

\*These are "Action Only" minutes. Video of comments may be found on recorded discs at City Hall or at [www.cityofbelfast.org](http://www.cityofbelfast.org).\*

**City of Belfast  
Council Chambers-Belfast City Hall  
Tuesday, July 18, 2017  
Committee Interviews 5:30 p.m.  
Regular Council Meeting 7:00 p.m.**

**Public Hearing #1**

Pursuant to Belfast Victualer License Ordinance a public hearing will be held on July 18, 2017 at 7:00 p.m., or as soon as possible thereafter, in the Council Chambers of Belfast City Hall on a renewal application for a Victualer's License for Tammy Benecke d/b/a Country Rose located at 100 Searsport Ave., Belfast, ME, license to expire May 31, 2018.

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

**Public Hearing #2**

The Belfast City Council, at its meeting of Tuesday, July 18, 2017, 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 St., shall conduct a public hearing regarding proposed amendments to the City Code of Ordinances, Chapter 62, Utilities, Article II, Sanitary Sewer, Sec 62-35, Sewer Charges. The Council, in adopting these amendments, also intends to increase current sewer charges for the connection to and use of public sewers and to make changes in how fees are calculated.

Persons who may be affected by this proposal are encouraged to attend the July 18 public hearing and to offer comment. Alternatively, comment can be submitted in writing to Wayne Marshall, City Planner, City of Belfast, 131 Church St, Belfast, ME, 04915, or by email to [wmarshall@cityofbelfast.org](mailto:wmarshall@cityofbelfast.org). The proposed amendments can be viewed on the City website, [cityofbelfast.org](http://cityofbelfast.org), reference Planning and Codes tab, and a copy is available for inspection at the Code and Planning Offices in City Hall during normal business hours, Monday - Friday, 8:00 am - 5:00 pm. Questions regarding the proposal should be directed to Wayne Marshall, City Planner, at 338-1417 x 25, or by email at [wmarshall@cityofbelfast.org](mailto:wmarshall@cityofbelfast.org).

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

**Public Hearing #3**

The City of Belfast City Council, at its meeting of Tuesday, July 18, 2017, 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 adoption of a proposed extension to an existing Moratorium to prohibit the following activities that will be permitted by the 'Marijuana Legalization Act': operation of a marijuana retail sale establishment, operation of a marijuana cultivation establishment for retail sale, and operation of a marijuana retail social club. The City Council, at its meeting of January 3, 2017, adopted a moratorium for 180 days to

prohibit such activities, and now intends to extend this moratorium for an additional 180 days and to have the extension of this moratorium be retroactive to July 2, 2017. The purpose of this proposed Moratorium is to enable City officials and the community an opportunity to decide how Belfast may want to establish local regulations that would apply to the operation of the newly permitted activities regarding marijuana. Belfast does not intend to act on local regulations until after the State adopts its regulations; the State has not yet enacted regulations.

Persons who may be affected by the proposed Moratorium are encouraged to attend the July 18 public hearing and to offer comment. Alternatively, comment can be submitted in writing to Wayne Marshall, City Planner, City of Belfast, 131 Church St, Belfast, ME, 04915, or by email to [wmarshall@cityofbelfast.org](mailto:wmarshall@cityofbelfast.org). The language for the proposed Moratorium can be viewed on the City website, [cityofbelfast.org](http://cityofbelfast.org), reference Planning and Codes tab, and a copy is available for inspection at the Code and Planning Offices in City Hall during normal business hours, Monday - Friday, 8:00 am - 5:00 pm. Questions regarding the proposal should be directed to Wayne Marshall, City Planner, at 338-1417 x 25, or by email at [wmarshall@cityofbelfast.org](mailto:wmarshall@cityofbelfast.org).

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

#### **Public Hearing #4**

In accordance with the Belfast City Charter a public hearing will be held to discuss the proposed budget for the City of Belfast 2017-2018 fiscal year. The hearing will be held on Tuesday, July 18, 2017 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall at 131 Church Street, Belfast, Maine. The hearing will also be broadcast live on Bel-TV, Time Warner Cable Channel 7.

A copy of the proposed budget may be found in the July 6, 2017 edition of the Republican Journal and also on the City of Belfast web site at [www.cityofbelfast.org](http://www.cityofbelfast.org). The complete proposed budget may be examined weekdays between the hours of 8:00 a.m. to 5:00 p.m. in the office of the City Treasurer.

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

Mayor Ash asked for proponents and opponents.

