



CITY OF BELFAST

131 Church Street
Belfast, Maine 04915

Joseph J. Slocum
City Manager

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MANAGER'S REPORT

Belfast City Council Meeting
Tuesday, December 20, 2016
7:00 p.m.

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

FROM: Joseph J. Slocum, City Manager

DATE: Friday, December 16, 2016

Agenda Items:

10-A Consideration of a recommendation from the Poet Laureate Search Committee to name a new Poet Laureate.

Linda Buckmaster, former Belfast Poet Laureate, will be at the meeting to present the Committee's recommendation to the Council.

10-B Consideration of a proposal to partner with the Belfast Area Chamber of Commerce to purchase additional benches for the downtown area.

There is a joint memo in your packet from City Parks and Recreation Director, Norm Poirier and the Executive Director of the Belfast Area Chamber of Commerce, Michaelene Achorn. What is proposed is that each put in \$4,000 to purchase up to \$8,000 in benches for the downtown area.

10-C Request to do a settlement of taxes for our existing Tax Collector and to recommit all taxes due that are due to the new City Tax Collector.

Our existing Tax Collector is retiring next week. The Council has to officially accept from her all records of outstanding taxes due and to recommit the responsibility for collecting those taxes to the new City Tax Collector who is to replace her. Rebecca McLaughlin is our new Tax Collector. We will not have the numbers until the close of business the day of your meeting December 20, 2016. We will bring them to you at that time.

10-D Recommendation from the Energy Committee to install heat pumps in the Police Station.

The proposal and the estimate are attached in your packet. We budgeted \$35,000 in account line 720 – 839 for this project in this year's budget.

10-E Recommendation from the Energy Committee to do an energy audit of the Wastewater Treatment Plant for heating, and envelope improvements and treatment process improvements.

Perhaps the largest consumer of energy in the City is our Wastewater Treatment Plant. It is a complex process with complicated facilities. The Committee is recommending a thorough audit, overseen by our Wastewater Treatment Engineer, of the entire facility and its mechanisms. We did not specifically have money set aside out for this. We would have to pay for it from Wastewater Expansion Reserves which currently has a balance of \$620,537.

10-F Update on the engineering review for the construction of steps to the beach at Highview Terrace.

Highview Terrace is off Route #1, Searsport Ave. For many years the City has owned access to the water there. To gain access to the beach the public formerly used both City-owned property and private property along a zig zag path. The private property is no longer available and it is a very steep slope to the beach. We have hired an engineer to assist us with a design for construction of stairs that could be constructed and maintained on the steep bluff. In your packet there is a communication from the engineer highlighting some of the complexities of this proposal. This is an update and should offer information for us to think about before we pursue our next step.

10-G Request from the Library Director to confirm the hiring of Barbara Jamison as the new Reference and Special Collection Librarian.

There is a memo from Library Director Steve Norman in your packet.

10-H Request to appoint Ransom Consulting to be the City's "Qualified Environmental Professional" for the City's EPA Brownfields Assessment Grant.

Earlier this year the City received a \$400,000 grant to continue with our community wide Brownfields Assessment Program. This program pays for environmental assessments to help an owner of property to more easily redevelop it. These assessments either identify or eliminate concerns about environmental issues, along with bringing more certainty to the possibility for future re-development.

There is a memo in your packet from City Economic Development Director Thomas Kittredge explaining how the five person ad hoc committee came to this recommendation.

10-I Request for Council direction on tree removal at the Walsh Field Recreational area as part of the runway 15 obstruction removal project.

Two groups have looked at this issue:

- A "review group," consisting of the Mayor and City Counselors Hurley and Harkness along with Economic Development Director Thomas Kittredge and Parks and Recreation Director Norm Poirier.
- The second group was the Parks and Recreation Commission.

This has generated two different recommendations and we have to choose which one we are going to follow. There is a memo in the packet from Thomas Kittredge which helps explain these differing proposals.

10-J First Reading on a proposed moratorium over the retail sale of marijuana in the City of Belfast.

In anticipation of the State legalizing marijuana, we investigated and found out that municipalities have certain regulatory authority over the retail sale of marijuana. This

includes location and operation for both places where marijuana is grown as well as where it is sold. We can also regulate marijuana social clubs where patrons can consume marijuana on-site. The idea of a proposed moratorium is to provide Belfast with an opportunity to be better informed on the provisions of any regulatory scheme that comes out of the Department of Agriculture, Conservation and Forestry over the next nine months. There is a full explanation of this attached in your packet from City Planner Wayne Marshall.

10-K Request to go into an executive session to discuss an Economic Development matter pursuant to 1 M.R.S.A. 405 (6) C.

10-L Signing of Council Orders

That's about it for now. Happy Holidays everyone. Keep your relatives, neighbors and friends in your thoughts and deeds. It is both a wonderful time of year and a very hard time of year depending upon who you are. If Christmas speaks, it speaks about community, building it and maintaining it. You have all done very well this year, creating, helping, sharing and celebrating the things that make us the great community that we are.

Keep in your mind and in your heart our many small businesses this holiday season. They have to compete with very large chains with large advertising budgets, big box warehouses, global competition that pays workers 1/20th of what we pay, cold computer sales and cookie cutter services whose quality is faceless. Whatever you can do to support them and the many people they employ will be most appreciated. These small businesses and our friends and neighbors who run them are at the heart of this community.

Special thanks to the City employees who help make this City run right every day; one by one they each demonstrate a lot of personal dedication and willingness to help in any way that they can. I am blessed to work with them and I thank each of them for that opportunity.

Merry Christmas everybody and all the good will and fortune to each of you in the New Year.

**City of Belfast
Consent Agenda
Tuesday, December 20, 2016
Meeting #12**

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 Meanwhile LLC located at 2 Cross St, Belfast, Maine for a renewal Spirituous, Vinous and Malt license.**

Motion to approve an application by Meanwhile LLC located at 2 Cross St, Belfast, Maine for a renewal Spirituous, Vinous and Malt license.

- B. Request to approve a new application for a Victualer's License for Tammy Benecke d/b/a Country Rose located at 100 Searsport Ave Belfast, Maine.**

Motion to approve a new application for a Victualer's License for Tammy Benecke d/b/a Country Rose located at 100 Searsport Ave Belfast, Maine.

- C. Request to approve a twelve-month Blanket Letter of Approval for Cards for the Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine. This approval is granted from January 1, 2017 through December 31, 2017.**

Motion to approve a twelve-month Blanket Letter of Approval for Cards for the Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine. This approval is granted from January 1, 2017 through December 31, 2017.

- D. Request to approve a twelve-month Blanket Letter of Approval for Game of Chance (Sealed Tickets) for the Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine. This approval is granted from January 1, 2017 through December 31, 2017.**

Motion to approve a twelve-month Blanket Letter of Approval for Game of Chance (Sealed Tickets) for the Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine. This approval is granted from January 1, 2017 through December 31, 2017.

- E. Request to approve an off premises catering permit for Trillium Events, INC for the Our Town Belfast Holiday Homecoming Party located at the United Farmers Market, 18 Spring Street, Belfast, ME on December 27, 2016 from 7:30 p.m. to 10:30 p.m.**

Motion to approve an off premises catering permit for Trillium Events, INC for the Our Town Belfast Holiday Homecoming Party located at the United Farmers Market, 18 Spring Street, Belfast, ME on December 27, 2016 from 7:30 p.m. to 10:30 p.m.

- F. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for the Business After Hours Meeting located at Camden National Bank, 17 Belmont Ave., Belfast, ME on December 13, 2016 from 4:30 p.m. to 7:30 p.m.**

Motion to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for the Business After Hours Meeting located at Camden National Bank, 17 Belmont Ave., Belfast, ME on December 13, 2016 from 4:30 p.m. to 7:30 p.m.

- G. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for Birthday Party located at the Shrine Club, 26 Northport Ave., Belfast, ME on December 10, 2016 from 5:30 p.m. to 11:00 p.m.**

Motion to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for Birthday Party located at the Shrine Club, 26 Northport Ave., Belfast, ME on December 10, 2016 from 5:30 p.m. to 11:00 p.m.

- H. Request to approve a City Facility Use application by Breanna Bebb on behalf of Our Town Belfast for the 2nd Annual Belfast Menorah Lighting event at 4:05 p.m. on December 24, 2016.**

Motion to approve a City Facility Use application by Breanna Bebb on behalf of Our Town Belfast for the 2nd Annual Belfast Menorah Lighting event at 4:05 p.m. on December 24, 2016.

- I. Request to approve a City Facility Use application by Erik Boucher, owner of GiddyUp Productions for the Rock Lobster Replay between 7:00 p.m. on Friday, June 23, 2017 and 2:00 a.m. on Saturday, June 24, 2017.**

Motion to approve a City Facility Use application by Erik Boucher, owner of GiddyUp Productions for the Rock Lobster Replay between 7:00 p.m. on Friday, June 23, 2017 and 2:00 a.m. on Saturday, June 24, 2017.

9.H

MEMORANDUM

December 14, 2016

To: Joseph Slocum, Belfast City Manager
Honorable Mayor Ash and Belfast City Council

From: Norm Poirier, Belfast Parks and Recreation Department

Re: Facility Use Request from Our Town Belfast – Community Menorah Lighting

Cc: Chief McFadden, Belfast Police Department
Bob Richards, Director of Belfast Public Works

A Facility Use application has been submitted by Breanna Bebb, representing Our Town Belfast, for a community gathering on December 24, 2016 from 3:30-4:30 p.m. to celebrate the lighting of the Belfast Menorah in recognition of the Hanukkah Season. This community celebration will take place in Post Office Square with brief remarks and acoustical music as the lighting of the Menorah takes place approximately at 4:05 p.m.

This event was held last year with no issues and is recommended for approval by City staff.



**Facilities Use Request
City of Belfast, Maine**

EVENT: 2nd Annual Belfast Menorah Lighting

DATES: 12/24/16 EVENT REPRESENTATIVE: Breanna Bebb

PROPOSED LOCATION/AREA TO BE USED: Post Office parking lot

All applications and related documents to be returned to the Parks and Recreation Office at City Hall. 338-3370 Ext 27. The City Manager's Office will act as a backup.

The City of Belfast owns Streets, sidewalks, parks, land and buildings. It is the policy of the City that property belonging to the citizens of Belfast be available to the public. Unless specifically approved to the contrary, no public property will be set aside for the exclusive use of any individual or group and the general public will at all reasonable times have access to City property.

This is a planning checklist for your benefit as well as the City's. **If any aspect of the activity you wish to conduct is not specifically listed on this checklist then there will be no permission to conduct that activity.** Approvals cannot be given to individuals or groups who are uncertain of their plans.

Please attach maps, additional sheets, event outlines etc. - that help to explain your request.
If any of the following questions do NOT apply to your event simple write N/A (not applicable) in the space provided. Thank you.

1) State your name, phone number, e-mail address and identify whom you represent?

