councilor Arrison, seconded by Councilor Sanders, made a motion to accept the minutes from Regular Council Meeting of September 6, 2016. This was approved, 5-0.

6) Open to the public

1. Denise Pendleton discussed the upcoming Work Ready Program through Adult Ed.
2. Cloe Chunn invited the Council and Public to the 1st Indigenous Peoples Day Celebration in Belfast.
3. Anita King along with members of the “Ban the Bag” committee presented their idea of promoting a ban on plastic bags in Belfast.

4. City Clerk Amy Flood updated the public on the process for absentee ballots and provided a brief update on tax bills.
5. Duke Tomlin provided an update on the 2nd Annual Fly-In and Open House at the Belfast Airport last weekend, and informed Council that he would be available to answer any questions regarding agenda item 10) H.
6. Parks and Recreation Director Norm Poirier invited the Council, on behalf of the Friends of Belfast Parks, to the dedication ceremony for the Labyrinth on Thursday, September 22nd at 6:00 p.m.

7) Communications

Councilor Sanders provided an update on the Belfast Area Chamber of Commerce Job Fair.

Councilor Hurley thanked organizers of the Indigenous Peoples Day events, discussed etiquette for the Rail Trail and requested a Council Work Shop on Goals and Economic Development.

City Manager Joseph Slocum thanked those who worked on coordinating the Fly-In at the Airport.

Councilor Mayor Ash informed the Council that he has received a request from the Chamber of Commerce regarding benches along the Rail Trail, and a request from the Lions Club who is looking for a clean-up project in Belfast.

Councilor Hurley inquired about the status of repairing the pump at the Head of the Tide.

8) Old Business and Council Committee Reports

No communications.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application by Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior decks.
- B. Request to approve a renewal Special Amusement Permit for Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine for live music, vocals, karaoke, DJ, dancing, and all live entertainment (interior/exterior).
- C. Request to approve an off premises catering permit for American Legion Frank D. Hazeltine Post #43 for the Patient Airlift Services (P.A.L.S.) Fund Raiser event located at the American Legion Hall (Main Function Hall) 143 Church Street, Belfast, Maine on September 24, 2016 from 4:00 p.m. to 12:00 a.m.

- D. Request to approve a Facility Use application by the Belfast Rotary Club for use of City streets for the 23rd Annual Pancake 5k Run/Walk event starting at the Belfast Area High School on Sunday, October 9, 2016 at 9:00 a.m.
- E. Request to approve a Facility Use application by the Waldo County Y for use of City streets for the Annual Child Shall Lead Race/Walk on Sunday, October 9, 2016 beginning at 8:00 a.m. from the Belfast Area High School.

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

10) Business

A) Request from the Belfast Maskers to place a temporary hanging banner over a downtown street to advertise for their upcoming show Blithe Spirit.

Sasha Kutsy, Belfast Maskers board member briefly explained the group's request to hang a banner over a downtown street for an upcoming performance.

Councilors discussed the request, unanimously the Council agreed that they would consider the request if the group could bring back a formal proposal on how they plan to attach/hang the sign.

B) Approval of the RSU #71 Referendum Election Warrant.

City Clerk Amy Flood explained the one RSU #71 Referendum Election Warrant question and informed the Council that there will be a Public Hearing on Monday, September 26th at Troy Howard Middle School starting at 6:30 p.m.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the RSU #71 Referendum Election Warrant. This was approved, 3-0 (Councilors Sander and Arrison opposed).

C) Discussion on parking at the Boathouse for the November Election.

City Clerk Amy Flood requested authorization to designate parking at and around the Boathouse for voting only on Election Day and discussed plans to assist election staff with transportation to and from the polls to open up more spaces, along with electing additional parking spots in front of the Boathouse for handicap parking.

Councilor Hurley, seconded by Councilor Mortier, made a motion to authorize staff to designate parking near the Boathouse for voting only on Election Day. This motion was approved, 5-0.

Councilors discussed notifying residents who live in that area about this change before Election Day.

D) First Reading on a request to amend the General Assistance Ordinance.

General Assistance Administrator Pam Chase and City Manager Joseph Slocum reviewed the differences between housing maximums and overall maximum with the City Council.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the First Reading on the amendments to the General Assistance Ordinance accepting the overall maximum as the housing maximum as recommended, with the Second Reading scheduled for October 4, 2016. This was approved, 5-0.

E) Request for engagement of the City Auditor for the annual audit and authorization to sign the Auditor's management letter.

Council unanimously agreed to have Councilor Sanders sign the Auditor's management letter on behalf of the City Council.

Councilor Arrison requested clarification under audit objectives in which the letter discusses compliance over federal programs but not state programs.

F) Update on the Rail Trail.

City Manager Joseph Slocum informed the Council that the Rail Trail Construction Committee will be meeting next Thursday, September 29th, he reviewed some of the things they are hoping to iron out including dog waste receptacles, trail etiquette, benches, kiosks and donor board.

F) #1 Update on the Low Power Radio Station.

Councilor Harkness updated the Council on the Radio Meeting that took place on Monday, September 20th, reviewing funding strategies and timeline.

