

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, August 20, 2024**

6:00 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 Mortier, 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 6:01 p.m. This motion was approved, 5-0.

Councilor Mortier, 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 6:23 p.m. This motion was approved, 5-0.

6:30 p.m. 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 Harkness, made a motion to go into Executive Session on a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C at 6:23 p.m. This motion was approved, 5-0.

Councilor Bonneville, seconded by Councilor Dean, made a motion to adjourn the Executive Session on a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C at 6:55 p.m. This motion was approved, 5-0.

7:00 p.m. Regular Council Meeting

Regular Council Meeting No. 4

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

Councilor Bonneville, seconded by Councilor Dean, made a motion to adopt the agenda. This motion was approved, 4-0 (Councilor Mortier stepped out of the room).

5) Acceptance of the minutes

Regular Council Meeting of August 6, 2024.

Councilor Dean, seconded by Councilor Harkness, made a motion to accept the minutes from the Regular Council Meeting of August 6, 2024. This motion was approved, 5-0.

6) A. Open to the public

City Manager Erin Herbig noted that Council received one email from Philip Prince 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. Carol Herwig of Belfast discussed recent inventory work of Tree Working Group.
2. Ariel Morgan of Belfast discussed item **10) C** and noted she would be available for questions regarding her request.
3. Linda Garson Smith of Belfast discussed the Little River Trail.
4. Cecil Ryder of Belfast requested a response from the City Council regarding questions raised in relation to Nordic Aquafarms.

B. Organization and Department Reports

City Manager Erin Herbig noted that on tonight's Consent Agenda the Council will be confirming Avery Laite as an on-call firefighter and a part-time ambulance driver for the Belfast Fire and Ambulance Department.

7) Communications

The Mayor and Councilors discussed the proposed sale of the Hutchinson Center and discussed the appeals process.

8) Old Business and City Committee Reports

Executive Assistant Ava Kelley provided an update on committee openings and recommended that interviews be conducted on September 3rd prior to the regular meeting starting at 6:00 PM. Council unanimously agreed on conducting interviews at that time.

Councilor Bonneville provided an update from the Pedestrian, Transportation and Accessibility Committee, reminding the public on how they can participate in the survey.

9) Permits, Petitions and Licenses - Consent Agenda

- A.** Request from the Fire Chief to confirm Avery Laite as an on-call firefighter and a part-time ambulance driver for the Belfast Fire and Ambulance Department.
- B.** Request to approve a Facility Use Request application by the Belfast Lions Club for use of City streets for the annual Ghostly Gallup 5K on October 26, 2024, from 7-10AM.
- C.** Request to approve a Facility Use Request application by Our Town Belfast for the annual Holiday Tree Lighting at Post Office Square on Saturday, November 30, 2024, from 4-6PM.
- D.** Request to approve an off-premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar and Grill for a celebration of life on August 3rd, 2024, from 1:00 p.m. to 4:00 p.m. located at the Belfast Yacht Club, 15 Front Street, Belfast, Maine.
- E.** Request to approve an application by Moonbat LLC d/b/a Marshall Wharf Brewing Company located at 36 Marshall Wharf, Belfast, Maine for a renewal Malt and Vinous Other (Class III and IV) liquor license.
- F.** Request to approve a Qualified Catering Organization permit for Trillium Caterers for a private wedding on August 31, 2024, from 9:00 a.m. to 11:59 p.m. located at 59 Battery Rd., Belfast, Maine.
- G.** Request to approve an application by Bell the Cat, Inc d/b/a Bell the Cat located at 18 Hatley Rd., Belfast, Maine for a renewal Malt and Vinous Restaurant (Class I, II, III and IV) liquor license.
- H.** Request to approve an off-premises catering permit for Bell the Cat, Inc d/b/a Bell the Cat for Belfast By The Bay on August 16th, 2024, from 4:00 p.m. to 9:00 p.m. located at the United Farmers Market, 18 Spring Street, Belfast, Maine.
- I.** Request to approve an application by Darby's Inc. d/b/a Darby's Restaurant and Pub located at 155 High Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Class A Restaurant/Lounge (Class XI) liquor license.

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

10) Business

A) Presentation on WSP's final report for the Harbor Sedimentation Study.

WSP representatives Todd Coffin, Jilian Whiting, and Ahintha Kandamby provided an explanation of their findings and answered Council questions.

Jerry Brand, Climate, Energy and Utilities Committee Member, provided feedback from the committee.

B) Approval of a Facility Use Request for a private event at Steamboat Landing Park and Gazebo on August 31, 2024, from 3:00 – 8:00 PM.

Parks and Recreation Director Pam Salokangas reviewed the Facility Use Request for a private event at Steamboat Landing Park and Gazebo on August 31, 2024, noting the time of the request had changed to 4:00 – 6:00 PM and answered Council questions.

Councilors discussed the request and updating the fee policy to include such requests moving forward.

Councilor Harkness, seconded by Councilor Dean, made a motion to approve the Facility Use Request for a private wedding at Steamboat Landing Park and Gazebo with a rental fee of \$50. This motion was approved, 4-1 (Councilor Mortier opposed).

C) Consideration of a draft letter to Maine Department of Transportation (MDOT) regarding the Waterville Road.

Councilor Bitely briefly reviewed the request from a Belfast resident for Council consideration of a draft letter to be sent to MDOT requesting a reduced speed limit on Waterville Road.

Chief of Police Bobby Cormier and Officer Ethan Fitzjurls answered Council questions regarding the speed data that was collected by the Belfast Police Department.

