

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, May 7, 2024**

7:00 p.m. Regular Council Meeting

Regular Council Meeting No. 21

Public Hearing #1

Pursuant to Belfast Victualer License ordinance a public hearing will be held on May 7th, 2024, at 7:00 p.m. or as soon as possible thereafter in the Council Chambers at Belfast City Hall on the following applications for a Victualer License renewal, due to expire May 31, 2025.

Theodore Rakis	d/b/a	Alexia’s Pizza
Paul Dyer	d/b/a	AllPlay Bowling Center LLC
Belfast Curling Club	d/b/a	Belfast Curling Club
Joseph Benjamin	d/b/a	Belfast Variety Rt 52
Jojo Oliphant	d/b/a	Bell The Cat
CN Brown Company	d/b/a	Big Apple Belfast #1037
David Crabiell	d/b/a	Chocolate Drop Candy Shop
Mac’s Convenience Stores	d/b/a	Circle K #4707104
Mac’s Convenience Stores	d/b/a	Circle K #4707011
Anthony Jacovino	d/b/a	Delvino’s Grill & Pasta House
Lisa Mosher	d/b/a	Dockside Family Restaurant
Nathaniel Baer	d/b/a	Downshift Coffee LLC
Danny Costa	d/b/a	Dunkin Donuts (Belmont Ave)
Danny Costa	d/b/a	Dunkin Donuts (Starrett Drive)
Cory Chase	d/b/a	Darby’s Restaurant
Hannaford Bros. Co, LLC	d/b/a	Hannaford Supermarket & Pharm #8241
Travis Benjamin	d/b/a	Jack’s Grocery
Moonbat LLC	d/b/a	Marshall Wharf Brewing Co.
Napoli PSC Series LLC	d/b/a	McDonalds Restaurant #2501
Sadie Samuels	d/b/a	Must Be Nice LLC
FFS, LLC	d/b/a	Nautilus Seafood & Grill
Steve Bowler	d/b/a	Penobscot Shores
GEL Enterprises LLC	d/b/a	Perry’s Nut House
Brandon Monroe	d/b/a	Primrose Hill, LLC
Nutjarin Sukkasemsri	d/b/a	Rice & Noodle Thai Restaurant
B & F Footlong	d/b/a	Subway #10145
Douglas Frost	d/b/a	Tarratine Tribe #13 IORM
Lexa & Nat Clifford	d/b/a	The Alden House Inn
Cathy Heffentrager	d/b/a	The Jeweled Turret Inn
Traci Mailloux	d/b/a	Traci’s Diner

Michael Casby	d/b/a	Trillium Events, INC.
Waldo County Shrine	d/b/a	Waldo County Shrine Club
Dennis Fuller	d/b/a	Wasses Hot Dogs
Amjosa Enterprises Inc	d/b/a	Wentworth Family Qwik Stop
Ryan Cowan	d/b/a	Wild Cow Creamery
Brittani Bass	d/b/a	Ying-Yang Nutrition
Raymond Young	d/b/a	Young’s Lobster Pound

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

Public Hearing #2

Pursuant to Belfast Bed & Breakfast License Ordinance a public hearing will be held on May 7th, 2024, at 7:00 p.m. or as soon as possible thereafter in the Council Chambers at Belfast City Hall on the following applications for a B&B Class 1 or 2 licenses to expire May 31, 2025.

Alexia & Nathaniel Clifford	d/b/a	The Alden House
Cathy Heffentrager	d/b/a	The Jeweled Turret Inn
Brandon Monroe	d/b/a	Primrose Hill, LLC

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

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

City Manager Erin Herbig requested to amend the agenda, adding item **10) T #1** Council Adoption of the Collective Bargaining Agreement between the City of Belfast and the Belfast Police Association/ Fraternal Order of Police for July 1, 2024, through June 30, 2027, and authorize the City Manager to sign all related documents.

Councilor Harkness, 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 April 16, 2024, and Special Council Meeting Minutes of April 30, 2024.

Councilor Bonneville, seconded by Councilor Dean, made a motion to accept the minutes from the Regular Council Meeting of April 16, 2024, and Special Council Meeting Minutes of April 30, 2024. This motion was approved, 5-0.