Breanna Bebb, 323 9100 bre@ourtownbelfast.org

2) Describe in detail the nature of this event (What are you planning on?):

1 hour with a table of free Chanukah refreshments and brief program of remarks and acoustic music as we light the Menorah

3) What facilities would you like to use or what permissions are you seeking with respect to City buildings, Parks, Lands, Streets, sidewalks? Please be specific.

Post office parking lot - could use one trash can and two or three barricades on site.

4) What **dates and times** do you wish to have this event?

12/24/16 (Saturday) 3:30 - 4:30

5) Are you asking to close off any City Streets? (Which ones, what dates, for how long a period of time each day?)

The beginning of Franklin St. 3:15 - 4:45

If yes, then who will manage these closed off Streets?

Our Town Belfast volunteers

6) Are you asking the City for anything other than use of the facilities you have described above?

One trashcan and 2-3 barricades
Access to plug Menorah in w/ Christmas lights

7) How many people do you expect?

100-150

8) Will you be selling things at this event? What and by who if not you?

NO

9) Will any alcohol be served or consumed at this event? (If yes provide details)

Where? - Attach MAP _____

NO

By Whom: Name and Phone contact number:

10) Does this event call for any type of open fire - including for cooking purposes? (If so describe what fire safety measures you plan on employing associated with this potential hazard?)

NO

11) Will you be renting spaces to vendors on City Property? Yes _____ No

If yes where do you propose they set up? (MAP Location) _____

12) Describe what type of vendor and the charges you propose to assess against them.

N/A

13) Will you have insurance in the amount of \$1,000,000 that also names the Inhabitants of the City of Belfast as an additional named insured party to hold the City of Belfast harmless from any and all injuries that may occur as the result of any negligence on your part in conducting this event?

Yes, Allen Insurance

14) Who is your insurance agent that will provide proof of this coverage to the City?

Allen Insurance + Financial

15) Noise: What kind of noise do you expect to generate at this event and during which specific period of time?

Crowd murmur, acoustic music

16) How do you propose to handle garbage removal?

We will take our garbage

17) How do you propose to handle parking?

Public / on-street parking

18) How do you propose to handle security?

None needed

19) How do you propose to handle the need for restrooms?

Brief event, but if a restroom is required we will give access to our nearby office

20) What is your plan/need for electricity or water?

N/A on water, Electricity from same source as holiday lights

21) Have you spoken to the neighbors in the area of this event and discussed traffic, noise, parking etc. with them?

Yes

22) Who will be in charge of the event during the event and what are their home phone numbers, cell phone numbers, and email addresses - where they can be reached before and during this event?

Breanna Bebb 323 9100 bre@ourtownbelfast.org

23) Are you requesting any services from the City? Be specific on the services you are asking for

Consult w/ parks director on safest way to plug Menorah in.

Department

Service Requested

City Manager

Police

Fire/ Ambulance

Parks

Public Works

Harbor

Other?

Remember, If any aspect of the activity you wish to conduct is not specifically listed on this checklist then there will be no permission to conduct that activity.



FACILITY USE APPLICATION CHECKLIST

- Application complete with contact names and contact information
- Specific facility or park requested
- Dates/times of the event and extra set-up time if necessary
- Specific request of City services:
 - electrical needs
 - street closures
 - police assistance
 - trash removal
- Vendor permits (necessary if serving alcohol)
- Parking plan
- Insurance Certificate (need to receive two weeks prior to event)
- Map/diagram of event layout
- Music cannot reach a volume level of more than 7 on controls
- Plan for restroom facilities
- Scheduled meeting with City Representative

My signature attests to the review of the checklist and the realistic view of the event provided to the City. Any deviation from the written request is grounds for cancellation of the event by the City of Belfast without notice.

Signature _____ Date: _____

Printed Name: _____



ADMINISTRATIVE COMMENTS
(Internal City use only)

City Manager's Office

Police Department

Fire/Ambulance Department

Parks Department

Public Works Department

Harbor Master

Boat House Rental Agent

Other Notes:



THE UNIVERSITY OF CHICAGO

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1100 SOUTH EAST ASIAN LIBRARY
5800 S. UNIVERSITY AVENUE
CHICAGO, ILLINOIS 60637
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FAX: 773/936-3200
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9.I

MEMORANDUM

December 13, 2016

**To: Joseph Slocum, Belfast City Manager
Mayor Ash and Belfast City Council
From: Norm Poirier, Belfast Parks and Recreation Department
Re: Facility Request – Rock Lobster Relay**

Cc: Chief McFadden, Belfast Police Department

The City has received a Facility Request application from Erik Boucher, owner of GiddyUp Productions and organizer of the Rock Lobster Relay. The Relay is a 200 mile 16 teams running relay from Bar Harbor to Portland starting on June 23, 2017 to Saturday, June 24, 2017.

The organizers of the RL Relay anticipate teams coming through Belfast between 7pm-2:00am Friday night using the Armistice Bridge and Harbor Walk / Heritage Park and on to Northport Avenue continuing to Route 1.

After discussions with Chief McFadden it was decided to require the event to pay for an officer to assist with any traffic issues that may occur as a result of running through Belfast during the evening hours. The organizers in the documentation have indicated they will take every safety precaution possible with reflective running gear, volunteers monitoring the teams and flashing lights on the runners (front/back).

Last year the City did receive an anonymous letter about the types of inappropriate behavior during this type of event in other cities around the country but Belfast Police Department reported no such issues with the race.

It is the recommendation of the Parks and Recreation Department and Police Department to approve this request with the stipulation the organizers pay for one officer's shift and the City receives payment and insurance certificate at least two weeks prior to the event.



**Facilities Use Request
City of Belfast, Maine**

EVENT: Rock Lobster Relay Race

DATES: 6/23 and 6/24/17 **EVENT REPRESENTATIVE:** Erik Boucher

PROPOSED LOCATION/AREA TO BE USED: Belfast footbridge, Harbor Walk Trail and Heritage Park

All applications and related documents to be returned to the Parks and Recreation Office at City Hall. 338-3370 Ext 27. The City Manager's Office will act as a backup.

The City of Belfast owns Streets, sidewalks, parks, land and buildings. It is the policy of the City that property belonging to the citizens of Belfast be available to the public.

Unless specifically approved to the contrary, no public property will be set aside for the exclusive use of any individual or group and the general public will at all reasonable times have access to City property.

This is a planning checklist for your benefit as well as the City's. **If any aspect of the activity you wish to conduct is not specifically listed on this checklist then there will be no permission to conduct that activity.** Approvals cannot be given to individuals or groups who are uncertain of their plans.

Please attach maps, additional sheets, event outlines etc. - that help to explain your request.

If any of the following questions do NOT apply to your event simple write

N/A (not applicable) in the space provided. Thank you.

1) State your name, phone number, e-mail address and identify whom you represent?

Erik Boucher, 207-210-8655, erik@justgiddyup.com

GiddyUp Productions, LLC

2) Describe in detail the nature of this event (What are you planning on?):

3) What facilities would you like to use or what permissions are you seeking with respect to City buildings, Parks, Lands, Streets, sidewalks? Please be specific.

Please see attached operations plan for a complete description of the event and schedule

10) Does this event call for any type of open fire - including for cooking purposes? (If so describe what fire safety measures you plan on employing associated with this potential hazard?)

No

11) Will you be renting spaces to vendors on City Property? _____ No _____

If yes where do you propose they set up? (MAP Location) _____
N/A

12) Describe what type of vendor and the charges you propose to assess against them.

N/A

13) Will you have insurance in the amount of \$1,000,000 that also names the Inhabitants of the City of Belfast as an additional named insured party to hold the City of Belfast harmless from any and all injuries that may occur as the result of any negligence on your part in conducting this event? _____ Yes, we will have insurance and the City of Belfast will be named as additionally insured.

14) Who is your insurance agent that will provide proof of this coverage to the City?

ESIX insurance, through USA Track and Field

15) Noise: What kind of noise do you expect to generate at this event and during which specific period of time? _____ There will be no amplified sound. The only noise will come from runners talking with each other from 6:00 pm until 2:00 am.

16) How do you propose to handle garbage removal? _____ Participants are required to keep all garbage in their team vans and dispose of it at designated locations. None of these areas are in Belfast.

17) How do you propose to handle parking? _____ Volunteers will direct the team vans in and out of the parking lot entrance(s).

18) How do you propose to handle security? _____ We will hire one Belfast Police Officer.

19) How do you propose to handle the need for restrooms? ___Runners will use the public restrooms adjacent to Heritage Park. _____

20) What is your plan/need for electricity or water? ___ We need for all overhead street lights in the Park to be functioning. No water is needed. _____

21) Have you spoken to the neighbors in the area of this event and discussed traffic, noise, parking etc. with them? ___ Not yet. _____

22) Who will be in charge of the event during the event and what are their home phone numbers, cell phone numbers, and email addresses - where they can be reached before and during this event?

___ Erik Boucher, 207-210-8655, erik@justgiddyup.com and Charles Melton, 207-590-7057, multifeet@gmail.com _____

23) Are you requesting any services from the City? Be specific on the services you are asking for ___ One Police Officer from 6:00 pm on Friday, 06/23 until 2:00 am on Saturday 06/24. _____

Department

Service Requested

City Manager

Police

Fire/ Ambulance

Parks

Public Works



FACILITY USE APPLICATION CHECKLIST

- Application complete with contact names and contact information
- Specific facility or park requested
- Dates/times of the event and extra set-up time if necessary
- Specific request of City services:
 - electrical needs
 - street closures
 - police assistance
 - trash removal
- Vendor permits (necessary if serving alcohol)
- Parking plan
- Insurance Certificate (need to receive two weeks prior to event)
- Map/diagram of event layout
- Music cannot reach a volume level of more than 7 on controls
- Plan for restroom facilities
- Scheduled meeting with City Representative

My signature attests to the review of the checklist and the realistic view of the event provided to the City. Any deviation from the written request is grounds for cancellation of the event by the City of Belfast without notice.