1. Barb Gage of Belfast inquired about the reduction in funding for the General Assistance program.
2. Paul Dean of Belfast recommended that the City place the Planning Department document which listed current projects that was discussed at the Planning Board meeting in February on the City website and to update it regularly to help keep the public aware of what projects are going on and what funding is being used for from year to year.

Mayor Ash declared the hearing closed.

## Regular Council Meeting No. 2

### 1) Call to order

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

### 3) Pledge of Allegiance

### 4) Adoption of the agenda

City Manager, Joseph Slocum informed the Council that the City has received a request from Corey Chase to extend his liquor license to the side walk in front of their business for the Annual Street Party on August 7<sup>th</sup>, Councilors unanimously agreed to place the request on the August 1<sup>st</sup> Council Meeting for consideration.

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

### 5) Acceptance of the minutes

Regular Council Meeting of July 5, 2017.

Councilor Arrison, seconded by Councilor Mortier, made a motion to accept the minutes from Regular Council Meeting of July 5, 2017. This was approved, 5-0.

### 6) Open to the public

No public comments.

### 7) Communications

City Manager, Joseph Slocum discussed the following:

- Informed the Council that the City has hired an engineer to look at Swan Lake Ave., the engineer will be here in early August.

- Informed the Council that letters to MDOT have been sent regarding Swan Lake Ave. and Mill Lane.
- Thanked all who worked on another successful Celtic Celebration over the weekend.
- Informed the public and Council that the Chamber of Commerce Director has resigned.
- Discussed a recent newspaper article regarding writing off ambulance fees.

Councilor Sanders talked about the recent open house for the Crosby Center.

Councilor Hurley requested a discussion on housing with Council at the August 1<sup>st</sup> Council Meeting.

Councilor Harkness discussed Sears in Belfast closing and Ducktrap River of Maine expanding in Belfast.

Councilor Arrison noted progress being made on sidewalks on High Street.

Mayor Ash provided an update on the Celtic Celebration and discussed limited parking in Belfast during these highly attended events.

## 8) Old Business and Council Committee Reports

No comments.

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

- A. Request to approve a renewal application for a Victualer's License for Tammy Benecke d/b/a Country Rose located at 100 Searsport Ave. Belfast, ME, license to expire May 31, 2018.
- B. Request to approve an off premises catering permit for The Crusty Crab LLC d/b/a The Front Street Pub for the Maine Celtic Celebration located at the Belfast Commons Park from 10:00 a.m. on July 14, 2017 to 10:00 p.m. on July 16, 2017.

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

## 10) Business

- A) Consideration of possible Committee appointments.

City Clerk, Amy Flood explained that she was available if Council had any questions regarding current openings for each of the committees being discussed.

Councilors discussed and appointed members to the following committees:

Councilor Hurley, seconded by Councilor Harkness, made a motion to appoint Will Martel, Roger Lee, Zafra Whitcomb and Doug Chamberlain to the Broadband Committee. This motion was approved, 5-0.

Councilor Hurley, seconded by Councilor Mortier, made a motion to appoint Jonathan Fulford and Matt O’Malia to the Energy Committee. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Hurley, made a motion to appoint Robin Kruger and Kay Zegal to the Library Board of Trustees. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Arrison, made a motion to appoint Heather Hay-Brackett to the Parks & Recreation Commission. This motion was approved, 5-0.

**B) Request from the Garden Club for permission to place a sign that promotes their fundraising activities.**

Parks and Recreation Director, Norm Poirier briefly informed the Council on the proposed design and locations of these signs.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from the Garden Club to place signs that promotes their fundraising activities on City property. This was approved, 5-0.

**C) Consideration and possible adoption of the City Budget for the period July 1, 2017 to June 30, 2018.**

City Manager, Joseph Slocum answered the citizen inquiry about the change in funding to the General Assistance program and addressed a few highlights of the new budget.

Councilor Sanders, seconded by Councilor Harkness, made a motion to adopt the City Budget for the period July 1, 2017 to June 30, 2017 as presented. This was approved, 5-0.

**D) Second Reading on a proposed extension of the moratorium currently prohibiting the creation of marijuana facilities in Belfast.**

City Planner, Wayne Marshall explained the request to extend the current moratorium for another 180 days and to have the extension of this moratorium be retroactive to July 2, 2017.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the Second Reading on proposed 180 day extension (until December 31, 2017) of the moratorium currently prohibiting the creation of marijuana facilities in Belfast. This was approved, 5-0.

E) Request the Economic Development Director to transfer funds from the Airport Maintenance Reserve to pay for maintenance related expenses.