Councilors unanimously agreed to have City staff send a letter to MDOT requesting a reduced speed limit on Waterville Road.

D) Request from the Director of Planning and Codes to authorize a change order and increased funding for the replacement septic system project at 36 Smart Road. Director of Code and Planning Bub Fournier reviewed the request to authorize a change order and increased funding for the replacement septic system project at 36 Smart Road, noting the amount has increased again to \$41,547.84, and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve the request to increase the amount of funding to be administered through the Maine DEP Small Community grant program from \$30,000.00 to up to \$42,000 via account # G-1-2996-00 to facilitate a septic system replacement at 36 Smart Road. This motion was approved, 5-0.

E) Request from the Director of Planning and Codes for a Capital Improvement Project expenditure for a new large format printer and plotter.

Director of Code and Planning Bub Fournier reviewed the request for a Capital Improvement Project expenditure for a new large format printer and plotter and answered Council questions.

Councilor Mortier, seconded by Councilor Dean, made a motion to authorize up to \$10,720.00 for the purchase of a new plotter for the Planning and Codes Department from account #670-603 Office Equipment Reserve. This motion was approved, 5-0.

F) Request by the Economic Development Director for authorization to submit a Department of Homeland Security Civil Rights Evaluation Tool.

Economic Development Director Thomas Kittredge reviewed the request to submit a Department of Homeland Security Civil Rights Evaluation Tool.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to approve all of the drafted documents that have been provided to you for this request; and authorize the submission of the completed Department of Homeland Security Civil Rights Evaluation Tool. This motion was approved, 5-0.

G) Request to appoint Ava Kelley as the City of Belfast Freedom of Information Officer and the City of Belfast Civil Rights Coordinator.

City Manager Erin Herbig reviewed the request to appoint Ava Kelley as the City of Belfast Freedom of Information Officer and the City of Belfast Civil Rights Coordinator.

Councilor Bonneville, seconded by Councilor Dean, made a motion to appoint Ava Kelley as the City of Belfast Freedom of Information Officer and the City of Belfast Civil Rights Coordinator. This motion was approved, 5-0.

H) Request from the City Assessor to approve a street name for the four-phase subdivision at Little River Drive.

City Manager Erin Herbig briefly reviewed the request to approve a street name for the four-phase subdivision at Little River Drive.

Councilor Harkness, seconded by Councilor Bitely, made a motion to approve the street name Pinecone Lane, which begins along the southerly boundary of Map 17 Lot 18-A on Patterson Hill Road and extends to Lot 18-B and continues to a future lot which will be split off Map 17 Lot 18. This motion was approved, 5-0.

I) Request to accept a sentiment from the Maine Senate and House of Representatives regarding the City of Belfast's 250th year.

Mike Hurley reviewed the sentiment from the Maine Senate and House of Representatives regarding the City of Belfast's 250th year anniversary, inquired about if the Council would like to have it framed and placed at City Hall. He also provided an update on the 250th anniversary time capsule.

Councilors unanimously agreed to have Mike Hurley move forward with framing the sentiment so it could be placed in City Hall.

J) Signing of Council Orders and housekeeping items.

Council Order #9 Signed by Councilor Dean Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$26,500.00 to be allocated from the Wastewater Department's Capital Reserves to the Wastewater's operating budget line Outside Services account #990-613 for the replacement of approximately 300' of Orangeburg sewer line that serves 145 Charles Street to be completed by Rancourt's Superior Landscaping. (Approved August 6, 2024)

Council Order #10 Signed by Councilor Harkness Ordered That:
AMENDMENTS TO CITY CODE OF ORDINANCE
CHAPTER 58 TRAFFIC AND VEHICLES,
ARTICLE II STOPPING, STANDING AND PARKING
SEC. 58-44 STOP SIGNS

Editor’s Note: All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 58 Traffic and Vehicles. **All text shown in red font** is new language that is proposed to be added. ~~All text shown with blue strike through~~ is to be removed. Bold text indicates the specific intersection. (See attached text of adopted amendments).

First Reading: August 6, 2024

Second Reading: Waived by City Council on August 6, 2024

(Approved August 6, 2024)

Council Order #11 Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to amend FY24-25 Council Order #3 increasing the amount of funding to be administered through the Maine DEP Small Community grant program from \$30,000.00 to up to \$42,000 via account # G-1-2996-00 to facilitate a septic system replacement at 36 Smart Road. (Approved August 20, 2024)

Council Order #12 Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$10,720.00 for the purchase of a new plotter for the Planning and Codes Department. With funding to come from account #670-603 Office Equipment Reserve. (Approved August 20, 2024)

11) Open to the Public

Mike Hurley of Belfast spoke on behalf of the Future of the Hutchinson Center Committee, noting that the committee had submitted a letter as part of the appeal process.

Levi Krajewski of Belfast discussed his concerns with the proposed buyers of the Hutchinson Center in relation to his work as a Psychiatric Mental Health Nurse Practitioner.

12) Communications

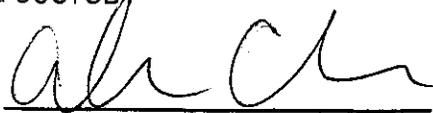
Councilor Harkness responded to a citizen's question during Open to the Public about the role of the Council in relation to the purchase and sale of the Hutchinson Center.

13) Adjourn

Councilor Harkness, seconded by Councilor Dean, made a motion to adjourn at 8:55 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



A handwritten signature in cursive script, appearing to read 'A. Cushman', is written over a horizontal line.

AMANDA CUSHMAN, BELFAST MAINE