Signature Erik Boucher Date: 11/04/17

Printed Name: Erik Boucher _____

Rock Lobster Relay

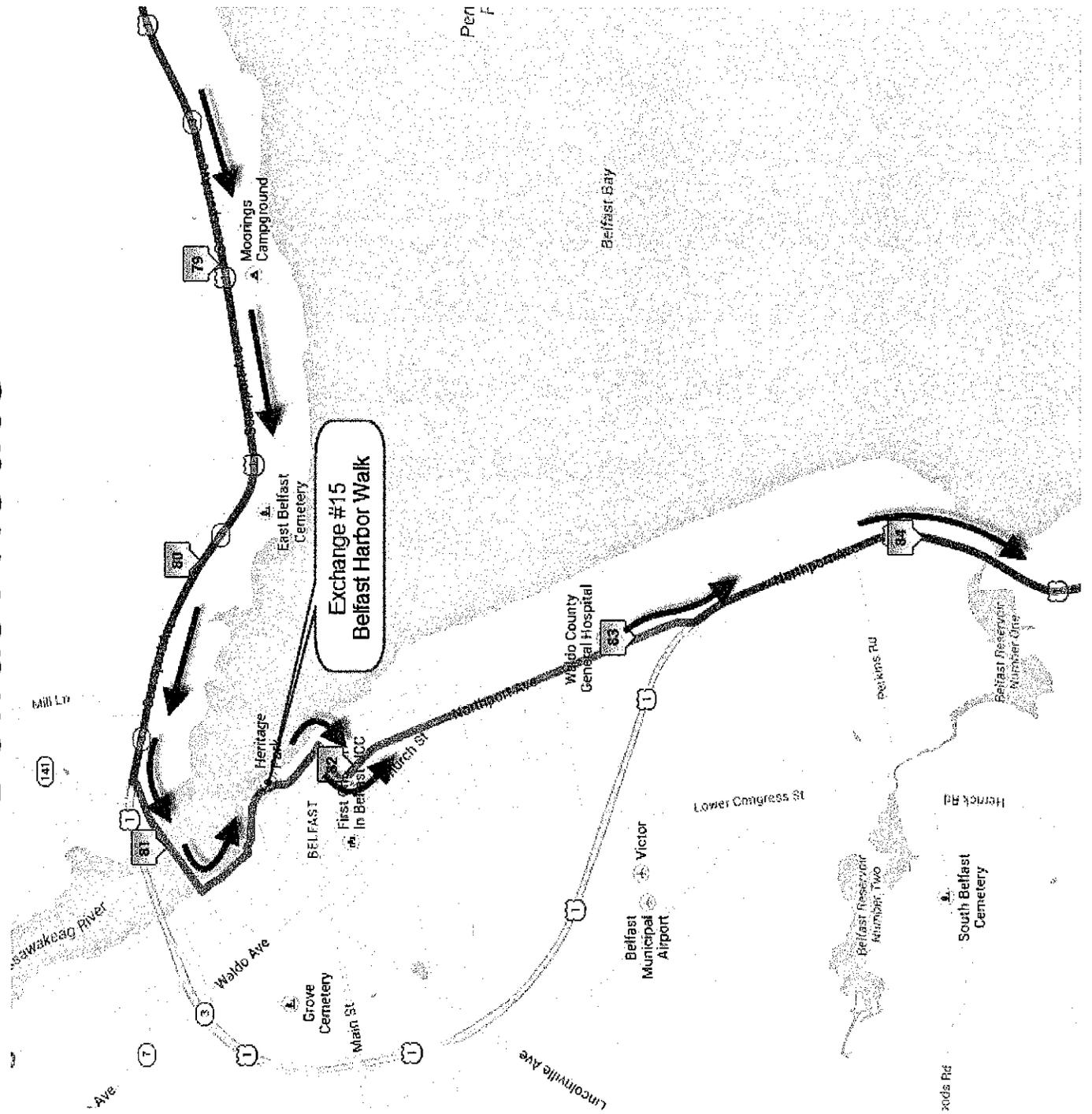


Belfast: June 23rd and 24th, 2017

2016 Review and 2017 Projections

- 53 teams participated in 2016
- Busiest half hour was 8 vans between 8:00 and 8:30
- 2016 beneficiary in Belfast was Cumberland Legal Aid Clinic. They received a \$500 donation
- Projecting 100 teams for 2017

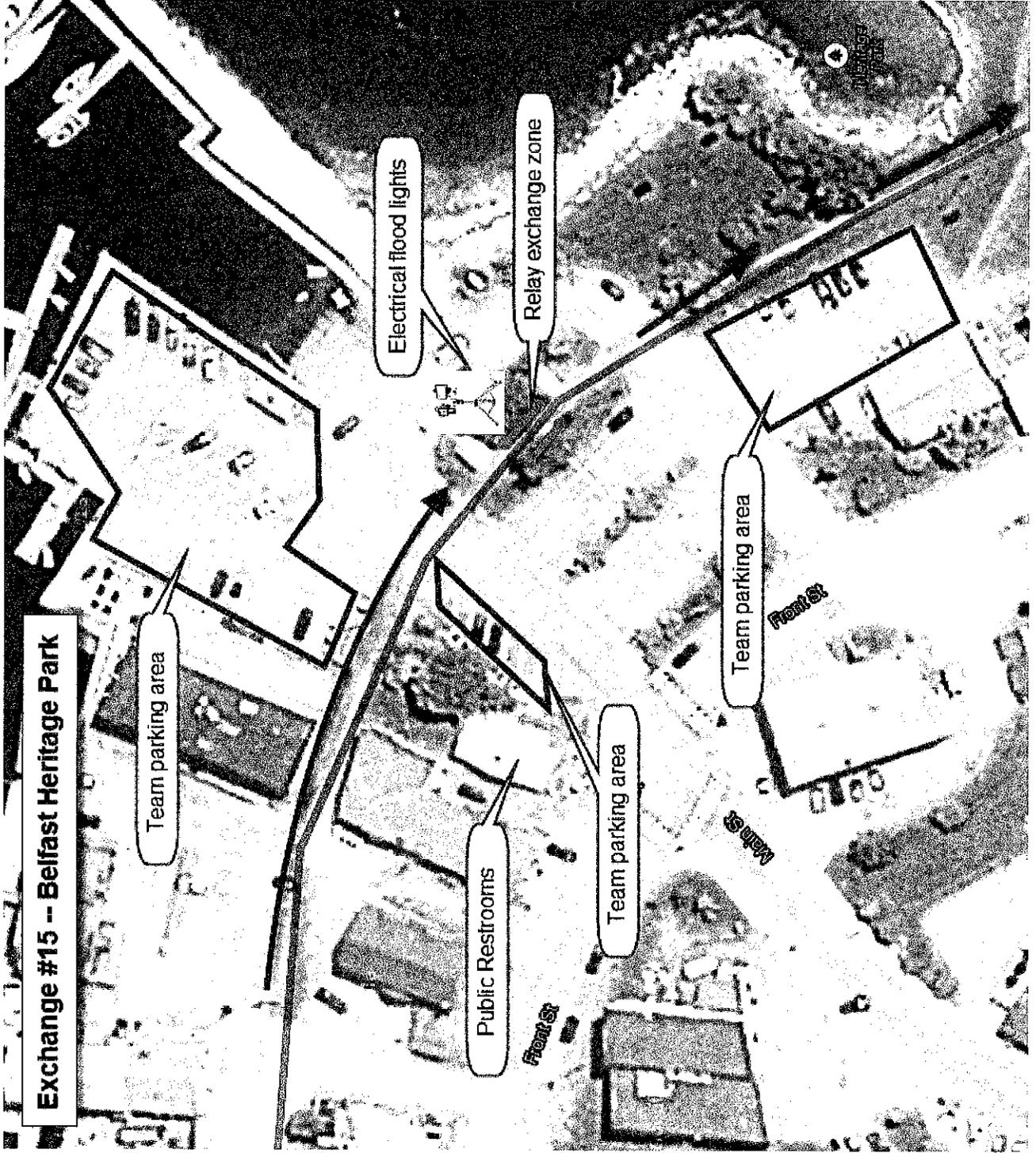
Belfast Route



Turn-By-Turn Directions

- At Mile 78 runners enter Belfast from Searsport on Rt 3 South
- Continue on Rt 3 (staying on left side facing traffic)
- Left on Footbridge Rd
- Cross over the Passagassawakeag River on the Belfast Footbridge
- Left on the Harbor Walk trail
- Follow Harbor Walk trail to Heritage Park
- **Stop at Exchange #15 – Belfast Harbor Walk Heritage Park**
- Continue on the Harbor Walk trail to Steamboat Landing
- Right on Commercial St (staying on sidewalk on right side of street)
- Left on High St (staying on left sidewalk facing traffic)
- Continue straight on Northport Ave (staying on left sidewalk facing traffic)
- Left onto dirt road just before Rt 1 intersection
- Left on Rt 1 (staying on left side facing traffic)
- Continue on Rt 1 into Northport (staying on left side facing traffic)

Exchange #15 – Belfast Harbor Walk & Heritage Park



Exchange #15 – Belfast Harbor Walk & Heritage Park

- Exchange #15 will be located at Mile 82 on the sidewalk along the Belfast Harbor Walk in Heritage Park
- Runners will pass through the exchange from 6:00pm to 12:30am on Friday 6/23 and Saturday 6/24
- Team vans will be continuously entering and exiting the parking lot area
- A maximum of 16 vans will flow in and out of the lot during a 30 minute period
- Starting at 7:30pm all active runners will be required to wear a reflective vest, forward facing light, and a flashing light on their back
- Starting at 7:30pm all non-active runners standing outside a van will be required to wear a reflective vest
- A relay exchange zone will be set up on the sidewalk in-between the two small boat houses using orange 42” delineator cones and caution tape
- Two runners from each team will hand-off a baton in the zone

Exchange #15 – Belfast Harbor Walk & Heritage Park

- All other participants will be required to stand behind a cordoned-off area around the exchange zone
- No one will be allowed to stand in the road
- All volunteers near the exchange zone will wear orange vests and headlamps starting at 7:30 PM
- A volunteer wearing an orange vest using a flashing orange traffic wand will direct vans in and out of the parking lot area off Front St

10.B

MEMORANDUM

December 13, 2016

To: Joseph Slocum, Belfast City Manager
Honorable Mayor Ash and Belfast City Council

From: Michaelene Achorn, Executive Director of Belfast Area Chamber
Norm Poirier, Director of Belfast Parks and Recreation Department

Re: Bench Replacement Proposal for Main Street

History

The City of Belfast for years has had some type of bench along Main Street for the visitor, shopper and patron of the Belfast downtown area to benefit from. With the ending of the "Please Be Seated" Program sponsored by Our Town Belfast combined with the aging and wear / tear of other benches installed by the City many years ago the City will be without seating for 2017.

