

\*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, February 20, 2024**

**5:30 p.m.** Request to go into an Executive Session on a Legal matter with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to go into Executive Session on a Legal matter with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E at 5:31 p.m. This motion was approved, 4-0 (Councilor Mortier arrived at 5:35 p.m.).

Councilor Dean, seconded by Councilor Harkness, made a motion to adjourn the Executive Session on a Legal matter with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E at 6:57 p.m. This motion was approved, 5-0.

**7:00 p.m.** Regular Council Meeting

**Public Hearing #1**

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28-A Section 1054 MRSA a public hearing will be held in the Council Chambers of Belfast City Hall on February 20<sup>th</sup>, 2024, at 7:00 p.m. or as soon as possible thereafter on a new application for a Special Amusement Permit for 15 Front Street LLC d/b/a Belfast Yacht Club & Event Center for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 15 Front Street, Belfast, Maine, interior only.

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

**Public Hearing #2**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on February 20<sup>th</sup>, 2024, at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by 15 Front Street LLC d/b/a Belfast Yacht Club & Event Center located at 15 Front Street, Belfast, Maine for a new Malt, Spirituous, and Vinous liquor license.

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

**Public Hearing #3**

In accordance with Title 28A Section MRSA 1964 a public hearing will be held on February 20th, 2024, at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Anthony Frank d/b/a Belfast Bay Taxi, 230 Searsport Ave., Belfast, Maine for a Certificate of Public Convenience and Necessity to operate 1 taxicab in the City of Belfast under the trade name Belfast Bay Taxi.

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

**Regular Council Meeting No. 16**

**1) Call to order**

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

**3) Pledge of Allegiance**

**4) Adoption of the agenda**

Mayor Sanders requested that item **10) N** Discussion with the City Finance Director regarding 2021 Tax Lien Foreclosures, be removed from the agenda.

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

**5) Acceptance of the minutes**

Special City Council Meeting of February 1, 2024, and Regular Council Meeting of February 6, 2024.

Councilor Dean, seconded by Councilor Bitely, made a motion to accept the minutes from the Special City Council Meeting of February 1, 2024, and Regular Council Meeting of February 6, 2024. This motion was approved, 5-0.

**6) A. Open to the public**

City Manager Erin Herbig noted that Council received no emails and no postal mail prior to noon today to be included as part of the Open to the Public.

1. Rachel Herbener of Belfast requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
2. Kayla Miller of Swanville requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
3. Meredith Breskin of Swanville requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
4. Jamila Levesque of Waldo requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
5. Kathleen Muzzy requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
6. Deborah Capwell of Belfast requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
7. Ridgley Fuller of Belfast requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
8. Mia Bertelli requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
9. Chris Battagila informed the City Council of his work with BCOPE and “Torchlight” to teach high school students about multimedia and invited the Council and public to attend a public supper in support of Veterans and their family and friends on March 2<sup>nd</sup> at American Legion Post #43.
10. Connie Jenkins of Belfast requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
11. Sam Williams of Belfast requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
12. Mara McCampbell of Swanville requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.
13. Charlie Schnider of Swanville requested the Belfast City Council consider adopting a resolution in support of an immediate and permanent ceasefire in Gaza and Israel.

## **B. Organization and Department Reports**

Executive Director of Our Town Belfast Amanda Cunningham read a letter from the Chamber of Commerce Executive Director regarding their move on February 29<sup>th</sup> to 33 Main Street and provided an update on the Ice Festival event happening on February 23<sup>rd</sup>-25<sup>th</sup>.

## **7) Communications**

Councilor Sanders addressed the recent press release by Upstream Watch.

Councilor Dean discussed his support of a cease fire resolution and requested that it be added to the next Council Meeting.

Councilor Bitely thanked the public for their comments tonight.

## **8) Old Business and City Committee Reports**

Councilor Harkness notified the City Council that Kristin Wentworth has resigned from the Housing and Property Development Committee.

Bruce Snider, Chair of the Pedestrian, Transportation and Accessibility Committee provided a committee update and gave support for item **10) E** Request from Planning and Codes Director to approve funding to install pedestrian crossing signalization at two locations on Lincolnville Avenue on the agenda.

Cathy Gleeson, Chair of the Parks and Recreation Commission notified the Council that the Commission met with the Rail Trail and Harbor Walk Committee and recommend that the Council consider making them a sub committee of the Parks and Recreation Commission during agenda item **10) A** Discussion and possible action regarding restructuring the Parks and Recreation Commission and the Harbor Walk and Rail Trail Committee.

