

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, June 18, 2024**

5:40 p.m. Committee Interviews

7:00 p.m. Regular Council Meeting

Regular Council Meeting No. 24

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 noted the following amendments:

- Remove item **10-M** Request to apply to the ME Land and Water Conservation Fund for City Park.

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

Regular Council Meeting of June 4, 2024.

Councilor Harkness, seconded by Councilor Bitely, made a motion to accept the minutes from the Regular Council Meeting of June 4, 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 which, if received, would be shared with Council before the start of the Council meeting and would be included as part of the Open to the Public.

1. Belfast Poet Laureate, Maya Stein of Northport, discussed her request for funding from the City Council for FY 24-25 for the Poetry Festival and the Poet Laureate position and read a poem.

*2. Emily Wesson, resident of Wight Street in Belfast spoke in support of item 10) H, I & J regarding ordinance amendments to Wight Street and proposed traffic calming measures.

3. Karin Spitfire of Belfast discussed Nordic Aquafarm litigation and concerns with the motion to move the litigation out of the Waldo County courts.

*4. Peter Millard, resident of Wight Street in Belfast spoke in support of item 10) H, I & J regarding ordinance amendments to Wight Street and proposed traffic calming measures.

5. Christopher Hyk of Belfast discussed concerns with comments made by the City Attorney regarding the hiring of a surveyor.

6. Kim Ervin Tucker, Esq. of Lincolnville on behalf of her clients Jeffrey Mabee and Judith Grace, discussed Nordic Aquafarm litigation and concerns with the motion to move the litigation out of the Waldo County courts and requested that the Council ask the City Attorney to withdraw the motion.

*Councilors unanimously agreed to add comments to item 10) I as part of the Public Hearing on proposed ordinance amendments to incorporate a three-way stop on Wight Street.

B. Organization and Department Reports

- Fire Chief and Emergency Management Director Patrick Richards updated the Council and public regarding the upcoming warm weather and outlined the City's current Emergency Operational Plan in collaboration with Waldo County EMA regarding heating and cooling shelters.
- City Manager Erin Herbig reminded the public that non-emergency facilities would be closed tomorrow, Wednesday, June 19th in observance of Juneteenth, and if anyone is experiencing an emergency to call 911.

7) Communications

Councilor Harkness requested that the two comments made during Open to the Public in regard to the Wight Street proposed ordinance amendments be added to the 10) I as part of the Public Hearing, Council unanimously agreed.

Councilors Harkness and Dean discussed recent news regarding Waldo County General Hospital and encouraged the public to let the hospital know if they have concerns about the proposed changes, they are looking at making.

8) Old Business and City Committee Reports

- Consideration of Committee Appointments.

Councilor Harkness, seconded by Councilor Mortier, made a motion to reappoint Michael Hurley and appoint Benjamin Hooper and Andrea Butler to the Housing & Property Development Committee. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to appoint Gloria Guyette, Gianne Conard, Jill Goodwin, Patrick Walsh, and Becky Nightingale Johns to the Board of Assessment Review. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Mortier, made a motion to appoint Darrell Gilman as a voting member of the Cemetery Board of Trustees. This motion was approved, 5-0.

Councilors unanimously agreed to move discussion of committee appointments to the Parks & Recreation Commission to item **10) G #1**, following the discussion on proposed ordinance amendments to the Parks & Recreation Commission.

Councilor Bonneville provided an update from the Pedestrian, Transportation and Accessibility Committee.

Councilor Bitely provided an update from the Climate, Energy and Utilities Committee.

9) Permits, Petitions and Licenses - Consent Agenda

A. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for a private wedding on June 7, 2024, from 4:00 p.m. to 10:00 p.m. located at the Fireside Inn, 159 Searsport Ave., Belfast, Maine.