6) A. Open to the public

City Manager Erin Herbig noted that Council received 6 emails from Steven Wolfson, John Moore, Margo and Jay Davis, Liz Fitzsimmons, Anita King, and Kathleen and Michael Rusley 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. Paul Bernacki of Belmont discussed concerns with the condition of building at former Eckrote property and requested that the City Council take action.
2. Dorothy Havey, Executive Director of the Chamber of Commerce provided a brief organization update and shared the new Chamber Guide.
3. David Hurley of Swanville discussed his experience in the fishing industry and his support for the Nordic Aquafarm project.
4. Jefferey Mabee addressed the last Council Meeting and thanked the City Council for hearing and considering concerns brought forward by citizens regarding the Nordic Aquafarm project.
5. Lawrence Reichard of Belfast discussed recent news reports and the possibility of acting on eminent domain in the future.
6. Brenda Chandler of Auburn representing Nordic Aquafarms requested that the Council keep an open mind and table any action regarding the order until more information can be gathered.
7. Ellie Daniels of Searsmont discussed her personal history with the Nordic Aquafarms project and the division she believes it has caused within the community.
8. Eric Faegre of Belfast discussed his support for the Nordic Aquafarms project.
9. Ed Cotter of Belfast representing Nordic Aquafarms requested that the Council wait to take action on the vacate order until more information is gathered.
10. Karin Spitfire of Belfast stated that she felt the boundary issue is moot.

11. Harold Dyer of Belfast thanked the City for their work, asked that they think about the future of the City and discussed support for the Nordic Aquafarms project.

B. Organization and Department Reports

Bruce Snider Chair of the Pedestrian, Transportation and Accessibility Committee provided a committee update.

7) Communications

Councilor Dean reminded the public of the Keep Belfast Maine Beautiful event this Saturday, May 11th.

8) Old Business and City Committee Reports

Councilor Harkness provided a Housing and Property Development Committee update and requested that information on who people can reach out to regarding the housing project on Congress Street be available on the City website.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a Facility Use Application by Aynne Ames for use of Park on Main for the annual Songs of America on Thursday, July 4, 2024, from 11:00 a.m. to 12:00 p.m.
- B. Request to approve a Facility Use Application by Come Boating for use of Heritage Park (next to Come Boating shed) for the annual Nautical Yard Sale and Launch Day on Saturday, May 25, 2024, from 9:00 a.m. to 2:00 p.m.
- C. Request to approve a parade application by Arista Holden representing Atlantic Challenge USA for the Atlantic Challenge USA Parade on Sunday, July 21, 2024, starting at Belfast Area High School at 3:30 p.m. and ending at Heritage Park.
- D. Request to approve the following Victualer License renewals, due to expire May 31, 2025:

Theodore Rakis	d/b/a	Alexia’s Pizza
Paul Dyer	d/b/a	AllPlay Bowling Center LLC
Belfast Curling Club	d/b/a	Belfast Curling Club
Joseph Benjamin	d/b/a	Belfast Variety Rt 52
Jojo Oliphant	d/b/a	Bell The Cat
CN Brown Company	d/b/a	Big Apple Belfast #1037
David Crabiell	d/b/a	Chocolate Drop Candy Shop
Mac’s Convenience Stores	d/b/a	Circle K #4707104
Mac’s Convenience Stores	d/b/a	Circle K #4707011

Anthony Jacovino	d/b/a Delvino’s Grill & Pasta House
Lisa Mosher	d/b/a Dockside Family Restaurant
Nathaniel Baer	d/b/a Downshift Coffee LLC
Danny Costa	d/b/a Dunkin Donuts (Belmont Ave)
Danny Costa	d/b/a Dunkin Donuts (Starrett Drive)
Cory Chase	d/b/a Darby’s Restaurant
Hannaford Bros. Co, LLC	d/b/a Hannaford Supermarket & Pharm #8241
Travis Benjamin	d/b/a Jack’s Grocery
Moonbat LLC	d/b/a Marshall Wharf Brewing Co.
Napoli PSC Series LLC	d/b/a McDonalds Restaurant #2501
Sadie Samuels	d/b/a Must Be Nice LLC
FFS, LLC	d/b/a Nautilus Seafood & Grill
Steve Bowler	d/b/a Penobscot Shores
GEL Enterprises LLC	d/b/a Perry’s Nut House
Brandon Monroe	d/b/a Primrose Hill, LLC
Nutjarin Sukkasemsri	d/b/a Rice & Noodle Thai Restaurant
B & F Footlong	d/b/a Subway #10145
Douglas Frost	d/b/a Tarratine Tribe #13 IORM
Lexa & Nat Clifford	d/b/a The Alden House Inn
Cathy Heffentrager	d/b/a The Jeweled Turret Inn
Traci Mailloux	d/b/a Traci’s Diner
Michael Casby	d/b/a Trillium Events, INC.
Waldo County Shrine	d/b/a Waldo County Shrine Club
Dennis Fuller	d/b/a Wasses Hot Dogs
Amjosa Enterprises Inc	d/b/a Wentworth Family Qwik Stop
Ryan Cowan	d/b/a Wild Cow Creamery
Brittani Bass	d/b/a Ying-Yang Nutrition
Raymond Young	d/b/a Young’s Lobster Pound

