

These are “Action Only” minutes. Video of comments may be found on recorded discs at City Hall or at www.cityofbelfast.org.

**City of Belfast
Council Chambers-Belfast City Hall
Tuesday, October 3, 2023**

6:00 p.m. Council Work Session with the Climate, Energy and Utilities Committee.

7:00 p.m. Regular Council Meeting

**All City Council Meetings and City Committee Meetings will be conducted in-person at
Belfast City Hall, effective May 3, 2022.**

Regular Council Meeting No. 7

1) Call to order

2) Present: Mayor Eric Sanders, Councilors Mary Mortier, Neal Harkness, Brenda Bonneville, Michael Hurley and Paul Dean; City Manager Erin Herbig and Deputy City Manager Manda Cushman.

3) Pledge of Allegiance

4) Adoption of the agenda

Mayor Eric Sanders noted the following two amendments:

- Add item **10) L #1** Request to go into an Executive Session on a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C.
- Add item **10) E #1** Request to authorize the City Manager to execute an easement to Steego LLC for placement of an ADA access ramp and retaining wall within the easement area.

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

5) Acceptance of the minutes

Regular Council Meeting of September 19, 2023.

Councilor Hurley, seconded by Councilor Dean, made a motion to accept the minutes from the Regular Council Meeting of September 19, 2023. This motion was approved, 5-0.

6) A. Open to the public

City Manager Erin Herbig noted that Council received one email and no postal mail, prior to noon today which were shared with Council before the start of the Council meeting to be included as part of the Open to the Public.

1. Dana Keene of Belfast encouraged the City Council to turn a piece of property into a park.
2. Michael Mercer of Belfast discussed repairs at the Skate Park and concerns with floats taking up parking spaces at the Harbor.
3. Kyle Walton of Belfast introduced himself to the City Council as the Executive Director of the Hawthorne Collaborative and will keep the City apprised of what will be happening at the Colonial Theatre in the coming months.

B. Organization and Department Reports

- Update from the Director of Code and Planning regarding Code Enforcement Officer (CEO) Steve Wilson recently being awarded CEO of the Year by the Midcoast CEO Association and the upcoming public Planning Board Meeting on October 11th at 6:00 p.m. the Shrine Club.

7) Communications

Councilor Dean thanked Councilor Bonneville for her work on having art installed in the Council Chambers.

Councilor Hurley gave an update on upcoming holiday events and put out a call for volunteers.

Councilor Bonneville thanked all, including the Council, who helped facilitate the art installation in the Council Chambers.

City Manger Erin Herbig reminded the public of City Facility Closures next Monday, October 9th in observance of Indigenous Peoples' Day and acknowledge the hiring of Caleb Heald as an on-call firefighter for the Belfast Fire Department on the Consent Agenda.

Councilor Mortier noted that the Public Works crew completed the walking path at the corner of Church Street and Northport Ave.

8) Old Business and City Committee Reports

No discussion.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request from the Fire Chief to confirm Caleb Heald as an on-call firefighter for the Belfast Fire Department.
- B. Request to approve a Facility Use Request application by Our Town Belfast for use of Post Office Square for the annual Tree Lighting on Saturday, November 25, 2023, from 4:00 p.m. to 7:00 p.m.
- C. Request to approve a Facility Use Request application by Our Town Belfast for use of Post Office Square for the annual Menorah Lighting on Thursday, December 7, 2023, from 4:00 p.m. to 6:00 p.m.
- D. Request to approve a Facility Use Request application by the Belfast Area Chamber of Commerce for use of Steamboat Landing Park and the Belfast Boathouse for the annual Holiday on the Harbor on Saturday, December 9, 2023, from 11:00 a.m. to 1:00 p.m.
- E. Request to approve an application by Crusty Crab LLC d/b/a The Front Street Pub located at 37 Front Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant (Class I, II, III, IV) liquor license.
- F. Request to approve a catering permit for The Otis Group Inc. d/b/a Rollie's for the Golden Eagle Awards fundraiser on September 27, 2023, from 4:00 p.m. to 10:00 p.m. located at 15 Front Street, Belfast, Maine.