- B.** Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for a private wedding on June 8, 2024, from 4:00 p.m. to 10:00 p.m. located at the Fireside Inn, 159 Searsport Ave., Belfast, Maine.
- C.** Request to approve an off premises catering permit for Sofia LK d/b/a Blue Spoon for a private wedding on June 22, 2024, from 6:00 p.m. to 10:00 p.m. located at the Belfast Yacht Club & Event Center, 15 Front Street, Belfast, Maine.
- D.** Request to approve a Special Amusement Permit for Shawna Aitken d/b/a Nautilus for live music, DJ, Karaoke, dancing, and all live entertainment located at 3 Main Street, Belfast, Maine, indoor and outdoor.
- E.** Request to approve a Facility Use request from Belfast Flying Shoes to utilize the Armistice Bridge (east end) for the annual Community Dance on June 22, 2024, from 4:30PM to 8:30PM and September 7, 2024, from 4:00PM to 8:00PM.
- F.** Request to approve a Facility Use request from Ando Anderson to utilize Steamboat Landing Park for the annual Belfast Summer Nights on June 27, July 4, 18, 25, Aug. 1, 8, 15, 22, 29, and Sept. 5, 2024 (July 11 is being held off-site due to Boathouse wedding) from 3:00PM to 8:30PM.
- G.** Request to approve a Facility Use request from Our Town Belfast to utilize Steamboat Landing Park for the annual Outdoor Summer Movies on July 12 and 26, and August 9 and 23, 2024 from beginning at dusk.
- H.** Request to approve a Facility Use request from the First Church to utilize Spring Street (between Church and Court Streets) for the annual Strawberry Festival & Fair on July 13, 2024, from 7:00AM to 3:00PM.

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

10) Business

A) Request from the Fire Chief to confirm Robert Banks of Belfast as a full-time Firefighter/EMT for the Belfast Fire and Ambulance Department.

Fire Chief Patrick Richards reviewed the request to confirm Robert Banks of Belfast as a full-time Firefighter/EMT for the Belfast Fire and Ambulance Department and introduced Mr. Banks to the City of Belfast.

Councilor Mortier, seconded by Councilor Harkness, made a motion to confirm Robert Banks of Belfast as a full-time Firefighter/EMT for the Belfast Fire and Ambulance Department. This motion was approved, 5-0.

City Clerk Angie Crosby conducted the swearing-in ceremony.

B) Consideration of an alternative location for small boat storage.

Harbor Master Kathy Given reviewed the request for an alternative location for small boat storage that had been previously approved at the Meeting of May 21, 2024, and answered Council questions.

Councilor Dean, seconded by Councilor Harkness, made a motion to approve this proposed alternate location to store rowing vessels with the same conditions as the first proposal presented May 21, 2024. This motion was approved, 5-0.

C) Request from the Harbor Master to increase matching funds for the Pump-out Station Grant.

Harbor Master Kathy Given reviewed the request to increase matching funds for the Pump-out Station Grant and answered Council questions.

Councilor Dean, seconded by Councilor Mortier, made a motion to approve up to \$3,000.00 from the Harbor Department's Enk Fund to cover the current 10% match requirement for the MEDEP Pump-Out Grant to install a new pump-out system. This motion was approved, 5-0.

D) Consideration of a Draft Proclamation designating July as Parks and Recreation Month.

Parks and Recreation Director Pam Salokangas reviewed the drafted proclamation which designates July as "Parks and Recreation Month" and answered Council questions.

Councilor Dean, seconded by Councilor Bonneville, made a motion to approve the Proclamation designating July as Parks and Recreation Month. This motion was approved, 5-0.

E) Consideration of a Draft Proclamation designating July 19th as Parks and Recreation Professionals Day.

Parks and Recreation Director Pam Salokangas reviewed the drafted proclamation which designates July 19th as “Parks and Recreation Professionals Day” and answered Council questions.

Councilor Harkness, seconded by Councilor Mortier, made a motion to approve the Proclamation designating July 19th as Parks and Recreation Professionals Day. This motion was approved, 5-0.

F) Consideration of a Commercial Use Contract for Yoga by the Bay.

Parks and Recreation Director Pam Salokangas reviewed the proposed Commercial Use Contract for Yoga by the Bay and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to authorize City staff to notify the business, Ananda Yoga, that this would be the last year that this for-profit activity can take place in this format, and that the determined fee along with a Certificate of Insurance with the City listed as the additional insured for the length of the contract be required. This motion was approved, 5-0.

G) Council conversation regarding a proposed membership restructure for the Intown Design Review Committee and the Parks and Recreation Commission.