E. Request to approve the following applications for a B&B Class 1 or 2 licenses to expire May 31, 2025:

Alexia & Nathaniel Clifford	d/b/a The Alden House
Cathy Heffentrager	d/b/a The Jeweled Turret Inn
Brandon Monroe	d/b/a Primrose Hill, LLC

F. Request to approve an application by Trillium Events, INC d/b/a Trillium Caterers located at 62 Little River Dr., Belfast, Maine for a renewal Malt, Spirituous, and Vinous Qualified Caterer liquor license.

G. Request to approve an extension of liquor license permit for Seven Sisters Provisions, LLC d/b/a Vinolio to extend the capacity of their property located at 74 Main Street into two City parking spaces as part of their Curbside outdoor seating area.

- H. Request to approve an extension of liquor license permit for Dos Gatos Gastropub, LLC d/b/a Dos Gatos Gastropub to extend the capacity of their property located at 84 Main Street into three City parking spaces as part of the Curbside outdoor seating area.
- I. Request to approve an extension of liquor license permit for Darby’s Inc. d/b/a Darby’s Restaurant and Pub to extend the capacity of their property located at 155 Hight Street into three City parking spaces as part of the Curbside outdoor seating area.

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

10) Business

A) Presentation and Council Consideration of an Order to Vacate a Condemnation Order issued by the City Council on August 12, 2021.

City Attorney Kristin Collins presented an Order to Vacate a Condemnation Order issued by the City Council on August 12, 2021.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to approve the Order to Vacate a Condemnation Order issued by the City Council on August 12, 2021 as presented, and are waiving the second reading as provided by the Belfast City Charter. This motion was approved, 5-0.

B) Request to appoint Shannon Brown Buchanan of Swanville as the Part-Time Videographer for the City of Belfast.

City Manager Erin Herbig reviewed the request to appoint Shannon Brown Buchanan of Swanville as the Part-Time Videographer for the City of Belfast.

Councilor Bitely, seconded by Councilor Mortier, made a motion to appoint Shannon Brown Buchanan of Swanville as the Part-Time Videographer for the City of Belfast. This motion was approved, 5-0.

C) Presentation from City Engineer Mandy Holway addressing recent storm damage at Robbins Road.

City Engineer Mandy Holway provided a presentation addressing recent storm damage at Robbins Road and answered Council questions regarding proposed options for moving forward which included:

- The road could be discontinued.
- The road could be repaired and reopened as a narrower one-way road.
- The road could be repaired and reopened as a two-way road.
- The road could be completely reconstructed to better withstand future storms.

Bruce Snider, Pedestrian, Transportation and Accessibility Committee Chair provided insight into preliminary discussions the committee has had regarding the Robbins Road.

The Mayor and Council unanimously agreed on a temporary solution of reopening the road as a one-way road for the summer season to allow the City Engineer and staff to gather more information on how best to proceed in the long term.

D) Request from Wastewater Superintendent to accept the remaining \$1,000,000 offered to the City of Belfast by the Clean Water State Revolving Loan Fund Program.

Wastewater Superintendent Annaleis Hafford reviewed the request to accept the remaining \$1,000,000 offered to the City of Belfast by the Clean Water State Revolving Loan Fund Program and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the remaining funds of \$1,000,000 offered to the City by the CWSRF Program for the City's CSO projects. This motion was approved, 4-0 (Councilor Dean stepped out of the room).

E) Presentation on proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning.

Director of Code and Planning Bud Fournier provided a presentation on proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning.

F) Public Hearing on proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning.