Proposal

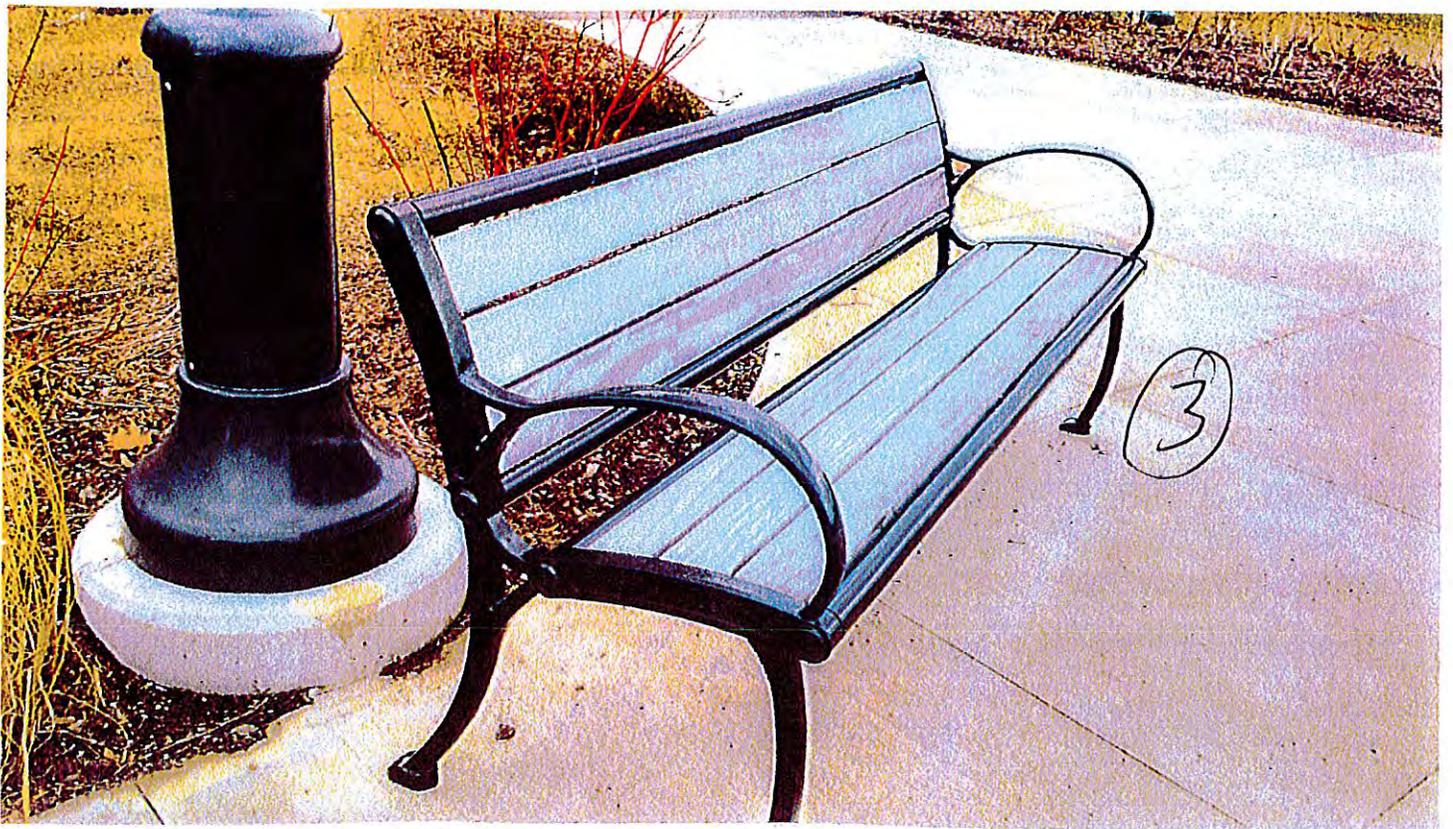
The Belfast Area Chamber of Commerce would like to propose a collaborative effort between the City and the Chamber to purchase up to \$8,000 in benches with the Chamber providing \$4,000 and the City matching the Chamber's donation. Depending on the style of the bench and size this would provide the downtown area with approximately 5 benches. A meager start, BUT a start none the less. After this we start to budget for additional benches each year to rebuild the Cities inventory of benches for downtown.

Proposed Bench

The benches we are proposing to purchase and install would be identical to the Harbor Walk benches, Victor Stanley manufactured product made of ipe wood slats. This style would provide uniformity throughout the Harbor Walk leading to the Main Street area. The size of the bench proposed is 6 foot, allowing the City to easily fit them along Main Street without creating special problems. Estimated cost of the bench is around \$1,496 each, plus shipping. This would allow the initial purchase of 5 benches for the 2017 season.

Funding Sources

As previously mentioned the Belfast Chamber of Commerce will be contributing \$4,000 towards this proposal, provided the City contributes a minimum of \$4,000 matching the Chamber contribution.



BENCH LOCATION: Harbor Walk at Steamboat Landing steps and concrete plaza area as well as Footbridge end of Harbor Walk off from Front Street **MATERIAL:** ipe wood slats

BENCH COSTS: 6 foot bench - \$1,496 and 8 foot \$1,696 does not include shipping

MANUFACTURER: Victor Stanley **NUMBER OF BENCHES:** 15



CITY OF BELFAST, MAINE
131 Church Street

10.C

e-mail: cityhall@cityofbelfast.org

Tel: (207) 338-3370
Fax: (207) 338-6222

December 13, 2016

Memo to: Joe Slocum
City Council

From: Rickie LeSan *RL*

Re: Tax Recommitment

At the December 20, 2016 council meeting we will need to do a settlement of taxes for Yvonne Hall, whose last day of employment is December 21, 2016 and at the same time recommit all taxes due to Rebecca McLaughlin.

Unfortunately I cannot provide those documents until the council meeting as I need to wait until the close of business on December 20th so that we have the correct dollar amounts for the recommitment.

MEMORANDUM

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10. D+E

TO: MAYOR & CITY COUNCIL
FROM: SADIE LLOYD, ASSISTANT PLANNER
DATE: DECEMBER 15, 2016
RE: ENERGY COMMITTEE PROJECTS

Actions requested:

1. Approve the proposal and installation of heat pumps in the Police Station.
2. Approve the comprehensive energy audit for the Wastewater Treatment Plant.

Heat pumps in the Police Station

In the fall, City Manager Joe Slocum asked myself and the Energy Committee to investigate installing heat pumps in the Police Station. I received two proposals, one from Sundog Solar and one from J.H. McPartland & Sons in Houlton (Andy McPartland is the heating specialist the Committee regularly consults with). The proposal from McPartland was more comprehensive and less money. It also addressed multiple issues the Committee was concerned about. The Committee is therefore formally recommending the City install the proposed two multi-zone units that would serve 7 indoor units. The proposal, with cost information, is attached.

The Police Station building is one of the largest users of electricity of municipal buildings. That meter is partially offset by the landfill solar array. I worked with one of the Committee members to calculate what the cost of electricity from the solar array is, since we will not be paying standard offer for electricity from the panels once the City buys the system outright. We looked at the cost of the system and the amount of electricity it generates. We calculated that the cost of electricity from the landfill solar array is .03 to .05 cents per kWh. The rate we currently pay for electricity is 13.6 cents.

I asked Andy McPartland to run the comparison of oil and electricity using the .03 and .05 cent figures. Attached are the results. As you can see it is much more affordable to use electric heat in buildings where at least part of the electric usage is offset by one of the two solar arrays. While oil is currently approximately \$2.50/gallon it will likely fluctuate greatly in the future. Andy also ran the model for oil at \$3.00/gallon and \$3.50/gallon. At current oil prices the savings would be \$1,808/year with electricity at \$.05/kWh with a payback of 7.5 years. At \$3/gallon for oil the savings would be \$2,300/year. The payback would be less. Our costs for electricity will stay stable. Oil however will likely fluctuate over the next decade or so.

The cost of the proposed heat pump installation is \$16,000. There is potentially \$2,250 available in Efficiency Maine rebates. It is my understanding that there is money budgeted for this upgrade; I am hoping that Joe can speak further to funding.

I have communicated with Chief McFadden about this proposal and he is in support of the heat pumps. He would like information regarding which spaces will have them; I will get that information for him.

The Committee is also looking into switching over the hot water heater to an electric heat pump hot water heater, and whether to get rid of the oil boiler completely and use baseboard electric as backup heat on the coldest of winter days. Norman Gilmore is collecting information for the Committee to weigh these decisions.

Treatment Plant Energy Audit

The Committee has met with Bill Olver of Olver Associates, the engineer the City contracts with for Treatment Plant operations, and Jon Carmen, the Superintendent of the Treatment Plant, multiple times to discuss both potential treatment process upgrades and building envelope, ventilation, and heating system upgrades to the plant. These types of upgrades have the potential to save a lot of energy and money, however, they are very technical, involve a number of specialists, and require upfront investment.

The Committee has also met with heating specialist Andy McPartland on numerous occasions now to talk about building envelope and heating system upgrades to the plant. The plant has unique ventilation needs due to the use of the building and therefore the building envelope issues are more complicated. The treatment plant is by far the largest energy user in the City.

Bill Olver has prepared a proposal (attached) for a comprehensive audit that looks at the treatment process, heating and ventilation, and electrical components. As noted at the end of the proposal, this audit is expected to take approximately 3 months. The proposed cost is \$19,000. The Committee is supporting the audit because of the scale of the energy savings that could result from potential projects.

It is my understanding that Jon Carmen has received the proposal. I have reached out to him but have not yet heard if he has strong opinions one way or the other. I will include any comments from him if and when I hear them.

J.H. MCPARTLAND & SONS

PLUMBING • HEATING • AIR CONDITIONING | CONTRACTORS • ENGINEERS
HOULTON, ME 04730 • PO BOX 665 • WWW.JHMCPARTLAND.COM • 207.532.2843

To: City of Belfast, ME

Date: 11.1.2016

Project: Belfast Police Station Heat Pump

Heat Pump

Utilizing an air source heat pump for the Police Station would allow the oil fired heating system to remain off for an extended duration, during much of shoulder seasons. It is assumed that a multi-zone air source heat pump could be utilized to address supplemental heating and cooling. It appears that there are seven (7) areas that are routinely occupied. Two (2) multi-zone outdoor units could be implemented to serve the 7 indoor units.

In an effort to economically quantify savings potential, lets assume that by utilizing air source heat pumps for supplemental heating of the 7 routinely occupied spaces during the shoulder seasons would potentially result in a 15% reduction heating costs, at today's energy costs (\$2.50/gal and \$0.16/kWh). Savings percentage will be higher if oil prices rise and electric rates remain stable. The offset of oil consumption with heat pump usage will remain consistent.

Opinion of probable costs: \$16,000

Annual Savings at 15% (\$2.50/gal and \$0.16/kWh) = \$1,300.00/yr

Potential Efficiency Maine Rebate = \$2,250.00

Simple Payback Period = 10 years

J.H. McPARTLAND & SONS

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 HOULTON, ME 04730 · PO BOX 665 · WWW.JHMCPARTLAND.COM · 207.532.2843

	Gallon Oil 1000 Per Year	Appx Required Heat Load 117.98 (MMBTU/YR)	COST PER YEAR
OIL	138,800 BTU/Gallon \$3.50 Per Gallon 87% = System Efficiency 85% = Assumed Seasonal Efficiency 117,980 =BTU/Gallon Available for Heating	\$29.67 =Cost Per Million BTU	\$3,500.00
HEAT PUMP	3,413 BTU/kWh \$0.0500 per Kilo Watt (kW) 2.5 = Assumed Seasonal Efficiency 7,679 =BTU/kW Available for Heating	\$5.86 =Cost Per Million BTU	\$691.36

The above calculations are for comparative purposes only. Actual values and efficiencies will vary on a case by case basis
 Contact Andrew McPartland, PE, LEED AP at JH McPartland & Sons for more information.

OLVER ASSOCIATES INC.