Economic Development Director, Thomas Kittredge explained the request to transfer \$6,858.52.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request from the Economic Development Director to transfer funds from the Airport Maintenance Reserve to pay for maintenance related expenses. This was approved, 5-0.

F) Second Reading and propose amendments to the City Code of Ordinances regarding sewer connection fees.

City Planner, Wayne Marshall explained the request to implement this policy in connection to Chapter 62 of the City Code of Ordinances and reviewed changes made with this new policy.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the Second Reading on proposed amendments to the City Code of Ordinances regarding sewer connection fees. This was approved, 5-0.

G) Further consideration of the proposal to remove a large shade tree at 220 Main St.

Councilor Hurley reviewed the proposal from Johnson's Arboriculture.

Councilors discussed the request to remove the tree and reviewed the quotes provided to either prune or remove the tree.

Councilors discussed the importance of creating a list of trees that are considered top priority for future removal.

Councilor Arrison noted that the minutes from the Council Meeting of July 5<sup>th</sup> regarding the City's request to have a list of top priority trees should be amended to say the Public Works Director, not Tree Warden, in reference to who should be creating the list.

Councilor Hurley requested a written quote from the City arborist for removal of this tree before the Council makes a final decision.

Councilor Arrison, seconded by Councilor Sanders, made a motion to table the request to remove the tree at 220 Main Street until August 1, 2017. This was approved, 5-0.

H) Request to accept trust funds for the perpetual care of the Cemetery for the fiscal year 2016 – 2017.

No Council discussion.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request to accept trust funds for the perpetual care of the Cemetery for the fiscal year 2016-2017. This was approved, 5-0.

I) Update on sidewalk projects.

City Manager, Joseph Slocum provided an update on current sidewalk projects and discussed long term options with Councilors.

J) Discussion on the types of new bollards for the Harbor Walk.

City Manager, Joseph Slocum requested that the Council think about possible replacement options for bollards on the Harbor Walk, something safe and moveable.

Councilors briefly discussed possibilities.

K) Update and discussion on repairs needed for the well at the Head of the Tide.

City Manager, Joseph Slocum explained to Council that the two masons who have volunteered their services are unable to do the work until the end of the summer and requested guidance from the Council on how they would like to proceed.

Council unanimously agreed to have City staff build a new well structure out of wood.

L) Request going to executive session to discuss an economic development matter pursuant to 1 M.R.S.A. 405 (6) C.

Councilor Sanders, seconded by Councilor Mortier, made a motion to go into Executive Session to discuss an Economic Development matter pursuant to 1 M.R.S.A Section 405 (6) C at 8:40 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) C at 9:45 p.m. This motion was approved, 5-0.

M) Request going to executive session to discuss personnel matter pursuant to 1 M.R.S.A. 405 (6) A.

Councilor Sanders, seconded by Councilor Harkness, made a motion to go into Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 9:45 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 10:07 p.m. This motion was approved, 5-0.

O) Signing of Council Orders and housekeeping items.

## 11) Open to the Public

1. Economic Development Director, Thomas Kittredge provided an update on the Broadband Committee and informed the Council that a member of Ducktrap River of Maine will be at the next City Council Meeting to discuss how their plans to expand in Belfast.

## 12) Communications

City Planner, Wayne Marshall and Councilors discussed plans for upcoming rangeway meetings, scheduling a Work Session on the rangeways for 5:30 p.m. on August 1, 2017.

Councilor Hurley inquired about hiring Green's Tree Service to trim the tree between City Hall and the Superior Court House.



Councilor Hurley, seconded by Councilor Sanders, made a motion to hire Green's Tree Service to prune the tree between City Hall and the Superior Court House. This motion was approved, 5-0.

Councilor Sanders discussed the fact that there may be upcoming discussions on creating a new tri-town school within RSU #71 and informed the public about upcoming theater productions in Belfast.

City Manager, Joseph Slocum updated the Council on Union negotiation meetings and informed the public that the first payment of taxes would be due at the end of September.

Mayor Ash discussed the following:

- Requested the Council consider placing a "Slow" and/or "Pedestrian Crossing" signs by Belfast Variety Store, as he has had many citizen concerns about walking in that area.
- Concerned with lack of picnic tables in Belfast City Park and inquired about purchasing additional tables.
- Suggested closing the Belfast Skate Park until new park is built.

Councilor Mortier inquired about when benches purchased by the City of Belfast and Chamber of Commerce would be installed.

Parks and Recreation Director, Norm Poirier informed the Council that the benches purchased by the Chamber and the City are coming but there has been some delays in the order.

### 13) Adjourn

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn the meeting at 10:07 p.m. This motion was approved, 5-0.

I 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