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**City of Belfast
Council Chambers-Belfast City Hall
Tuesday, March 6, 2018
7:00 p.m.**

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, March 6, 2018 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear a New application by Nutjarin Sukkasemsri d/b/a Rice & Noodle Thai Restaurant LLC, located at 160 Searsport Ave. Belfast, Maine for a Malt and Vinous Restaurant/Lounge (Class I-IV) license, interior only.

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

Regular Council Meeting No. 17

1) Call to order

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

3) Pledge of Allegiance

4) Adoption of the agenda

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

- Add to item **10) B**, consideration of selling a 4th piece of Public Works equipment.
- Add item **10) P #2** Request to go into an Executive Session on an Economic Development matter pursuant to 1 M.R.S.A. 405 (6) C.

Mayor Samantha Paradis requested to amend the agenda as follows:

- Add item **10) P #1** Discussion on sending a follow-up letter regarding solar to Senator Thibodeau.
- Add item **10) B #1** Discussion on marijuana with the Public Health Nurse and a local school nurse.

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

5) Acceptance of the minutes

Regular Council Meeting of February 20, 2018.

Councilor Arrison, seconded by Councilor Sanders, made a motion to accept the minutes from Regular Council Meeting of February 20, 2018. This was approved, 5-0.

Special Council Meeting of February 20, 2018.

Councilor Harkness, seconded by Councilor Arrison, made a motion to accept the minutes from Special Council Meeting of February 20, 2018. This was approved, 5-0.

6) Open to the public

1. Joanne Moesswilde of Belfast discussed concerns with Nordic Aquafarm proposal.
2. Karin Spitfire of Belfast discussed concerns with Nordic Aquafarm proposal and inquired about whether or not the City had vetted the company.
3. Larry Theye of Belfast discussed concerns with the Nordic Aquafarm rezoning proposal and the effect it may have on the transformation of the neighborhood and Belfast.
4. Sid Block of Northport addressed concerns with proposed land sale agreement between Nordic Aquafarm, the Water District and the City of Belfast.
5. Public Health Nurse, Susan Dupler provided an update on the Public Health Nurse program.

7) Communications

Councilor Harkness congratulated Chase's Daily on James Beard nomination and noted the letter received from DG Aviations.

City Manager, Joseph Slocum reminded the Council that the March 20th Council Meeting will start at 6:30 p.m. to conduct a committee interview, provided an update to the Council on the status of the new Fiberright facility and recommended that anyone with City business to attend to do so before the storm on Thursday incase City Hall is closed.

Councilor Hurley provided an update on the Concord Trails Bus stop, informed the public of the upcoming Job Fair on March 20th and that the "Keeping Belfast Beautiful" committee will be meeting on March 12th at 6:00 p.m. here at City Hall if anyone is interested in participating.

Mayor Samantha Paradis provided an update on some of the community organizations she has had the pleasure of meeting and working with and thanked the public for their attendance and participation at the Public Information Meeting regarding the Nordic Aquafarm proposal.

8) Old Business and Council Committee Reports

No communications.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a new application by Nutjarin Sukkasemsri d/b/a Rice & Noodle Thai Restaurant LLC, located at 160 Searsport Ave. Belfast, Maine for a Malt and Vinous Restaurant/Lounge (Class I-IV) license, interior only.
- B. Request to approve an off premises catering permit for The Otis Group Inc. d/b/a Rollie's Bar & Grill for the Our Town Annual Meeting at the Belfast Boathouse, 34 Commercial Street, Belfast, Maine on March 14, 2018 from 5:00 p.m. to 8:00 p.m.
- C. Request to approve a Facility Use application by the American Lung Association for the 2018 Trek Across Maine event on Sunday, June 17, 2018.
- D. Request to approve a Facility Use application by the Waldo County YMCA for the annual Pancake Triple Stack trio of races (10K, 5K and 1 mile road races) on Sunday, October 7th from 7:30 am to 11:00 a.m.
- E. Request to approve a Facility Use application by the Belfast Rotary Club for the 6th Annual 5K Kilted Canter Road Race in conjunction with the 2018 Celtic Celebration on Saturday, July 21st from 7:00 a.m. to 10:00 a.m.

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

10) Business

A) Introduction of proposed amendments to City Ordinances and to the Adopted Future Land Use Plan (2009) regarding the Nordic Aquafarm projects.

Director of Code and Planning, Wayne Marshall reviewed the proposed process and schedule for adopting Ordinance amendments and Future Land Use Plan amendments.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the recommendation to hold the First Reading and Public Hearing on amendments to City Ordinances at the March 20, 2018 Council Meeting. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the recommendation to hold the Second Reading and Public Hearing on amendments to City Ordinances at the April 17, 2018 Council Meeting. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the recommendation to schedule the Hearings for the Land Use Plan amendments on March 20, 2018 and April 17, 2018. This motion was approved, 5-0.

B) #1 Discussion on marijuana with the Public Health Nurse and a local school nurse.