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

- A.** Request to approve a new application for a Special Amusement Permit for 15 Front Street LLC d/b/a Belfast Yacht Club & Event Center for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 15 Front Street, Belfast, Maine, interior only.
- B.** Request to approve an application by 15 Front Street LLC d/b/a Belfast Yacht Club & Event Center located at 15 Front Street, Belfast, Maine for a new Malt, Spirituous, and Vinous liquor license.
- C.** Request to approve an application by Anthony Frank d/b/a Belfast Bay Taxi, 230 Searsport Ave., Belfast, Maine for a Certificate of Public Convenience and Necessity to operate 1 taxicab in the City of Belfast under the trade name Belfast Bay Taxi.

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

## 10) Business

A) Discussion and possible action regarding restructuring the Parks and Recreation Commission and the Harbor Walk and Rail Trail Committee.

Councilors discussed the recommendation by the Parks and Recreation Commission and Rail Trail and Harbor Walk Committee.

City Manager Erin Herbig provided clarification on the City Ordinance pertaining to the Parks and Recreation Commission and answered Council questions regarding logistics.

Cathy Gleeson, Chair of the Parks and Recreation Commission provided further detail on the recommendation.

Councilor Dean, seconded by Councilor Mortier, made a motion to create a Rail Trail and Harbor Walk subcommittee of the Parks and Recreation Commission.

\*Motion was removed.

Councilor Harkness, seconded by Councilor Bitely, made a motion to dissolve the Rail Trail and Parks and Recreation Committee and give support and approval of the Parks and Recreation Commissions creation of a Rail Trail and Harbor Walk subcommittee. This motion was approved, 4-1 (Councilor Bonneville opposed).

B) Request to authorize funding to repair City infrastructure damaged during the January 10th storm.

City Manager Erin Herbig, Harbor Master Kathy Given, Director of Code and Planning Bub Fournier, Deputy Economic Development Director Joellyn Warren, and Public Works Director Bob Richards reviewed the various areas of storm damage, the proposed estimates to repair and answered Council questions.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to authorize funding of up to \$400,000.00 from the Undesignated Fund Balance for the purpose of addressing these storm damage repairs prior to anticipated reimbursement as outlined at the meeting. This motion was approved, 5-0.

**C) Request to authorize funding to repair the retaining wall at Steamboat Landing Park.**

City Manager Erin Herbig, Director of Code and Planning Bub Fournier, and Public Works Director Bob Richards reviewed the request to repair the retaining wall at Steamboat Landing Park and answered Council questions regarding the timeline and potential impact on events.

City Manager Erin Herbig noted that she would keep the Council updated as they determine possible timeline of construction.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to authorize funding of up to \$220,000 from the Undesignated Fund Balance for the purpose of completing the repairs needed to the retaining wall at Steamboat Landing Park, pending project review and approval by the City Engineer. This motion was approved, 5-0.

**D) Request from the Harbor Master to approve funding from the Harbor ENK Account for necessary harbor infrastructure items.**

Harbor Master Kathy Given reviewed the request to approve funding from the Harbor ENK Account for necessary harbor infrastructure items and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve to moving funds from the Harbor ENK Account to the operating budget to build two 6' x 20' tub billet floats, and to order two shore power stations for the City Landing, in the amount not to exceed \$12,350.00. This motion was approved, 5-0.

**E) Request from Planning and Codes Director to approve funding to install pedestrian crossing signalization at two locations on Lincolnville Avenue.**

Director of Code and Planning Bub Fournier and City Manager Erin Herbig reviewed the request to approve funding to install pedestrian crossing signalization at two locations on Lincolnville Avenue and answered Council questions.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to authorize funding of up to \$25,000.00 for installation of pedestrian crossing signalization at the two locations described above from account # 420-902 Sidewalk Reserve Account. This motion was approved, 5-0.

**F) Request to approve the Spring 2024 Curbside Belfast Program.**

Director of Code and Planning Bub Fournier reviewed the Spring 2024 Curbside Belfast Program and application and answered Council questions.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to accept the 2024 Curbside Belfast program as presented and to direct staff to generate appropriate permitting documents to facilitate the program. This motion was approved, 5-0.

**G)** Request from the Deputy Economic Development Director for authorization to apply to Efficiency Maine for a retrofit rebate.

Deputy Economic Development Director Joellyn Warren reviewed the request for authorization to apply to Efficiency Maine for a retrofit rebate.