ENVIRONMENTAL ENGINEERS

October 18, 2016

Ms. Sadie Lloyd, Assistant Planner
BELFAST CITY HALL
131 Church Street
Belfast, Maine 04915

Dear Sadie:

We are writing as a follow-up to our recent meeting with the Belfast Energy Committee at which we discussed potential projects to reduce electrical and heating costs at the City's Water Pollution Control Facility. In order to determine the optimal scope, upfront capital implementation costs and ongoing operating and life cycle costs, and payback periods of potential energy savings projects at the treatment plant, it was determined that a comprehensive energy audit of the facility should be conducted. The Committee requested that we prepare a scope of services, budget and schedule to conduct the audit. The objective of the completed audit will be to provide the Committee with detailed information that can be used to guide future decisions on appropriate, cost-effective energy conservation projects at the treatment plant.

As discussed, energy use and an energy audit of the facility have three major components as follows:

1. **Treatment Process Considerations** – The biodegradation of wastewater pollutants utilizes several sequential treatment process steps, each with varying energy consumption requirements. Changes in treatment technologies that have occurred over the nearly fifty year life of the plant may offer some energy reduction potential. These changes might include the use of fine bubble versus coarse bubble aeration as well as screw press versus belt press dewatering technologies. Olver Associates Inc. has been the City's wastewater process engineer for the last twenty-one years and is intimately familiar with the plant's current and future upgrade needs.
2. **Heating and Ventilation Considerations** – When the present treatment plant building was constructed in 1968, energy conservation had yet to become a major national focus. Today, there are likely more energy efficient methods available to heat the building. Due to the presence or potential of corrosive and harmful sewer gases in the plant, compliance with ventilation codes is an important issue. These codes have changed over the years and have strict requirements on minimum continuous or intermittent air changes per hour in different areas of the plant. Ventilation issues must be viewed in conjunction with the discussion of heating needs since makeup air and exhaust air has significant heat loss implications. In reviewing the heating and ventilation needs of the facility, energy conservation is also a major consideration. There are much more energy efficient doors and windows available than were originally installed at the plant. There are also more stringent building insulation requirements today than were considered when the plant was

Ms. Sadie Lloyd, Assistant Planner

October 18, 2016

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first built. The City has been working with Andrew McPartland of J. H. McPartland & Sons on heating and ventilation project planning.

3. **Electrical Considerations** – The cost of electricity to power the motors and equipment used throughout the treatment plant, as well as to provide lighting throughout the plant, is a significant expense. Electrical costs also factor into the heating, ventilation, and energy conservation components of the audit. During previous process upgrade phases at the plant, energy efficient electrical components, such as variable frequency drives (VFD) and premium efficiency motors, have been selected. Lanpher Associates Inc. has worked on electrical projects at the plant for over twenty years and are intimately familiar with its systems. They have also conducted detailed energy audits for treatment plants throughout Maine.

As discussed, the proposed energy audit will be conducted with a team consisting of Olver Associates Inc., J. H. McPartland & Sons and Lanpher Associates Inc. Olver Associates will coordinate the audit, provide process and equipment analysis, compile capital, operating and payback costs, and will author the final audit report. Andy McPartland will provide heating, ventilation, insulation and energy conservation analysis. Lanpher Associates Inc. will provide electrical systems analysis. Olver Associates Inc. will retain the other two firms as subconsultants.

PROPOSED SCOPE OF SERVICES

In order to provide the energy audit services requested by the City, we propose to conduct the following Scope of Services.

1. We will conduct a workshop with the City's Energy Committee to define project goals, objectives, deliverables, and lines of communication.
2. We will inventory the plant's process, heating, ventilation, lighting and electrical equipment to review its condition, energy requirements, duration of operation, annual cost impacts, age and replacement needs, and applicability for continued use.
3. We will review existing plans and reports and conduct site visits to augment specific information on all plant components that impact energy use.
4. We will examine each unit process at the plant, consider its short and long term likelihood for continued use, and will consider alternate technologies to the extent practical for implementation in Belfast.

OLVER ASSOCIATES INC.

Ms. Sadie Lloyd, Assistant Planner

October 18, 2016

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5. We will develop and run an energy model of the building's envelope to define heat loss, energy consumption, energy conservation, and cost savings options.
6. Once the model is developed, it will be used to input various levels of improvements such as insulation addition, door and window changes, etc.
7. We will review applicable ventilation codes for the Belfast plant that define the required air changes per hour for various plant locations.
8. We will review existing ventilation systems in each area, assess their efficiency and condition, review their code compliance status, and determine their upgrade or replacement needs.
9. We will define the capital and operating costs of any proposed ventilation system improvements as well as the energy savings and payback that might be achieved.
10. We will review the existing heating systems at the plant, assess their efficiency and condition, review their code compliance status, and determine their upgrade or replacement needs.
11. We will define the capital and operating costs of any proposed heating system improvements as well as the energy savings and payback that might be achieved.
12. We will review the heating and ventilation system energy and cost saving implications achievable by implementing other concurrent plant improvements such as added insulation, new doors and windows, etc. We will also review the energy savings implications between various heating and ventilation system interaction options.
13. We will review electrical and fuel operating costs at the plant for a two-year period and analyze these costs using spreadsheets and graphs.
14. We will review motor loads, lighting requirements, and process run times to determine a timeline of energy use and to develop a proportionate allocation of use to each component.
15. We will review potential areas of electrical cost savings from possible motor changes, VFD additions, equipment replacement and operational changes and will calculate costs and paybacks.

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Ms. Sadie Lloyd, Assistant Planner

October 18, 2016

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16. We will compile a detailed report that summarizes our audit that presents our conclusions and recommendations, that provides capital, operating, life cycle and payback cost information, and that gives the Energy Committee guidance and priorities for future energy savings and conservation projects.
17. We will meet with the Energy Committee, City Council and City staff as requested to present the results of the audit.
18. We will assist the City with the identification of potential funding sources to reduce the upfront capital costs of recommended projects.
19. At the completion of the audit, we will be available to present additional scope and budgets to design, administer and inspect the construction of any energy related project that the City chooses to implement.

PROPOSED COMPENSATION AND SCHEDULE

In order to assist the City of Belfast with the energy audit services at the Pollution Control Facility as defined herein, we suggest that the following budgets be implemented:

Olver Associates Inc. (Process Engineering/Coordination)	\$ 2500
Lanpher Associates Inc. (Electrical)	\$ 6500
<u>J.H. McPartland & Sons</u>	<u>\$ 10,000</u>
<u>Total Budget</u>	<u>\$ 19,000</u>

The total project will be conducted through Olver Associates Inc. in our role as the City's wastewater treatment engineer. Subconsultants will bill, and be paid by, Olver Associates Inc. Invoices will be issued monthly based upon the amount of work completed in the prior thirty days. Payment is required within one month of receiving each invoice.

It is estimated that about three months will be required to complete the energy audit and to issue a draft report to the Committee.

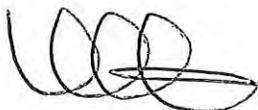
OLVER ASSOCIATES INC.

Ms. Sadie Lloyd, Assistant Planner
October 18, 2016
Page 5 of 5

CLOSURE

We value our long term professional relationship with the City of Belfast and look forward to the opportunity to work with the Energy Committee on this project. Enclosed are three copies of this letter proposal. If it is acceptable in its present form, the execution and return of one copy will constitute your acceptance thereof and our authorization to proceed. As always, we appreciate this opportunity to be of continued professional engineering service to the City of Belfast.

Very truly yours,
OLVER ASSOCIATES INC.



William M. Olver P.E., President
Senior Managing Partner

CC: Mr. Jon Carman, Superintendent

**ACCEPTANCE AND AUTHORIZATION
TO PROCEED BY:**

Signed _____

Name _____

Title _____

Date _____

10.F

MEMORANDUM

TO: MAYOR & CITY COUNCIL

FROM: SADIE LLOYD, ASSISTANT PLANNER

DATE: DECEMBER 15, 2016

RE: HIGHVIEW TERRACE RANGEWAY STAIRS UPDATE

Actions requested: None. This is an update on recommendations from Gartley & Dorsky regarding potential stairs in the Highview Terrace Rangeway.

Update on the Highview Terrace Rangeway engineering design for stairs

Gartley & Dorsky have provided a survey of the Highview Terrace Rangeway as well as a recommendation for two sets of engineered stairs. Both the survey and the specs for the stairs are included with this memo.

Will Gartley informed me that there is erosion happening on the bank near the shore and that this was initially a concern, along with the steepness of the slope and the tidal and wave action. They have, however, been able to angle the recommended stairs in such a way that does not require significant bank stabilization work (which is very costly), an intermediate landing, or hinged stairs.

The first set of stairs closest to the road, while still steep with an eroding bank, are less complicated because there is adequate land to work with. Minimal grade work will be required for the second set of stairs.

Both sets of stairs are proposed to be stone or concrete with handrails. I have attached a memo from Will Gartley regarding the proposal. I should have cost estimates before your meeting on Tuesday and will share them as soon as I receive them. Mr. Gartley indicated to me that his price estimates will look at possible other materials as well, including wood and aluminum.

December 15, 2016

Sadie Lloyd
Assistant Planner
City of Belfast
131 Church St
Belfast, Maine 04915

**RE: City of Belfast, Maine
Highview Terrace Shore Access**

Project 2016-259

Dear Sadie:

At your request we have completed an As-built Topographic Survey of the City owned land at Highview Terrace. We have also completed a preliminary design that shows a proposed path to the shore including two sets of stairs. We are recommending that the stairs be either granite with stainless steel handrails, or aluminum, both of which result in long lasting low maintenance solutions. The second set of stairs that goes to the shore requires that the top of the bank be cut back to allow for the required rise/run of the stairs. Knowing that some level of earthwork is required and that there is potential for storm and wave impact at the toe of the slope, we recommend that this set be granite with rip-rap sides to stabilize the stairs and adjacent bluff. Attached is a copy of the preliminary plan and profile showing the path and stair locations. We have also included some sample photos of projects using each of the proposed stair types. We are working on the estimated probable construction costs for each option and will have that information to you by Monday, December 19, 2016.

We look forward to your review and comments, please let me know if you have any questions.

Sincerely,
Gartley & Dorsky Engineering & Surveying, Inc.