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

G) Second Reading on proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning.

Director of Code and Planning Bud Fournier answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve the Second Reading of proposed amendments to the City Code of Ordinances, Chapter 66 Definitions, Chapter 80 In-town Design Review, Chapter 90 Site Plan, Chapter 98 Technical Standards, and Chapter 102 Zoning as presented. This motion was approved, 5-0.

H) Request to enter into a Contract for City Park Concession for the 2024 summer season.

Parks and Recreation Director Pam Salokangas reviewed the request to enter into a Contract for City Park Concession for the 2024 summer season with Big Daddy Hot Box.

Councilor Dean, seconded by Councilor Bitely, made a motion to enter into a contract for the City Park Concession with Big Daddy's Hot Box for the 2024 summer season. This motion was approved, 5-0.

I) Request to approve a Memorandum of Understanding with the Waldo County YMCA to operate the Belfast City Park Pool for the 2024 summer season.

Parks and Recreation Director Pam Salokangas reviewed the request to approve a Memorandum of Understanding with the Waldo County YMCA to operate the Belfast City Park Pool for the 2024 summer season.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to authorize the City Manager to sign the Memorandum of Understanding with the Waldo County YMCA in which the YMCA would operate the Belfast City Park Pool for the 2024 season. This motion was approved, 5-0.

J) Request from the Waldo County Technical Center for Council Consideration of a Rental Fee Waiver.

Parks and Recreation Director Pam Salokangas reviewed the request from the Waldo County Technical Center for Council consideration of a Boathouse rental fee waiver.

Councilor Harkness, seconded by Councilor Dean, made a motion to approve the requested rental fee waiver of \$180.00 for the Waldo County Technical Center Graduation on May 15, 2024. This motion was approved, 5-0.

K) Request from the Belfast Garden Club for Council Consideration of a Rental Fee Waiver.

Parks and Recreation Director Pam Salokangas reviewed the request from the Belfast Garden Club for Council consideration of a Boathouse rental fee waiver.

Councilor Mortier, seconded by Councilor Dean, made a motion to approve the approve the requested fee waiver of \$1,080 by the Belfast Garden Club on May 24-25, 2024, with the exception of the security deposit of \$250. This motion was approved, 5-0.

L) Request from the Belfast Chamber of Commerce for Council Consideration of a Rental Fee Waiver.

Parks and Recreation Director Pam Salokangas reviewed the request from the Belfast Chamber of Commerce for Council consideration of a Boathouse rental fee waiver.

Councilor Harkness, seconded by Councilor Mortier, made a motion to approve the requested fee waiver of \$1,800 by Belfast Chamber of Commerce for Arts in the Park on June 28-30, 2024, with the exception of the security deposit of \$250.00. This motion was approved, 5-0.

M) Request from Atlantic Challenge USA for Council Consideration of a Rental Fee Waiver.

Parks and Recreation Director Pam Salokangas reviewed the request from Atlantic Challenge USA for Council consideration of Boathouse rental fee waivers.

Arista Holden provided additional information about the event and answered Council questions.

Councilor Harkness, seconded by Councilor Mortier, made a motion to approve the requested rental fee waiver from Atlantic Challenge USA for May 11, 2024 of \$525, as well as July 22 through July 30, 2024 of \$3,060, with the exception of the \$325 security deposit. This motion was approved, 5-0.

N) Request from Living Innovations for Council Consideration of a Rental Fee Waiver.

Parks and Recreation Director Pam Salokangas reviewed the request from Living Innovations for Council consideration of a City Park Pavilion rental fee waivers.

Councilor Dean, seconded by Councilor Bonneville, made a motion to approve the requested fee waiver by Living Innovations for use of the City Park Pavilion on August 9, 2024, and September 17, 2024 of \$62.50 per event, for a total of \$125. This motion was approved, 5-0.

O) Request from the Belfast Rotary Club for Council Consideration of a Rental Fee Waiver.

Parks and Recreation Director Pam Salokangas reviewed the request from the Belfast Rotary Club for Council consideration of a Boathouse rental fee waiver.

Councilor Bitely, seconded by Councilor Bonneville, made a motion to approve the requested fee waiver of \$1,980 by Belfast Rotary for Belfast Harbor Fest on August 16-18, 2024, with the exception of the security deposit of \$250.00. This motion was approved, 5-0.