City Manager Erin Herbig, City Planner Alexandra Sykes, Director of Code and Planning Bub Fournier and Parks and Recreation Director Pam Salokangas reviewed the proposed membership restructure for the Intown Design Review Committee and the Parks and Recreation Commission noting that these are ordinance amendments that would come before the City Council as a First and Second Reading and answered Council questions.

The City Council unanimously agreed to move forward with the proposal to update the ordinances for both the Parks and Recreation Commission and the Intown Design Review Committee and provided some feedback on proposed language.

G) #1 Consideration of Committee Appointments to the Parks and Recreation Commission.

Councilor Mortier, seconded by Councilor Harkness, made a motion to appoint, provisionally, Carolyn Steves, Stephanie Wittrock, Haley Stearns, and Becky Nightingale Johns to the Parks and Recreation Commission, noting that the City Council would be updating the Parks and Recreation Commission ordinance to include up to nine members. This motion was approved, 5-0.

H) Presentation on proposed ordinance amendments to incorporate a three-way stop on Wight Street.

City Planner Alexandra Sykes gave a presentation on proposed ordinance amendments to incorporate a three-way stop on Wight Street.

I) Public Hearing on proposed ordinance amendments to incorporate a three-way stop on Wight Street.

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

*** Two comments made during Open to the Public added to the record as part of the Public Hearing on proposed ordinance amendments to incorporate a three-way stop on Wight Street:**

1. Emily Wesson, resident of Wight Street in Belfast spoke in support of item 10) H, I & J regarding ordinance amendments to Wight Street and proposed traffic calming measures.
2. Peter Millard, resident of Wight Street in Belfast spoke in support of item 10) H, I & J regarding ordinance amendments to Wight Street and proposed traffic calming measures.

J) First Reading on proposed ordinance amendments to incorporate a three-way stop on Wight Street.

City Planner Alexandra Sykes and Director of Code and Planning Bub Fournier answered Council questions on the proposed ordinance amendments to incorporate a three-way stop on Wight Street.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to approve the First Reading of on proposed ordinance amendments to incorporate a three-way stop on Wight Street and to waive the Second Reading and Public Hearing. This motion was approved, 5-0.

K) Consideration of a Permit Fee Waiver Request for a project at 125 Union Street.

Director of Code and Planning Bub Fournier reviewed the request for a Permit Fee Waiver Request for a project at 125 Union Street and answered Council questions.

Councilor Dean, seconded by Councilor Bitely, made a motion to authorize the permit fee waiver totaling \$1,037.50 to be applied to the fees for a new permit for the project. This motion was approved, 3-2 (Councilor Mortier and Dean opposed).

L) Request from the of Director Planning and Codes to approve a Shared Use Parking Agreement between the City of Belfast and the Wentworth Event Center, LLLP for the Stephenson Lane Rangeway Parking located at 139 Searsport Ave.

Director of Code and Planning Bub Fournier reviewed the request for a Shared Use Parking Agreement between the City of Belfast and the Wentworth Event Center, LLLP for the Stephenson Lane Rangeway Parking located at 139 Searsport Ave. and noted that there may be non-substantial changes to the agreement as the owner of Wentworth Event Center, LLLP is in the process of updating their name.

Councilor Harkness, seconded by Councilor Mortier, made a motion to approve the Shared Use Parking Agreement between the City of Belfast and the Wentworth Event Center, LLLP for the Stephenson Lane Rangeway Parking located at 139 Searsport Avenue in concept, authorize the Director of Code and Planning to finalize the agreement with the property owner, and to authorize the City Manager to sign the agreement on behalf of the City of Belfast. This motion was approved, 5-0.

M) Request by the Deputy Economic Development Director to submit a grant application to the State of Maine's Land and Water Conservation Fund to upgrade and/or reconstruct public restrooms and pool bathhouse at City Park.

Item removed.

N) Request by the Deputy Economic Development Director to submit a grant application to the State of Maine's Department of Transportation for the Maine Infrastructure Adaptation Fund to adapt critical infrastructure at City Landing.