Tyler Eads and Kurt Penny of Solar Logix answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve the submission of a rebate request to Efficiency Maine to install a VRF system at the former Courthouse at 136 Church Street, provide the required match of not less than 10% of the project costs from the City's Energy Capital Reserve Fund, and authorize the City Manager to sign any and all documents necessary for the submission for this rebate. This motion was approved, 5-0.

**H)** Presentation from the Economic Development Director regarding an application to the Community Development Block Grant Public Infrastructure Grant Program.

Economic Development Director Thomas Kittredge provided a presentation regarding an application to the Community Development Block Grant Public Infrastructure Grant Program.

**D)** Public Hearing for an Application to the Community Development Block Grant Public Infrastructure Grant Program.

Economic Development Director Thomas Kittredge read the following Public Hearing notice:

#### PUBLIC HEARING NOTICE

#### THE CITY OF BELFAST

The City of Belfast will hold a Public Hearing on Tuesday, February 20th, 2024, as part of its regularly scheduled City Council meeting, which begins at 7:00 pm on that date, at Belfast City Hall, 131 Church Street, Belfast, Maine, to discuss an application being submitted to the State of Maine CDBG program for a Public Infrastructure Program Grant. The purpose of the grant application is to fund infrastructure improvements for the section of Congress Street that is

located between Grove Street and Booth Drive. Public comments will be solicited at this Hearing and will be submitted as part of the application. All persons wishing to make comments or ask questions about the grant application are invited to attend this Public Hearing. Comments may be submitted in writing to: Thomas Kittredge, Economic Development Director for the City of Belfast, Belfast City Hall, 131 Church Street, Belfast Maine, 04915; or via email to: economicdevelopment@cityofbelfast.org at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the City of Belfast's programs or services, please contact Thomas Kittredge at (207) 338-3370, extension 116, so that accommodations can be made.

Economic Development Director Thomas Kittredge noted that the City received the following written public comments prior to the Public Hearing and read them as part of the record:

1. Katy Green of Belfast wrote: I'm writing to offer feedback related to the CDBG application for Congress Street improvements that is currently in development. My husband and I purchased our house on Congress Street about 15 years ago, moving from a neighborhood closer to town that had sidewalks. At that time, it wasn't a big deal that we didn't have sidewalks because our neighborhood still felt very walkable. That has changed quite a bit over time, principally because of the increase in traffic and decrease in shade along the routes to get to downtown businesses.

As such, I strongly support the development of sidewalks along this section of street. In fact, I'd go so far as to potentially extend the sidewalk linear feet and reduce the need for curbing on both sides. As I envision it this would be similar to where the sidewalk ends at the intersection with Grove Street. There's a fair amount of walking and bicycling traffic that comes across Route 1 and more sidewalks would help everyone to be safer.

That said, it does give me pause to see further developments in which the City of Belfast is managing trees in the right of way. Over the years we've lost a great deal of large shade trees, some have been taken down by the City and others have succumbed to storms. All understandable and taken one at a time this doesn't seem like a big deal. But I can attest that walking in the summer feels much different now and the cumulative impact is noticeable. Assuming there are some matching parameters required in the request, or that this is part of a larger community development plan, I could more wholeheartedly support the proposal if there was a commitment to thinking holistically about the function and use of sidewalks, and as such, incorporate the shade trees that are a big part of what makes the area walkable during certain times of the year and provide so many more benefits to the neighborhood year round.

2. Nadine Micoleau wrote: I would be most appreciative of a sidewalk extension to Booth Drive. I live in the VOA building on Booth Drive and have tried walking up Congress St. However, the sidewalk does not join the driveway and is uneven walking and gravelly until you reach it. I feel there will be more traffic once the low-income apartments are filled which would be a hazard for me. I hope the grant comes through.

Thanks for your time.

Mayor Sanders asked for proponents and opponents.

1. Mike Patterson of Belfast inquired about curbing, drainage, sewer, sidewalks, and bike lanes. He also inquired about who would be responsible for maintaining new sidewalks. He expressed concerns with the impact to his property, noting that it seems like the City Right of Way in front of his property has continued to expand over the years.

Mayor Sanders declared the hearing closed.

**J)** Request by the Economic Development Director to commit matching funds for and authorize submission of an application to the Community Development Block Grant Public Infrastructure Grant Program.

Economic Development Director Thomas Kittredge reviewed the request to commit matching funds for and authorize submission of an application to the Community Development Block Grant Public Infrastructure Grant Program, responded to questions brought forward by Mr. Patterson and answered Council questions.

Councilor Mortier requested that staff make an appointment with Mr. Patterson to bring him up to speed on the Wight Street Project.