P) Request from the City Assessor for Approval/Sanction of the street names for the four-phase subdivision at Little River Drive.

City Manager Erin Herbig reviewed the request for approval/sanction of the street names Little River Drive Extension, Whitetail Lane, Black Bear Street, Seal Street, and Lobster Lance for the four-phase subdivision at the end of Little River Drive located on Map 4 Lot 62 G and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve/sanction of the street names Little River Drive Extension, Whitetail Lane, Black Bear Street, Seal Street, and Lobster Lance for the four-phase subdivision at the end of Little River Drive located on Map 4 Lot 62 G. This motion was approved, 5-0.

Q) Request by Airport Manager to expend up to \$4,200 to remove pine trees on private property south of the Municipal Airport.

Airport Manager Kenn Ortmann reviewed the request to expend up to \$4,200 to remove pine trees on private property south of the Municipal Airport and answered Council questions.

Councilor Mortier, seconded by Councilor Dean, made a motion to approve the to authorize the expenditure of a total amount of \$4,200, \$2,700 from Account #640-711 Airport Maintenance Capital Reserve and a repurposing of \$1,500 from Account #640-594 Airport Maintenance authorized on December 19, 2023, to Comprehensive Land Technologies, Inc to remove trees problematic to the protected surface of Runway 33 on Tax Map 4 Lot 66, consistent with the easement recorded in Book 4098 Page 130 on September 2, 2016, and to authorize the City Manager to sign any necessary documents. This motion was approved, 5-0.

R) Council Adoption of the Ground Lease Agreement between the City of Belfast and Penobscot McCrum LLC.

City Manager Erin Herbig briefly reviewed the request to adopt the Ground Lease Agreement between the City of Belfast and Penobscot McCrum LLC.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to adopt the three-year ground lease agreement between the City of Belfast and Penobscot McCrum LLC and authorize the City

Manager to sign the lease on behalf of the City retroactively to April 25, 2024. This motion was approved, 4-0 (Councilor Harkness stepped out of the room).

S) Council Acceptance and Award #2 Fuel Bids for FY2024-2025 for the City of Belfast.

City Manager Erin Herbig briefly reviewed the request to accept and award #2 Fuel Bids for FY2024-2025 for the City of Belfast.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to accept the bids as presented and award #2 Fuel Bids for FY2024-2025 for the City of Belfast to Maritime Energy at \$2.8675 per gallon. This motion was approved, 4-0 (Councilor Harkness stepped out of the room).

T) Request to Approve a Central Maine Power Pole Permit Application for two new poles located on Swan Lake Avenue.

City Manager Erin Herbig briefly reviewed the request to approve a Central Maine Power Pole Permit Application for two new poles located on Swan Lake Avenue.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to approve a Central Maine Power Pole Permit Application for two new poles located on Swan Lake Avenue. This motion was approved, 5-0.

T) #1 Council Adoption of the Collective Bargaining Agreement between the City of Belfast and the Belfast Police Association/ Fraternal Order of Police for July 1, 2024, through June 30, 2027, and authorize the City Manager to sign all related documents.

City Manager Erin Herbig briefly reviewed the request to adopt the Collective Bargaining Agreement between the City of Belfast and the Belfast Police Association/ Fraternal Order of Police for July 1, 2024, through June 30, 2027.

Councilor Bitely, seconded by Councilor Bonneville, made a motion to adopt the Collective Bargaining Agreement between the City of Belfast and the Belfast Police Association/ Fraternal Order

of Police for July 1, 2024, through June 30, 2027, and authorize the City Manager to sign all related documents. This motion was approved, 5-0.

U) Signing of Council Orders and housekeeping items.

11) Open to the Public

1. Brenda Chandler of Auburn representing Nordic Aquafarms addressed comments about communication and inquired about how best to communicate with the City Council moving forward.
2. Jacki Cassida of Belfast representing Nordic Aquafarms discussed communication and requested that communication is reciprocated.

12) Communications

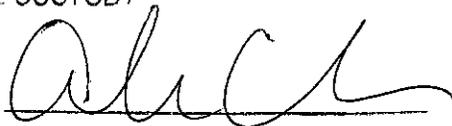
Councilor Harkness addressed public comments.

13) Adjourn

Councilor Dean, seconded by Councilor Bonneville, made a motion to adjourn at 10:20 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