Deputy Economic Development Director Joellyn Warren reviewed the request to submit a grant application to the State of Maine's Department of Transportation for the Maine Infrastructure Adaptation Fund to adapt critical infrastructure at City Landing noting the change to motion based on the training and discussions with WSP, who originally developed the project cost, City staff is now recommending that the City apply for up to \$4,000,000 to design and construct the new breakwater with the required 5% match.

Councilor Dean, seconded by Councilor Bitely, made a motion to approve submitting a grant request for up to \$4,000,000 and commit to the 5% match from the FY24-25 Capital Improvement Fund, and authorize the City Manager to execute any all documents related to grant submission, and answered Council questions. This motion was approved, 5-0.

O) Request by the Deputy Economic Development Director to submit a grant application to the State of Maine's Department of Economic Development Business Recovery and Resiliency Fund to develop a scope and design to improve and upgrade the Harbor Master's Office and other infrastructure at City Landing and answered Council questions.

Deputy Economic Development Director Joellyn Warren reviewed the request to submit a grant application to the State of Maine's Department of Economic Development Business Recovery and Resiliency Fund to develop a scope and design to improve and upgrade the Harbor Master's Office noting the change to the motion following a training on Thursday on the ME Dept of Transportation Infrastructure Adaptation Fund City staff believes it makes more sense to submit

a request for more money and less match. The project would allow the City to apply for up to \$200,000 to make the building more resilient with a required match of 5%.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve submitting grant request \$200,000 and commit to the 5% match from the FY24-25 Capital Improvement Fund and authorize City Manager to execute any all documents related to grant submission and other infrastructure at City Landing. This motion was approved, 5-0.

P) Request to remove 6 City Street trees.

Councilors reviewed each location and unanimously agreed on the following plan of action:

216 Main Street – Trimming only, specifically limbs hanging over the home.

220 Main Street – Remove tree.

210 Main Street (Lincolnville Ave. side) – Keep tree, no trimming.

14 John Street (Waldo Ave. side) – Table until the July 2nd Meeting, requested additional signage to indicate which tree is being requested for removal, Council unable to tell which tree was being requested for removal.

15 Alto Street – Remove tree.

19 Elm Street – Keep tree, no trimming.

Q) Request to approve a one-year contract extension with Comdoctor.net, Inc. for IT Services for the City of Belfast.

City Manager Erin Herbig briefly reviewed the request to approve a one-year contract extension with Comdoctor.net, Inc. for IT Services for the City of Belfast and answered Council questions.

Councilor Harkness, seconded by Councilor Bitely, made a motion to authorize a one-year contract extension with Comdoctor.net, Inc. to provide information technology services to the City of Belfast for the period of July 1st, 2024 to June 30th, 2025; to authorize the City Manager to sign any documents related and necessary to the execution of the contract extension with Comdoctor.net, Inc.; and authorize funding in the amount of \$8,128.20 per month to pay for Comdoctor.net, Inc. estimated service costs for the period of July 1st, 2024 to June 30th, 2025, this is a total of \$97,538.4, which will

be included in the FY2024-25 City budget proposal account #110-834 City Administration IT services. This motion was approved, 5-0.

R) Request to go into Executive Session to discuss a Poverty Abatement pursuant to Title 36 M.R.S.A. 841.

Councilor Mortier, seconded by Councilor Bitely, made a motion to go into Executive Session on a Poverty Abatement pursuant to Title 36 M.R.S.A. 841 at 9:25 p.m. This motion was approved, 5-0.

Councilor Bonneville, seconded by Councilor Bitely, made a motion to adjourn the Executive Session on a Poverty Abatement pursuant to Title 36 M.R.S.A. 841 at 9:50 p.m. This motion was approved, 5-0.

*** The City Council returned to open session at 9:50 p.m.:**

Councilor Harkness, seconded by Councilor Mortier, made a motion to approve a Poverty Abatement in the amount of \$2,809.55, utilizing funding from the Poverty Fund account #G1-2140-00. This motion was approved, 5-0.

S) Signing of Council Orders and housekeeping items.

11) Open to the Public

No public comments.

12) Communications

No communications.

13) Adjourn

Councilor Harkness, seconded by Councilor Bitely, made a motion to adjourn at 9:51 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

A handwritten signature in black ink, appearing to read 'A. Cushman', written over a horizontal line.

AMANDA CUSHMAN, BELFAST MAINE