Public Health Nurse, Susan Duplar and School Nurse for Captain Albert Stevens Elementary, Chris Harrington spoke of concerns with marijuana edibles being targeted to young children and urged the City Council to speak with representatives who could provide them with more information regarding the effects of marijuana on school aged children before making any formal decision on regulations regarding the retail sale of marijuana in Belfast.

Councilors agreed that this issue is not ready to tackle yet, and unanimously agreed to reach out for a Council Work Session on the issue when it becomes more relevant.

B) Request from Public Works Director, Bob Richards, to sell 4 pieces of City equipment.

Public Works Director, Bob Richards reviewed the 4 pieces of equipment and recommend the Council authorize the sale as presented.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the recommendation from Public Works Director, Bob Richards and to sell 4 pieces of City property as presented. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to amend the agenda, moving items **10) F** and **10) G** to **10) B #3** and **10) B# 4**. This motion was approved, 5-0.

B) #2 Request to compromise on parking tickets received downtown.

City Manager, Joseph Slocum explained the situation and noted that the City Attorney has recommended that the City Council not take action on the matter, but instead offer Josh Ard the opportunity for a hearing by either the Police Chief or City Manager.

Josh Ard explained concerns with current parking enforcement in Belfast and requested that the City release his vehicle from impound.

Councilor Harkness, seconded by Councilor Mortier, made a motion to authorize the City Manager to provide Josh Ard an opportunity for a hearing. This motion was approved, 5-0.

B) #3 Request to renew a Liquor License for the Otis Group Inc. d/b/a Rollie's Bar & Grill.

City Manager, Joseph Slocum explained concerns brought forward regarding lack of compliance with ban on plastic bag and expanded polystyrene ordinances, he recommended that the Council approve the liquor license and Special Amusement Permit and precede with ordinance violation procedures as needed.

Ryan Otis owner of Rollie's Bar & Grill explained that they are currently in compliance with the ordinances noting that they use extruded polystyrene and have purchased bags made from corn.

Councilor Sanders requested that the City look into health risks of extruded polystyrene.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request to renew a liquor license for the Otis Group Inc. d/b/a Rollie's Bar & Grill. This motion was approved, 5-0.

B) #4 Request to renew a Special Amusement Permit (dancing and entertainment) for the Otis Group Inc. d/b/a Rollie's Bar & Grill.

No Council discussion.

Councilor Harkness, seconded by Councilor Sanders, made a motion to accept the request to renew a Special Amusement Permit for the Otis Group Inc. d/b/a Rollie's Bar & Grill. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to amend the agenda, moving items 10) C – E to 10) P #2 - 4. This motion was approved, 5-0.

C) Presentation by City Director of Code and Planning, Wayne Marshall, on proposed amendments to the City Code of Ordinances, Chapter 80 addressing the In-town Design Review.

Item moved to **10) P #2.**

D) Public Hearing on proposed amendments to the City Code of Ordinances, Chapter 80 addressing the In-town Design Review.

Item moved to **10) P #3.**

E) Second Reading and possible vote on proposed amendments to the City Code of Ordinances, Chapter 80 addressing the In-town Design Review.

Item moved to **10) P #4.**

F) Request to renew a Liquor License for the Otis Group Inc. d/b/a Rollie's Bar & Grill.

Item moved to **10) B #3.**

G) Request to renew a Special Amusement Permit (dancing and entertainment) for the Otis Group Inc. d/b/a Rollie's Bar & Grill.

Item moved to **10) B #4.**

H) Discussion on the presentation topics for the Council's meeting at the school assembly on March 30th.

Councilors discussed how to organize their presentation to the Belfast Area High School students regarding social responsibility on March 30th.

I) Request from Police Chief, Mike McFadden, to approve the acceptance of criminal forfeiture funds in the amount of \$6,000 as part of the spoils from a criminal case where the Belfast Police Department played a significant role.

Councilors discussed with Chief of Police, Mike McFadden the circumstances regarding this particular forfeiture.

Chief of Police, Mike McFadden recommended that funding be placed into the Police Department Forfeiture Account.

Councilor Mortier, seconded by Councilor Sanders, made a motion to approve the acceptance of criminal forfeiture funds in the amount of \$6,000, funding to be placed into the Police Department Forfeiture Account. This motion was approved, 5-0.

J) Request from Economic Development Director, Thomas Kittredge, for the City to authorize the submission of a letter to the Maine Department of Economic and Community Development to request the possibility of Opportunity Zone Eligibility for the City of Belfast.

Economic Development Director, Thomas Kittredge explained the request and answered Council questions regarding this new program.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request from Economic Development Director, Thomas Kittredge, for the City to authorize the submission of a letter to the Maine Department of Economic and Community Development to request the possibility of Opportunity Zone Eligibility for the City of Belfast. This motion was approved, 5-0.

K) Request from P.A.W.S. to use Steamboat Landing for canine games and family festival on Saturday, June 23rd from 9 A.M. to 2 P.M.