William B. Gartley, PE
President



PICTURE 1



PICTURE 2

Gartley & Dorsky
ENGINEERING & SURVEYING

59B Union Street P.O. Box 1031 Camden, ME 04843-1031
Ph. (207) 236-4365 Fax (207) 236-3055 Toll Free 1-888-282-4365

165 Main Street Suite 2F P.O. Box 1072 Damasiscotta, ME 04543
Ph. (207) 790-5005

HIGHVIEW TERRACE
ALUMINUM STAIR EXAMPLE
BELFAST, MAINE

DECEMBER 15, 2016

PROJ. NO 2016-259

CITY OF BELFAST



PICTURE 3



PICTURE 4

Gartley & Dorsky
ENGINEERING & SURVEYING

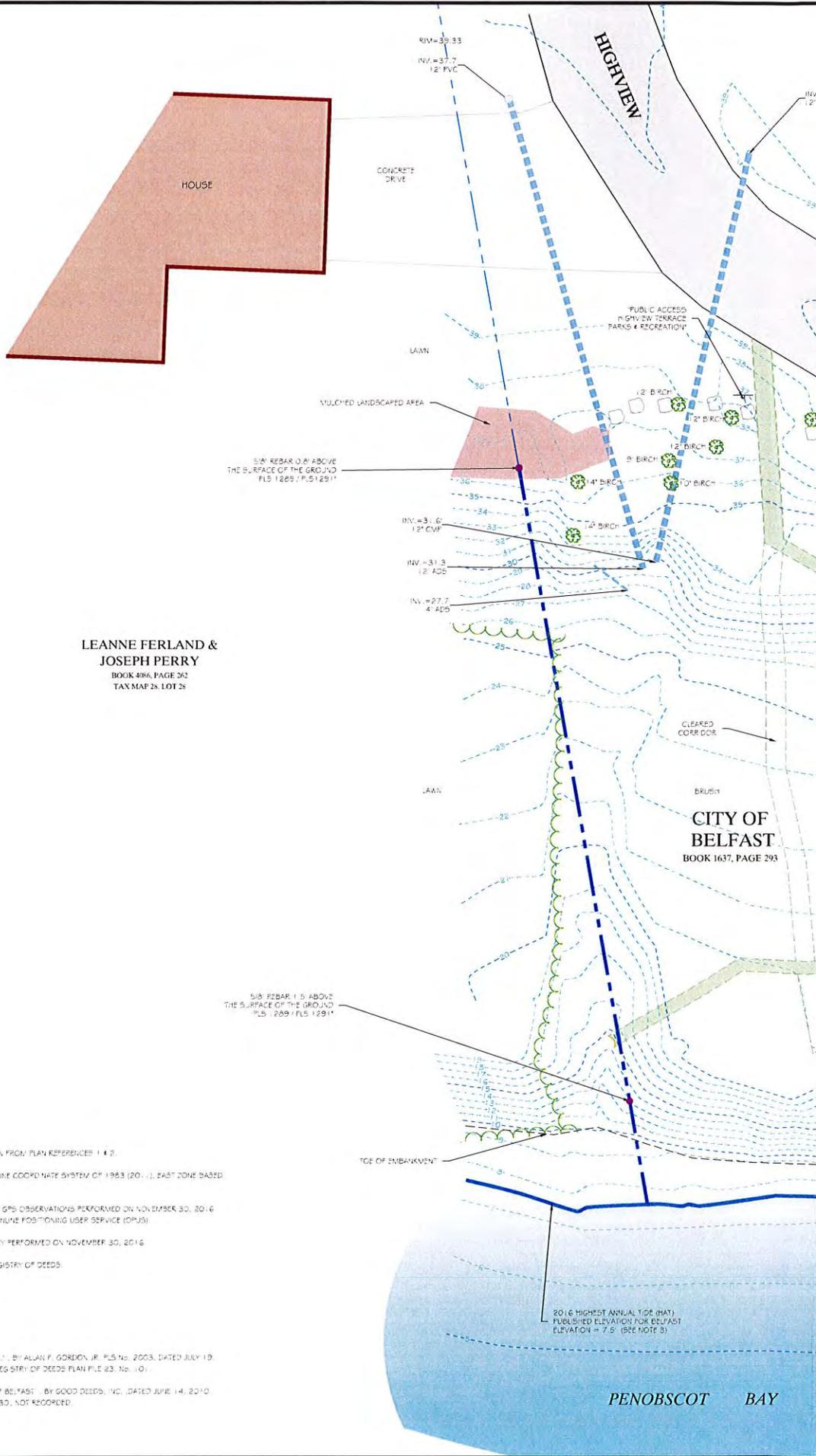
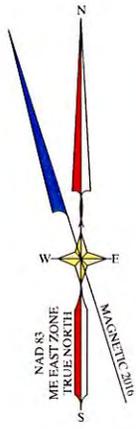
59B Union Street P.O. Box 1031 Camden, ME 04843-1031
Ph. (207) 236-4365 Fax (207) 236-3055 Toll Free 1-888-282-4365
165 Main Street Suite 2F P.O. Box 1072 Damascus, ME 04543
Ph. (207) 790-5005

HIGHVIEW TERRACE
GRANITE STAIR EXAMPLE
BELFAST, MAINE

DECEMBER 15, 2016

PROJ. NO 2016-259

CITY OF BELFAST



LEANNE FERLAND &
JOSEPH PERRY
BOOK 486, PAGE 262
TAX MAP 28, LOT 28

SURVEYOR'S NOTES:

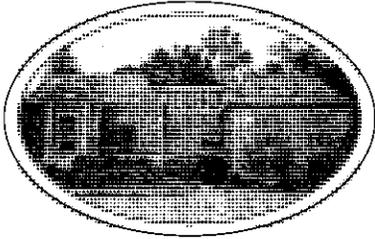
- 1) THIS IS NOT A BOUNDARY SURVEY. PROPERTY LINES ARE TAKEN FROM PLAN REFERENCES 1 & 2.
- 2) ALL DIRECTIONS ARE REFERENCED TO GRID NORTH OF THE MAINE COORDINATE SYSTEM OF 1983 (2011), EAST ZONE BASED ON AN RTN, GPS SURVEY.
- 3) ELEVATIONS ARE REFERENCED TO NAVD 88 BASED ON STATIC GPS OBSERVATIONS PERFORMED ON NOVEMBER 30, 2016 AND PROCESSED THROUGH THE NATIONAL GEODETIC SURVEY'S ONLINE POSITIONING USER SERVICE (OPUS).
- 4) THIS PLAN IS THE RESULT OF AN ON THE GROUND FIELD SURVEY PERFORMED ON NOVEMBER 30, 2016.
- 5) OWNER INFORMATION IS TAKEN FROM THE WALDO COUNTY REGISTRY OF DEEDS.

PLAN REFERENCES:

- 1) SURVEY PLAN PROPERTY OF FALL D, HAMILTON 2013 TRUST, BY ALLAN F. GORDON, JR., PLS No. 2003, DATED JULY 19, 2016, SCALE: 1" = 50', AS RECORDED AT THE WALDO COUNTY REGISTRY OF DEEDS PLAN FILE 23, No. 10.
- 2) BOUNDARY SURVEY OF HIGHVIEW TERRACE... FOR THE CITY OF BELFAST, BY GOOD DEEDS, INC., DATED JUNE 14, 2010 WITH A LATEST REVISION OF SEPTEMBER 15, 2011, SCALE: 1" = 30', NOT RECORDED.

PENOBSCOT BAY

10.G



BELFAST FREE LIBRARY *www.belfastlibrary.org*

106 HIGH STREET • BELFAST, MAINE 04915 • 207-338-3884 • FAX: 207-338-3895

TO: Joe Slocum

FROM: Steve Norman

DATE: December 12, 2016

SN

Please put on the agenda for the December 20 meeting of the City Council the approval of the hiring of Barbara (B.J.) Jamieson as the new Reference and Special Collections Librarian at the Range 8/Step 1 level. I have offered her the job, and she has accepted the offer.

Thank you very much.

10.4

Request by the Economic Development Director to have the City Council approve the recommendation of Ransom Consulting to be the Qualified Environmental Professional for the City's EPA Brownfields Assessment Grant, and to authorize the City Manager to sign all necessary contracts and documents with this firm.

Earlier this year, the City of Belfast received from the U.S. Environmental Protection Agency (EPA) \$400,000 in grant funding to continue its community-wide brownfields assessment program, which provides environmental assessment due diligence to owners and potential developers of abandoned or underutilized industrial and commercial sites that possess economic redevelopment/reuse potential, where that potential is complicated by real or perceived environmental contamination. The period of performance for this new grant is October 1st, 2016 to September 30th, 2019.

To carry out the actual environmental assessment and cleanup planning activities under this grant, the City needed to identify and contract with a firm to do those activities (EPA calls such a firm a 'Qualified Environmental Professional'). Approximately \$350,000 out of the \$400,000 grant has been allocated for a Qualified Environmental Professional to do these activities (though approximately \$44,000 of this \$350,000 has been spent, with EPA approval, on the assessment of sites prior to the completion of the new Qualified Environmental Professional selection process).

At its meeting of July 19th, 2016, the Belfast City Council authorized the creation of a five-person ad hoc committee charged with managing the process for recommending a Qualified Environmental Professional to be approved, and at its meeting of September 20th, 2016, the Belfast City Council approved the membership of that committee.

The committee issued a Request for Qualification Statements (RFQ) on October 26th, 2016, with a proposal submission deadline of November 28th, 2016; two qualification statements were submitted by this deadline. The committee reviewed both qualification statements on December 5th, 2016, and unanimously agreed to select one of the two firms, Ransom Consulting, to be recommended to the Belfast City Council for approval. This recommendation was based solely on the submitted qualification statements; the committee chose not to hold any interviews of the firms that applied.

10.I

Request by the Economic Development Director to have the City Council reaffirm recommendations from a review group regarding trees to be preserved or removed from the Walsh Field Recreation Area as part of the upcoming runway 15 obstruction removal project.

On October 26th, 2016, a 'review group' consisting of Mayor Walter Ash, City Councilor Michael Hurley, City Councilor Neal Harkness, Economic Development Director Thomas Kittredge, and Parks and Recreation Department Director Norman Poirier, walked the area in question (accompanied by Craig Schuster from Airport Solutions Group), discussed the trees in question, and worked to achieve a consensus recommendation regarding which trees to be preserved and which ones to be removed as part of the runway 15 obstruction removal project. The review group's recommendation was presented to the Parks and Recreation Commission at their meeting of November 10th, 2016.

On November 14th, 2016, members from the Parks and Recreation Commission walked the area with Parks and Recreation Department Director Norman Poirier and Economic Development Director Thomas Kittredge. At some time after that site walk, the Parks and Recreation Commission developed and put forth an alternate recommendation regarding which trees to be kept and which trees to be removed. (Commission Chair Carol Good's e-mail of 12/2/16 outlining that alternate recommendation to the Mayor and City Council is included.)

A graphic has been put together that shows both the recommendations the 'Review Group' and the recommendations of the Parks and Recreation Commission (the trees to be kept and removed have been confirmed by both groups). Please note, while there are areas of trees where the two entities differ regarding preservation versus removal, there are also areas of trees where both entities do agree, both regarding their preservation and removal.

The Economic Development Director is requesting at this time that the City Council either reaffirm the recommendation of the 'Review Group', select the alternative put forth by the Parks and Recreation Commission, or approve another alternative plan. The trees to be removed and the trees to be kept needs to be finalized and approved prior to the obstruction removal project beginning.

The Economic Development Director will also give an update regarding the overall status of the obstruction removal project at this time.