Councilor Harkness, seconded by Councilor Dean, made a motion to approve the Consent Agenda. This motion was approved, 5-0.

10) Business

A) Presentation on the 2023-2024 General Assistance Ordinance and State Derived Maximum Benefits for general assistance requests.

General Assistance Administrator Kristi Osgood gave a presentation on the 2023-2024 General Assistance Ordinance and State Derived Maximum Benefits for general assistance requests.

B) Public Hearing on the 2023-2024 General Assistance Ordinance and State Derived Maximum Benefits for general assistance requests.

Mayor Sanders asked for proponents and opponents.

1. Gail Savitz of Belfast inquired about what kind of assistance is available to those who have lost a job?

Mayor Sanders declared the hearing closed.

C) Second Reading on the 2023-2024 General Assistance Ordinance and State Derived Maximum Benefits for general assistance requests.

General Assistance Administrator Kristi Osgood and Councilors discussed the General Assistance Program including the steps and process involved if there is someone in need.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve the Second Reading and to adopt the 2023-2024 General Assistance Ordinance and State Derived Maximum Benefits for general assistance requests, as presented. This motion was approved, 5-0.

D) Request from the Parks and Recreation Director to expend up to \$4,000.00 to repair broken ramps at the Overlock Skate Park.

Parks and Recreation Director Zach Dozier reviewed the request to expend up to \$4,000.00 to repair broken ramps at the Overlock Skate Park and answered Council questions.

Councilors discussed the need to make repairs for safety and encouraged the Skate Park Committee to continue efforts to fundraise for a new park.

Councilor Harkness, seconded by Councilor Dean, made a motion to expend up to \$4,000.00 to repair the current damage to the two ramps and any rotting framework with funding to come from the Skate Park Design/Construction account #730-833. This motion was approved, 5-0.

E) Request from the Harbor Master to approve Charter Vessel Contracts for the 2024 season.

Harbor Master Kathy Given reviewed the proposed Charter Vessel Contracts for the 2024 season and answered Council questions.

Josh Jacques reviewed his proposal to run the Schooner Tree of Life and answered Council questions.

Councilor Bonneville, seconded by Councilor Hurley, made a motion to approve all the Charter Vessel contract requests for the 2024 season as presented. This motion was approved, 5-0.

10) E #1 Request to authorize the City Manager to execute an easement to Steego LLC for placement of an ADA access ramp and retaining wall within the easement area.

City Planner Jon Boynton, Director of Code and Planning Bub Fournier and City Manager Erin Herbig reviewed the request to authorize the City Manager to execute an easement to Steego LLC for placement of an ADA access ramp and retaining wall within the easement area and answered Council questions.

Gail and Carl Savitz expressed their need to have an easement to complete their project and a willingness to pay compensation for the easement.

Councilor Hurley, seconded by Councilor Harkness, made a motion to authorize the City Manager to execute an easement to Steego LLC for placement of an ADA access ramp and retaining wall within the easement area for a total price of \$1,000.00 and to execute the easement only after issuance of permits by the Codes and Planning office and satisfactory review by the City Engineer. This motion was approved, 5-0.

F) Discussion on the 2023-2024 Winter Curbside Belfast Program.

Director of Code and Planning Bub Fournier reviewed the Winter Curbside Program and requested Council direction on how to proceed for the 2023-2023 season.

Councilors discussed support to continue the Winter Curbside Program, with no changes from last winter.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to continue the Winter Curbside Program for the 2023-2024 season, with no changes to the program. This motion was approved, 5-0.

G) Request to hire Attorney Jonathan Pottle of Eaton Peabody to provide legal representation to the City of Belfast Zoning Board of Appeals.

City Manager Erin Herbig briefly reviewed the request to hire Attorney Jonathan Pottle of Eaton Peabody to provide legal representation to the City of Belfast Zoning Board of Appeals and answered Council questions.

Councilor Dean, seconded by Councilor Harkness, made a motion to authorize the City Manager to sign an engagement of services with Attorney Jonathan Pottle of Eaton Peabody to provide legal services to the Belfast ZBA associated with an appeal filed by Upstream Watch of a Planning Board decision, for \$225.00 per hour with funding to come from the ZBA account #680-606. This motion was approved, 5-0.