No Council discussion.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the Facility Use Request from P.A.W.S. to use Steamboat Landing for canine games and family festival on Saturday, June 23rd from 9 A.M. to 2 P.M. This motion was approved, 5-0.

L) Request from Coastal Mountain Land Trust to use the Rail Trail on June 2, 2018 for a 5K and 5 mile run/walk.

Parks & Recreation Director, Norm Poirier briefly explained the plan to develop a run series for Belfast.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the Facility Use Request from Coastal Mountain Land Trust to use the Rail Trail on June 2, 2018 for a 5K and 5 mile run/walk. This motion was approved, 5-0.

M) Update on scheduling a hearing on speed on Mill Lane and Council member suggestion that the City assume all responsibility from the State to take over local speed regulation subject to State regulatory requirements.

City Manager, Joseph Slocum recommended holding the public hearing on April 24th at 4:30 p.m., Council unanimously agreed.

Councilors discussed how the City could assume responsibility from the State to take over local speed requirements, unanimously deciding to table the issue at this time.

N) First Reading on a proposed order authorizing borrowing in the amount of \$9,100,000 and a tentative recommendation on the bank to use for short-term borrowing.

City Manager, Joseph Slocum explained the request and what these funds would be utilized for.

Councilor Arrison requested further detail on loan conditions when available.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the First Reading on a proposed order authorizing the borrowing in the amount of \$9,100,000 and a tentative recommendation on the bank to use for short-term borrowing, with Second Reading on March 20, 2018. This motion was approved, 5-0.

O) Request to compromise on parking tickets received downtown.

Item moved to **10) B # 2.**

P) Consideration of MPUC required Waiver of Right of First Refusal of Land to be sold to Nordic Aquafarms.

City Manager, Joseph Slocum explained what this Wavier of Right of First Refusal is.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the MPUC required Waiver of Right of First Refusal of land to be sold to Nordic Aquafarms. This motion was approved, 5-0.

P) #1 Discussion on sending a follow-up letter regarding solar to Senator Thibodeau.

Mayor Paradis explained the request to send an additional letter to Senator Thibodeau from the Council regarding a request for response regarding.

Councilor Harkness, seconded by Councilor Sanders, made a motion to send a letter regarding solar to Senator Thibodeau from the Council. This motion was approved, 5-0.

P) #2 Presentation by City Director of Code and Planning, Wayne Marshall, on proposed amendments to the City Code of Ordinances, Chapter 80 addressing the In-town Design Review.

Director of Code and Planning, Wayne Marshall provided a brief presentation on the proposed amendments.

P) #3 Public Hearing on proposed amendments to the City Code of Ordinances, Chapter 80 addressing the In-town Design Review.

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

P) #4 Second Reading and possible vote on proposed amendments to the City Code of Ordinances, Chapter 80 addressing the In-town Design Review.

Director of Code and Planning, Wayne Marshall recommending adopting the amendments as presented.

Councilor Sanders, seconded by Councilor Arrison, made a motion to accept the Second Reading on proposed amendments as presented to the City Code of Ordinances, Chapter 80 addressing the In-town Design Review. This motion was approved, 5-0.

P) #5 Request to go into an Executive Session on an Economic Development matter pursuant to 1 M.R.S.A. 405 (6) C.

Councilor Harkness, seconded by Councilor Sanders, made a motion to go into Executive Session on an Economic Development matter pursuant to 1 M.R.S.A. 405 (6) C at 11:10 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Arrison, made a motion to adjourn Executive Session on an Economic Development matter pursuant to 1 M.R.S.A. 405 (6) C at 12:03 a.m. This motion was approved, 5-0.

Q) Signing of Council Orders and housekeeping items.

11) Open to the Public

No public comments.

12) Communications

Councilor Hurley invited the public to the Our Town Belfast Annual Meeting on March 14th, he reminded the Council of the April 10th joint Work Session with the Planning Board and Council on housing at 6:00 p.m., and requested an update regarding an Emergency Management Drill.

Council Harkness thanked the City Clerk’s staff for attending both caucuses and registering citizens to vote.

Councilor Sanders wished the school chess group luck on their tournament and thanked the community for their ongoing support.

Mayor Paradis informed the Council of the recent tour of the new Court House site and invited the public to a ‘March for our lives’ event on March 24th starting at the Post Office.

Councilor Hurley discussed the “School Walk-out” event on March 14th and any adults who wish to support the event can meet at corner of Main and High Streets at 10:00 a.m.

Mayor Paradis informed the Council of a letter signed by herself and other Mayors of Maine to members of Congress and President Trump regarding protecting ocean resources.

13) Adjourn

Councilor Harkness, seconded by Councilor Sanders, made a motion to adjourn the meeting at 12:05 a.m. This motion was approved, 5-0.

HEREBY CERTIFY THAT THE ABOVE
IS A TRUE COPY OF INFORMATION
ON THE RECORD WHICH IS IN MY
OFFICIAL CUSTODY

ATTEST 

AMANDA CUSHMAN, BELFAST MAINE