City Manager Joseph Slocum requested Council clarification that rent of \$280 a month for Waterfall Arts space would come from the Undesignated Fund Balance, Councilors unanimously agreed.

F) #2 Discussion on the phone system at City Hall.

City Manager Joseph Slocum explained the current situation with the phones at City Hall in which City Hall no longer has the capability to have voice mail. He informed Council that a new system will cost \$12,000 to \$15,000, once more information is gathered he will report back to the Council.

Councilors briefly discussed options and funding.

G) Request by Economic Development Director to have the City Council appoint members to an ad hoc committee charged with recommending a qualified environmental professional to carry out environmental assessment work under the City's EPA Brownfields Assessment Grant.

Economic Development Director Thomas Kittredge explained the task of the committee and reviewed the applicants.

Councilor Arrison, seconded by Councilor Sanders, made a motion to appoint Thomas Kittredge, Sadie Lloyd, Greg Biddinger, Jane Laren Daye, and Gordon Fuller to the ad hoc committee for the City's EPA Brownfields Assessment Grant. This was approved, 5-0.

H) Discussion on possible funding for a fuel system at the Belfast Airport.

Economic Development Director Thomas Kittredge and City Manager Joseph Slocum briefly reviewed the history of fuel at the Airport. They recommended sending out a request for proposals to help the City determine the cost to install a new system, noting that funding could potentially come from the Business Park account.

Councilors discussed the details of the request including fuel types, amount and cost associated with this project, they unanimously agreed to bring back this agenda item for more discussion at an upcoming meeting.

I) Second Reading on a proposed Contract Rezoning Agreement for Phoenix Row Investments, LLC located at 157, 159 and 161 High Street, Map 11, Lot 89.

City Planner Wayne Marshall briefly explained the request by Phoenix Row Investments, LLC.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the Second Reading and the proposed Contract Rezoning Agreement for Phoenix Row Investments, LLC located at

157, 159 and 161 High Street, Map 11, Lot 89, authorizing the City Manager to sign the agreement. This motion was approved, 5-0.

J) Update on current projects from City Planner Wayne Marshall.

City Planner Wayne Marshall provided updates on the East Side Harbor Walk Project, Washington Street Project and the Front Street Reconstruction Project.

K) Discussion on State Revisions to Sign Standards for Political Signs and the City's Sign Ordinance.

City Planner Wayne Marshall explained the new State Revisions and requested authorization to send a letter on behalf of the City Council to our State Representative and Senator requesting them to look into the City concerns with these new revisions.

Councilor Hurley, seconded by Councilor Harkness, made a motion to authorize City Planner Wayne Marshall to send a letter on behalf of the City Council to State Representative and Senator requesting them to look into the City's concerns with these new State revisions to sign standards for political signs. This was approved, 5-0.

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

Councilor Sanders, 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 10:10 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss a Real Estate matter pursuant to 1 M.R.S.A Section 405 (6) C at 10:30 p.m. This motion was approved, 5-0.

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

Councilor Sanders, 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 10:31 p.m. This motion was approved, 5-0.

Councilor Sanders, 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 10:40 p.m. This motion was approved, 5-0.

N) Request to go into Executive Session to discuss a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A.

Councilor Sanders, seconded by Councilor Arrison, made a motion to go into Executive Session to discuss a Personnel matter pursuant to 1 M.R.S.A Section 405 (6) A at 10:41 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session to discuss a Personnel matter pursuant to 1 M.R.S.A Section 405 (6) A at 11:33 p.m. This motion was approved, 5-0.

O) Signing of Council Orders and housekeeping items.

Council Order #15 Signed by Councilor Mortier, Ordered That:

the following Trust Funds received during the FY 2015-2016 for the care of cemetery lots are listed below be accepted by the City of Belfast, the principal to be safely invested and the income only therefore, to be used for the maintenance and repair of said lots:

<u>Name</u>	<u>Lot</u>	<u>Range</u>	<u>Section</u>	<u>Amount</u>
Tessa Anderson & Carolyn Miller	36	V	1975	500.00
Brent Kenney	2 EH	U	1975	400.00
Harry & Nancy Smith	50	S	Old	400.00
Linda Thomas-Macneil	21	T	1975	100.00
James & Lisa Desmarteau	28-29	N	1975	250.00
David & Edna Delano	3 & 4	C	1975	600.00
Sharon Davenport	74	T	1975	350.00
Ayenne Ames	103	T	1975	350.00
Corliss & Ricky Davis	6	T	1975	350.00
Ron & Elizabeth Conant	12	O	1975	500.00
Lauren & Minnie Payson	39	T	1975	350.00
Lillian Hollywood	17	M	1975	300.00
Nathan Curtis & Debra Jo Middlewart	27	D	1975	400.00
				<u>\$4,850.00</u>

(Approved on September 6, 2016)

11) Open to the Public

No public comments.

12) Communications

Councilors discussed coming up with a plan to rebuild the well at the Head of Tide.

Councilor Arrison informed Council that he will be unable to attend the next Council Meeting, and discussed Penobscot McCrum alarm siren testing and notification.

13) Adjourn

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn the meeting at 11:33 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