H) Request from the Cemetery Trustees to accept \$482.00 from the Cemetery Chapel Tours.

City Manager Erin Herbig briefly reviewed the request to accept \$482.00 from the Cemetery Chapel Tours.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to accept the \$482.00 donation and to place these funds into account # G-1-2009-00 Cemetery Fund Raiser Donations. This motion was approved, 5-0.

I) Request from the Finance Director to authorize an adjustment to the FY2023-2024 Budget.

City Manager Erin Herbig briefly reviewed the request to authorize an adjustment to the FY2023-2024 Budget.

Councilor Mortier, seconded by Councilor Harkness, made a motion to authorize the Finance Director to make an adjustment in the amount of \$105,727.00 to the FY2023-24 Budget, with funding to come from the overlay. This motion was approved, 5-0.

J) Request to approve a CMP pole permit for four new poles located on Rolerson Road.

No Council discussion.

Councilor Dean, seconded by Councilor Hurley, made a motion to approve a CMP pole permit for four new poles located on Rolerson Road. This motion was approved, 5-0.

K) Request to approve a CMP pole permit for one new pole located on Banks Road.

No Council discussion.

Councilor Dean, seconded by Councilor Harkness, made a motion to approve a CMP pole permit for one new pole located on Banks Road. This motion was approved, 5-0.

L) Request to approve a CMP pole permit for one new pole located on Congress Street.

No Council discussion.

Councilor Bonneville, seconded by Councilor Dean, made a motion to approve a CMP pole permit for one new pole located on Congress Street. This motion was approved, 5-0.

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

Councilor Bonneville, seconded by Councilor Mortier, made a motion to go into Executive Session on a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C at 8:50 p.m. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to adjourn the Executive Session on a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C at 9:56 p.m. This motion was approved, 5-0.

M) Signing of Council Orders and housekeeping items.

Council Order #23 Signed by Councilor Mortier Ordered That:

**Amendments to the MMA Model General Assistance Ordinance
October 1, 2023 - September 30, 2024**

First Reading: September 19, 2023

Second Reading: October 3, 2023

Our existing General Assistance Ordinance that was written by Maine Municipal Association more than 17 years ago and amended over time based upon changes in State law is replaced with

a newly updated Ordinance drafted as a Statewide Model by the Maine Municipal Association. The new model fully complies with all State and Federal regulations.

The Council has also adopted the overall maximum for housing that the State has set for the City of Belfast to allow the General Assistance Administrator more flexibility in assisting her clients.

(Approved October 3, 2023)

Council Order #24 Signed by Councilor Harkness Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$4,000.00 to repair the current damage to the two ramps and any rotting framework at the Overlock Skate Park. Funding is to come from the Skate Park Design/Construction account #730-833. (Approved October 3, 2023)

Council Order #25 Signed by Councilor Dean Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$225.00 per hour for services with Attorney Jonathan Pottle of Eaton Peabody to provide legal services to the Belfast ZBA associated with an appeal filed by Upstream Watch of a Planning Board decision. Funding is to come from the ZBA account #680-606. (Approved October 3, 2023)

Council Order #26 Signed by Councilor Harkness Ordered That:

The City Manager and the City Treasurer are authorized to accept the \$482.00 donation to the Cemetery Department. Funding is to be placed into account # G-1-2009-00 Cemetery Fund Raiser Donations. (Approved October 3, 2023)

Council Order #27 Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to make an adjustment in the amount of \$105,727.00 to the FY2023-24 Budget. This adjustment is to be funded by the overlay that was authorized as part of the 2023 tax commitment. (Approved October 3, 2023)

11) Open to the Public

1. Ryan Otis of Belfast inquired about item 10) E #1 on the agenda and expressed concern that the process he went through to get an easement from the City of Belfast took more time and money than the one that was approved at tonight's meeting.

12) Communications

Councilor Hurley encouraged Mr. Otis to watch the Council meeting to see why the Council came to the decision they did for item 10) E #1 and discussed the Sequoia's departure from the City of Belfast this month.

13) Adjourn

Councilor Harkness, seconded by Councilor Bonneville, made a motion to adjourn at 9:56 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