Councilor Mortier, seconded by Councilor Harkness, made a motion to commit matching funds in the amount of \$1,030,000 to an application to the Community Development Block Grant Public Infrastructure Grant Program, in the form of a letter of commitment to be drafted by the Economic Development Director and signed by the City Manager, specifying the intended source/mechanism of funding to be utilized; authorize the submission of the application to the Community Development Block Grant Public Infrastructure Grant Program; and authorize the City Manager to sign any documents related and necessary to the submission of the application. This motion was approved, 5-0.

**K)** Request by the Economic Development Director to authorize the submission of an application to the Assistance to Firefighters Grant Program and to commit matching funds.

Economic Development Director Thomas Kittredge reviewed the request for authorization to submit an application to the Assistance to Firefighters Grant Program and to commit matching funds and answered Council questions.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to authorize the submission of a grant application to the Assistance to Firefighters Grant Program; authorize matching

funds in the amount of \$16,508.58, moving them from the Fire Equipment Capital Reserve Account to the Fire Purchase of Equipment Account # 210-535; and authorize the City Manager to sign any and all documents necessary for the submission of this grant application. This motion was approved, 5-0.

L) Request by Airport Manager to authorize the submission of a grant application to the Federal Aviation Administration (FAA) for assistance in updating the City’s Airport Layout Plan.

Airport Manager Kenn Ortmann reviewed the request to authorize the submission of a grant application to the Federal Aviation Administration (FAA) for assistance in updating the City’s Airport Layout Plan.

Councilor Bitely, seconded by Councilor Harkness, made a motion to authorize the submission of an application, by March 1, 2024, to the FAA for 2024 Airport Improvement Program federal funding assistance in the amount of \$150,000 for the project entitled Airport Layout Plan Update, including authorizing the City Manager to sign any necessary documents as part of that submission. This motion was approved, 5-0.

M) Request to approve a CMP pole permit for three new poles located on Swan Lake Ave.

City Manager Erin Herbig briefly reviewed the request to approve a CMP pole permit for three new poles located on Swan Lake Ave.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve a CMP pole permit for three new poles located on Swan Lake Ave. This motion was approved, 5-0.

N) Discussion with the City Finance Director regarding 2021 Tax Lien Foreclosures.

\*Item removed.

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

Councilor Mortier, seconded by Councilor Bonneville, made a motion to go into Executive Session on a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C at 9:53 p.m. This motion was approved, 5-0.

Councilor Dean, 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 9:57 p.m. This motion was approved, 5-0.

**P) Signing of Council Orders and housekeeping items.**

**Council Order #46 Signed by Councilor Bonneville Ordered That:**

The City Manager and the City Treasurer are authorized to expend up to \$400,000.00 for the purpose of addressing January 2024 storm damage repairs prior to anticipated reimbursement. Funding is to come from the Undesignated Fund Balance. (Approved on February 20, 2024)

**Council Order #47 Signed by Councilor Bonneville Ordered That:**

The City Manager and the City Treasurer are authorized to expend up to \$220,000 for the purpose of completing the repairs needed to the retaining wall at Steamboat Landing Park, pending project review and approval by the City Engineer. Funding is to come from the Undesignated Fund Balance. (Approved on February 20, 2024)

**Council Order #48 Signed by Councilor Mortier Ordered That:**

The City Manager and the City Treasurer are authorized to move \$12,350.00 from the Harbor ENK Account to the operating budget to build two 6' x 20' tub billet floats, and to order two shore power stations for the City Landing. (Approved on February 20, 2024)

**Council Order #49 Signed by Councilor Bonneville Ordered That:**

The City Manager and the City Treasurer are authorized to expend up to \$25,000.00 for installation of pedestrian crossing signalization at the two locations, crosswalk located at the intersection of Miller and Lincolnville Ave. and crosswalk located at the entrance to the shopping plaza where Hannaford and Ocean State Job Lot. Funding is to come from account # 420-902 Sidewalk Reserve Account. (Approved on February 20, 2024)

**11) Open to the Public**

No public comments.

**12) Communications**

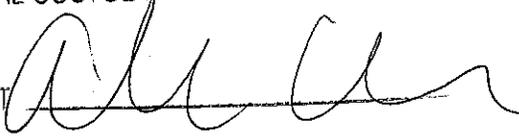
Councilor Dean thanked the public for coming out and speaking tonight.

**13) Adjourn**

Councilor Dean, seconded by Councilor Harkness, made a motion to adjourn at 9:57 p.m. This motion was approved, 5-0.

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

ATTEST



AMANDA CUSHMAN, BELFAST MAINE