Thomas Kittredge

From: Carol Good
Sent: Friday, December 02, 2016 10:36 AM
To: mayor@cityofbelfast.org; 'Mary Mortier'; 'Neal Harkness'; 'Eric Sanders'; 'Mike Hurley'; 'John Arrison'
Cc: 'Joseph Slocum'; 'Norm Poirier'; 'Thomas Kittredge'
Subject: Walsh Field Tree Removal

Dear Mayor Ash and City Councilors:

The Parks and Recreation Commission was informed of the proposed tree removal plan to be presented to the Council by Thomas Kittredge, Airport Manager. Thomas had met with Councilor Hurley, Mayor Ash and Parks and Rec Director, Norm Poirier to develop this plan. The Commission believed that since the tree removal plan involves the Walsh Field Recreation Area we wanted to have our opinion included in the planning process. This is a very important issue as it involves the safety of not only air traffic at the airport but users of the facilities at Walsh Field.

We discussed the tree removal proposal in a regular meeting (November 10) when the plan was first shown to us; we visited the site as a group with Thomas and Norm (November 14); and we held a called meeting for further discussion (November 22).

To be honest we were somewhat surprised at the extent to which the proposal goes to remove so many trees in the area. Upon further questioning, we learned that all of the trees designated to be removed did not need to be removed for FAA requirements and safety, but were being recommend for removal just because at some point in the undetermined future (5 years? 7 years? 10 years?) they *might* need removal. The thinking of those who developed the plan was that since the FAA will pay for the removal we should take all of the trees down now (whether they pose a danger or not) in order to take advantage of FAA funding and save money for the city in the future.

After much consideration, with suggestions ranging from removing all of the trees (as Thomas prefers) to removing only the four willow trees, we came up with what we think is a reasonable alternative proposal to the one presented. Our compromise proposal recommends removing the four willow trees, all of the spruce trees along Route 52 and one very tall spruce tree at the entrance to the parking lot on the Jaret and Cohn Real Estate property side of the lot. This would remove the trees that are in the flight path (but actually lower than the electrical wires and poles along the roadway) and leave others that are clearly not "offending" trees and are not in the flight path.

This proposal would use FAA funds for the removal of the trees and city funding for replanting small trees, shrubs or other landscaping to provide a border between the parking lot and Route 52. Perhaps a decorative fence to provide a barrier from the park property to the road could be included. Norm suggested that perhaps we could request the airport or the FAA to pay for the replacement landscaping in exchange for tree removal.

We thank the Council for thoughtful consideration of this alternative proposal.

Carol Good

Chair, Parks and Recreation Commission

Parks and Recreation Commission advocates for keeping additional 10 trees only (ones located within light red circles/ovals)

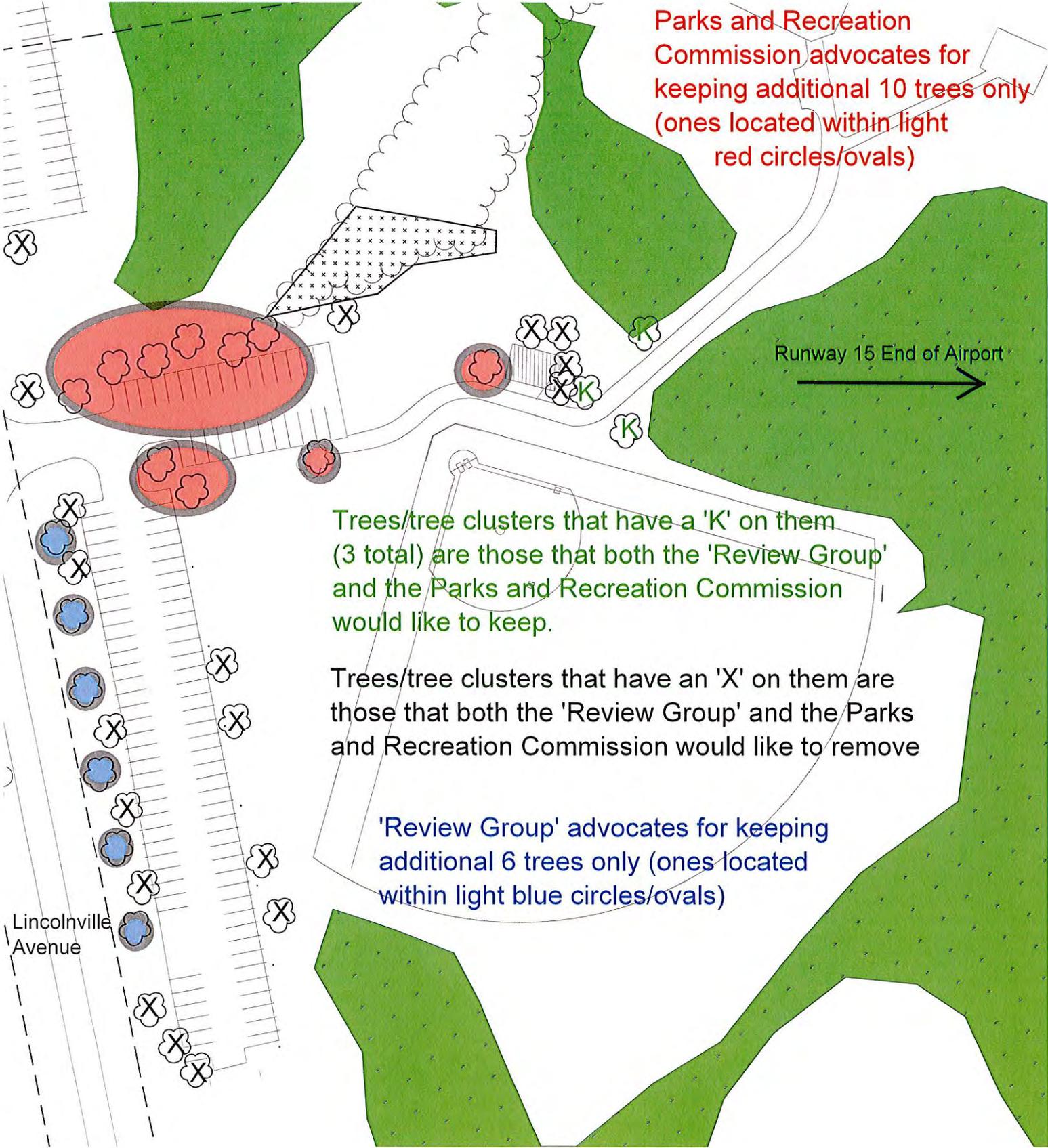
Runway 15 End of Airport →

Trees/tree clusters that have a 'K' on them (3 total) are those that both the 'Review Group' and the Parks and Recreation Commission would like to keep.

Trees/tree clusters that have an 'X' on them are those that both the 'Review Group' and the Parks and Recreation Commission would like to remove

'Review Group' advocates for keeping additional 6 trees only (ones located within light blue circles/ovals)

Lincolnville Avenue



AGENDA TOPIC 10. J

TO: Mayor & City Council
FROM: Wayne Marshall, City Planner
DATE: December 13, 2016
RE: Proposed Moratorium - Retail Marijuana - First Reading

REQUESTED ACTIONS

Action #1. The Council should conduct the official First Reading of the proposed Moratorium (attached) at its meeting of December 20 and should identify any changes you believe should be made to the draft language of the Moratorium. This proposal would become an Ordinance of the City.

Action #2. The Council should schedule the Second Reading and public hearing regarding the Moratorium for the Council meeting of January 3, 2016. The Council should be aware that I have published the required public hearing ad announcing the January 3 hearing in advance of your December 20 Council meeting so that the City could satisfy the public notification requirements to allow the Moratorium to be considered at the January 3 meeting.

BACKGROUND INFORMATION

At the recent November 8 election the voters of the State of Maine adopted Referendum #1, the Marijuana Legalization Act. While the election results on Referendum #1 are now subject to a recount, there is a strong likelihood that Maine law will soon change to legalize marijuana. Of particular interest to all municipalities is that several allowed activities pursuant to the Act will be subject to municipal regulation. The major activities which a municipality can choose to regulate include: the location and operation of an establishment that offers marijuana for retail sale, the location and operation of an establishment that cultivates marijuana for retail sale, and the location and operation of a retail marijuana social club; an establishment at which patrons can consume marijuana on site. While several other states have previously enacted laws to allow the retail sale and cultivation of marijuana, Maine will be the first state that has allowed social clubs.

Several provisions of the Act take effect upon enactment, however, the Act provides that the State Department of Agriculture, Conservation and Forestry will have up to 9 months to craft state regulations regarding retail sale, retail cultivation and retail social club operations. In short, the required state regulations are not yet in place to allow the above activities. The intent of the proposed Moratorium is to provide Belfast an opportunity to become better informed of provisions in the Act and to discuss what regulations, if any, that the City may want to consider adopting to oversee newly permitted activities. I also note that because State regulations likely

will not be adopted before October 1, 2017 at the earliest, which is about 3 months before the expiration of the proposed Moratorium, and because local regulations partly will be dependent on the State regulations that are ultimately adopted, I believe it may be necessary to ask the City Council to consider an extension of the proposed 180 day Moratorium when it is scheduled to expire.

In proposing this Moratorium, the citizenry of Belfast should recognize that it is neither a statement in favor of or in opposition to the newly adopted Act. A Moratorium is an approach allowed by state law in which a local government can consider, debate and determine the nature of regulations/laws it wants to adopt without fear or concern that an applicant will request a permit for a particular project before how the community decides it wants to proceed. It is my understanding that at least 24 other municipalities in Maine have adopted similar Moratoriums. I also note that Legalize Maine, the organization which advocated the adoption of the new state law, has favored municipalities adopting Moratoriums such as the one that the Council is now being asked to consider.

This proposed Moratorium clearly is only a first step. If the new Act survives the recount, and the Council adopts the Moratorium, City staff will approach the Council at a future date to outline a proposed process to consider potential local regulations for activities that will be subject to local regulation. Lastly, Patrick Walsh, who lives in Belfast and who works for Broadreach, contacted the City after hearing about the proposed Moratorium at the December 6 Council meeting and provided a synopsis of the Act for municipalities that was prepared by Communities Against Substance Abuse. The synopsis appears to address many of the concerns which municipalities will need to consider; reference attached.

I would be happy to address any questions at the Council meeting.

**PROPOSED AMENDMENTS to CITY CODE OF ORDINANCES
CITY of BELFAST CITY COUNCIL
FIRST READING TUESDAY, DECEMBER 20, 2016
MORATORIUM on MARIJUANA RETAIL ESTABLISHMENTS and
RETAIL MARIJUANA SOCIAL CLUBS**

Notes to Public Regarding the Proposed Ordinance Amendments

- 1) At the November 8, 2016 election the voters of the State of Maine adopted (subject to verification via a requested recount) the 'Marijuana Legalization Act'. This Act creates opportunities for the retail sale of marijuana, the cultivation of marijuana for retail sale, and establishment of marijuana social clubs in the State, and establishes the right for a municipality, such as Belfast, to decide to regulate or prohibit such operations. Further, the Act establishes requirements for the Maine Department of Agriculture, Conservation and Forestry to develop State regulations to help implement the new Act, and provides the agency 9 months after the effective date of this Act to accomplish this task. As there is considerable uncertainty regarding the regulations that the State may adopt, and because the City has not had an opportunity to consider potential impacts of this Act on the community and current land use regulations, the City Council is proposing to establish a 180 day moratorium on the retail sale of marijuana, the cultivation of marijuana for retail sale, and the establishment of marijuana social clubs in Belfast.

The proposed establishment of a 180 day moratorium (as permitted by State law) does not represent the City taking a position of being pro or con on the new Act, it simply enacts a holding period in which the community can investigate and decide how it should proceed with respect to regulation of this newly created industry. Also, the City has the right to extend a moratorium for an additional period of 180 days, but it cannot use a moratorium over the long-term to avoid deciding how to proceed. If this moratorium is adopted, the intent of the City is to use the time period stipulated in the moratorium to decide how it should proceed with regulation of this new industry in the long term. Also, as of December 6, at least 24 other municipalities in Maine, have adopted similar moratoriums.

- 2) The Belfast City Council is conducting the First Reading of this proposal at its meeting of December 20, 2016, and anticipates conducting the Second Reading and public hearing at its meeting of January 3, 2017. The City Council has the authority to adopt the proposed moratorium after conducting the Second Reading and public hearing.
- 3) Questions regarding the proposed Moratorium should be directed to Wayne Marshall, City Planner, at 338-1417 x 25, or at wmarshall@cityofbelfast.org.
- 4) As all language in this proposed Moratorium is new language, all language is shown in standard Black Font.

**TEXT OF PROPOSED MORATORIUM
CITY OF BELFAST, MAINE**

ORDINANCE, Enacting a Moratorium on Retail Marijuana Establishments and Retail Marijuana Social Clubs, upon the following findings and conclusions of law:

WHEREAS, the Marijuana Legalization Act (the “Act”), was passed by Referendum Ballot in Maine as voted upon on November 8, 2016 which legalized the recreational use of marijuana;

WHEREAS, the Act allows a municipality to regulate or prohibit the operation of retail marijuana establishments (stores, cultivation facilities, product manufacturing facilities, and testing facilities) and retail marijuana social clubs (businesses selling marijuana for consumption on the premises) within the municipality’s jurisdiction;

WHEREAS, there are concerns about the public health and safety of marijuana as well as concerns about the impact that this law will have in the City of Belfast, and being cognizant, the State of Maine Department of Agriculture, Conservation and Forestry has yet to adopt the required Rules for such retail establishment and pursuant to the Act, has 9 months post the effective date of the Act to adopt required Rules;

WHEREAS, the City needs time to better understand the outcomes of this legislation and rulemaking before determining how, and where within the zoning districts previously adopted, retail marijuana can be safely and compatibly permitted in the City of Belfast, or if all such operations should be prohibited;

WHEREAS, the local legislative process provides an opportunity for increased discussion and awareness of the consequences of retail recreational marijuana, and discussion of the impacts on the community;

WHEREAS, retail marijuana establishments and social clubs require public health, safety, and welfare consideration in that there is no readily available measure for public safety personnel to employ to determine a person’s ability to safely operate motorized vehicles after recreational consumption at social clubs;

WHEREAS, the increased use of marijuana, including through its cultivation, sale, and use in social clubs in the City of Belfast create the potential additional burden on the City of Belfast’s public facilities, especially the City’s public health and public safety resources;

WHEREAS, the City of Belfast needs to consider the impact of such establishments regarding the proximity to schools, churches, residential neighborhoods and other permitted uses;

WHEREAS, a temporary prohibition on retail marijuana establishments and retail marijuana social clubs is therefore appropriate in order to determine what regulation, if any, is necessary at the local level within the City of Belfast;

NOW THEREFORE, be it Ordained by the City of Belfast City Council as follows, that:

A Moratorium on the use and issuance of permits for retail marijuana establishments and retail marijuana social clubs is hereby enacted and approved as follows:

1. Necessity.

Municipalities are authorized by 30-A M.R.S. § 4356(1) to enact moratoria:

- (a) to prevent a shortage or an overburden of public facilities that would otherwise occur during the effective period of the Moratorium or that is reasonably foreseeable as a result of any proposed or anticipated development; or
- (b) because the application of existing comprehensive plans, land use Ordinances or regulations or other applicable laws, if any, is inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographical area.

In accordance with 30-A M.R.S. § 4356(1), and consistent with the findings referenced above, the City Council of the City of Belfast finds that a Moratorium on retail marijuana establishments and retail marijuana social clubs is necessary and warranted.

2. Moratorium.

Retail marijuana establishments and retail marijuana social clubs, as defined in the Marijuana Legalization Act, are hereby prohibited in the City of Belfast. Furthermore, no building or use permit, certificate of occupancy, or other permit shall be issued for any such use pending the Moratorium enactment period.

3. Term.

This Moratorium shall continue for one hundred eighty (180) days from the date of its enactment by the City Council. It may be extended for an additional one hundred eighty (180) days in accordance with 30-A M.R.S. § 4356(2) upon a finding by the City Council of the City of Belfast that the problem giving rise to this Moratorium continues to exist and reasonable progress is being made to alleviate the problem giving rise to the need for this Moratorium.

4. Applicability and Enactment.

Notwithstanding the provisions of 1 M.R.S. § 302, this Moratorium shall apply retroactively to all actions, inquiries and proceedings introduced or pending as of November 8, 2016 or thereafter. This Moratorium was enacted by the Belfast City Council on -----, 2017.

A Summary for Municipalities: The Citizen's Initiative to Legalize Marijuana

Note: *Currently there are many parts of the Act and proposed process that may be modified.*

- *The timeline is a moving target and now starts after the recount is completed in January 2017.*

The Department of Agriculture, Conservation and Forestry will be the state licensing authority for regulating and controlling the licensing of the cultivation, manufacture, distribution, testing, and sale of retail marijuana and retail marijuana products in Maine.

1. Authorizes establishment of six retail marijuana licenses:

A. Retail marijuana store – authorized to sell ONLY marijuana, retail marijuana products, marijuana accessories, non-consumable products such as apparel and marijuana-related products such as child-resistant containers for purchase by consumers over the age of 21. Products are prohibited from being consumed on premises. *Licensing fee: \$250 to \$2,500.*

B. Retail marijuana cultivation facility – licensed to cultivate, prepare and package retail marijuana and sell retail marijuana to retail marijuana establishments and retail marijuana social clubs.

- There are two licenses in this category:
 - Those with 3,000 square feet or less of plant canopy and
 - Those with more than 3,000 square feet of plant canopy.
- The maximum amount of unit blocks allowed to a single licensee is 300 (each unit block is 100 square feet, so 300 unit blocks is 30,000 square feet).
- No more than 6 retail marijuana cultivation facilities or more than 30,000 square feet of plant canopy may be located on the same parcel of property.
- Products are prohibited from being consumed on premises.
- Licensing fee: \$10 to \$100 per unit block

C. Retail marijuana products manufacturing facility – licensed *to purchase* retail marijuana; *manufacture, prepare and package* retail marijuana products; and *sell* retail marijuana and retail marijuana products *only* to other retail marijuana product manufacturing facilities, retail marijuana stores and retail marijuana social clubs.

- Products are prohibited from being consumed on premises.
- Licensing fee: \$100 to \$1,000

D. Retail marijuana testing facility - certified to analyze and certify the safety and potency of retail marijuana and retail marijuana products.

- Licensing fee: \$500

E. Retail marijuana social club – may sell only retail marijuana and retail marijuana products to consumers for consumption on the licensed premises.

- Licensing fee: \$250 to \$2,500

F. Occupational related licenses for people working in these types of businesses

2. Local Control

An applicant is prohibited from:

- Operating a retail marijuana establishment (store, cultivation facility, manufacturing facility, or testing facility) or retail marijuana social club without state licensing authority or municipal approval.
- The state licensing authority may not limit the total number of retail marijuana stores in Maine.
- A **municipality** may:
 - Regulate the number of retail marijuana stores
 - Regulate the location and operation of retail marijuana establishments and retail marijuana social clubs
 - Prohibit operation of retail marijuana establishments and retail marijuana social clubs within its jurisdiction.

3. Local Licensing (page 23)

- A municipality may regulate the location and operation of retail marijuana establishments and retail marijuana social clubs pursuant to Title 30-A, chapter 187, subchapter 3.
 - *Noting in this chapter prohibits the registered voters of a municipality from calling for a vote on any regulations adopted by a municipal legislative body.*
- A retail marijuana establishment or retail marijuana social club may not operate until it is licensed by the state licensing authority and approved by the municipality in which it is located.
- Within 7 days of receiving it, the state licensing authority will provide a copy of the application and 50% of the licensing fee to the municipality in which the establishment or club is to be located. The municipality shall inform the state licensing authority whether the application complies with the local land use ordinance and other local restrictions.
- A municipality may impose a separate local licensing requirement as a part of its restrictions on time, place, manner, and the number of marijuana businesses. If it does, it may choose to hold a public hearing prior to the issuance of a retail marijuana establishment or retail marijuana social club license.

4. Personal Use of Marijuana (page 25)

A. Person 21 years of age or older. A person 21 years of age or older may:

- Use, possess or transport marijuana accessories and up to 2 1/2 ounces of prepared marijuana;
- Transfer or furnish, without remuneration, up to 2 1/2 ounces of marijuana and up to 6 immature plants or seedlings to a person who is 21 years of age or older;
- Possess, grow, cultivate, process or transport up to 6 flowering marijuana plants, 12 immature plants and unlimited seedlings, and possess all the marijuana produced by the plants at the adult's residence;

- Purchase up to 2 1/2 ounces of retail marijuana and marijuana accessories from a retail marijuana store; and
- Purchase up to 12 seedlings or immature plants from a retail marijuana cultivation facility.

B. Home cultivation. The following provisions apply to the home cultivation of marijuana for personal use by a person who is 21 years of age or older.

- A person may cultivate up to 6 flowering marijuana plants at that person's place of residence, on property owned by that person or on another person's property with written permission of the owner of the property. Each plant must be tagged with the owner's name (must be over 21) and Maine driver's license number.
- A person who elects to cultivate marijuana shall ensure the marijuana is not visible from a public way without the use of binoculars, aircraft or other optical aids and shall take reasonable precautions to prevent unauthorized access by a person under 21 years of age.
- Marijuana cultivation for medical use is not considered cultivation for personal use and this section does not apply to cultivation by a registered dispensary licensed pursuant to Title 22, section 2428.

5. Use. A person may consume marijuana in a nonpublic place including a private residence.

- The prohibitions and limitations on smoking tobacco products in specified areas apply to smoking marijuana.
- A person who smokes marijuana in a public place other than as governed by Title 22, chapters 262 and 263 commits a civil violation for which a fine of not more than \$100 may be adjudged.
- This subsection may not be construed to shield any adult from federal prosecution.
- This subsection may not be construed to allow any adult to possess or consume marijuana on federal property.

For More information contact:

Jennah Godo, MS, PS-C

School Outreach and Substance Abuse Prevention Coordinator

Access Health

Mid Coast Hospital

66 Baribeau Dr, Suite 5A, Brunswick, ME 04011

373.6970

All materials are for general informational purposes. The information presented is not legal advice.