

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, February 4, 2025**

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 Harkness, seconded by Councilor Dean, 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 6:00 p.m. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Mortier, 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 6:56 p.m. This motion was approved, 5-0.

7:00 p.m. Regular Council Meeting

Regular Council Meeting No. 15

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

5) Acceptance of the minutes

Regular Council Meeting of January 21, 2025.

Councilor Dean, seconded by Councilor Harkness, made a motion to accept the minutes from the Regular Council Meeting of January 21, 2025. This motion was approved, 5-0.

6) A. Open to the public

City Manager Erin Herbig noted that Council received six emails from Eric Dussault, Lindsay Piper, Cloe Chunn, Conny Hatch, Andrew Stevenson and Meredith Bruskin 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. Leigh Dorsey of Belfast discussed concerns of speed and traffic noise on Swan Lake Ave., requesting that Council consider sending a letter to Maine Department of Transportation (MDOT) requesting a reduced speed limit.

B. Organization and Department Reports

No comments.

7) Communications

Councilor Harkness requested that staff look into Swan Lake Ave. and inquired about MDOT's future paving project for that road.

The Public Works Director discussed MDOT's plans to pave this year.

City Manager Erin Herbig noted that she would work with the Police Department to get the speed radar up and will start gathering data for a letter to MDOT ahead of their work on Swan Lake Ave.

Councilor Dean discussed the City of Belfast Newsletter and reminded the public that they can sign up to receive them on the City of Belfast website.

8) Old Business and City Committee Reports

No comments.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an extension of liquor license application for Darby's Inc. d/b/a Darby's Restaurant and Pub located at 155 High Street, Belfast, Maine to extend the capacity of their property to the sidewalk/parking spaces for an ice bar as part of the Belfast Ice Festival on February 21, 2025, through February 23, 2025.

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

10) Business

A) Authorization for an expenditure from the Keep the Faith Fund in response to a fire at 75 Wight Street.

City Manager Erin Herbig reviewed the request, noting that the expenditure would be \$1,696.11, and thanked the City team who responded.

Councilor Harkness requested that the Keep the Faith Fund be reactivated.

Councilor Mortier, seconded by Councilor Bitely, made a motion to authorize an expenditure of up to \$1,696.11 from account G 1-2326-00 Keep the Faith Fund. This motion was approved, 5-0.

B) Further discussion and possible action on election polling locations.

City Clerk Angie Crosby and Deputy City Clerk Andrew Legacy again reviewed the recommendation and answered Council questions.

Election Ward Clerks Cathy Holland and Susan Cooney discussed their experience with the polling locations and what impact combining would have from their perspective.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to combine the Ward 5 polling location with Wards 1-4 at the Tarratine Hall starting in June 2025. This motion was approved, 4-1 (Councilor Dean opposed).

C) Request from the Public Works Director for authorization for an expenditure to purchase an excavator.

Public Works Director Kip Faulkner reviewed the request to purchase an excavator and answered Council questions.

Councilor Dean, seconded by Councilor Harkness, made a motion to expend up to \$107, 473.00, including a trade in of a 2012 J.D. Backhoe and a 1999 Champion Grader, from the Public Works Department's Purchase of Equipment Account #410-535. This motion was approved, 5-0.

D) Request from the Public Works Director for authorization for an expenditure to purchase supplies to build new downtown trash boxes.

Public Works Director Kip Faulkner reviewed the request for an expenditure to purchase supplies to build new downtown trash boxes and answered Council questions.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to expend up to \$4,195.99 for the supplies, including primed lumber, to rebuild the downtown trash boxes from the Public Works Sidewalk Reserve Account #420-902. This motion was approved, 5-0.

E) Request from the Code Enforcement Officer to pursue Rule 80K action in District Court to enforce the Dangerous Building Statute and Property Maintenance Code Violations concerning the condemned building located at 333 High Street.

Code Enforcement Officer Steve Wilson explained the request to pursue Rule 80K action in District Court to enforce the Dangerous Building Statute and Property Maintenance Code Violations concerning the condemned building located at 333 High Street and answered Council questions.

Councilor Dean, seconded by Councilor Mortier, made a motion to pursue Rule 80K action in District Court to enforce the Dangerous Building Statute and Property Maintenance Code Violations and seek a Court Order that the building be brought into a safe condition or demolished. This motion was approved, 5-0.

F) Presentation on proposed amendments to the City Code of Ordinances, Residential 5 and Residential 6 Zoning District Map adjustment to accommodate increased housing opportunities.

Director of Code and Planning Bub Fournier gave a presentation on proposed amendments to the City Code of Ordinances, Residential 5 and Residential 6 Zoning District Map adjustment to accommodate increased housing opportunities.

G) First Reading on proposed amendments to the City Code of Ordinances, Residential 5 and Residential 6 Zoning District Map adjustment to accommodate increased housing opportunities.

Director of Code and Planning Bub Fournier answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve the First Reading of proposed amendments to the City Code of Ordinances, Residential 5 and Residential 6 Zoning District Map adjustment to accommodate increased housing opportunities and to schedule the

Second Reading and Public Hearing for the February 18, 2025, Regular Council Meeting. This motion was approved, 5-0.

H) Request for approval of a Facility Use Request by the Belfast Academy of Dance on Saturday, February 22nd.

Parks and Recreation Director Pam Salokangas reviewed the Facility Use Request by the Belfast Academy of Dance on Saturday, February 22nd and answered Council questions.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to approve the Facility Use Request by the Belfast Academy of Dance on Saturday, February 22nd. This motion was approved, 5-0.

I) Request by the Airport Manager to submit a letter of support for LD 138, An Act to Exempt Airports from Certain State Endangered and Threatened Species Habitat Protections.

Airport Manager Kenn Ortmann reviewed the request to submit a letter of support for LD 138, An Act to Exempt Airports from Certain State Endangered and Threatened Species Habitat Protections and answered Council questions.

Councilor Dean, seconded by Councilor Mortier, made a motion to submit a letter of support for LD 138, An Act to Exempt Airports from Certain State Endangered and Threatened Species Habitat Protections to the State Legislative Committee that oversees this matter in addition to members of our State Legislative Delegation. This motion fails to carry, 2-3 (Councilors Harkness, Bonneville and Dean opposed).

J) Request by the Airport Manager to authorize the submission of a grant application to the Federal Aviation Administration (FAA) to pay for 95% of Phase 2 of the Airport Master Plan update.

Airport Manager Kenn Ortmann reviewed the request to authorize the submission of a grant application to the Federal Aviation Administration (FAA) to pay for 95% of Phase 2 of the Airport Master Plan update and answered Council questions.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to authorize the submission of an application, by March 3, 2025, to the FAA for 2025 Airport Improvement Program (AIP) federal funding assistance in the amount of \$118,655 for Phase 2 of the project entitled Airport

Master Plan Update, and authorize the City Manager to sign any necessary documents as part of that submission. This motion was approved, 5-0.

K) Request for approval of a draft letter to Maine Department of Transportation (MDOT) regarding a request to lower the speed limit to 40-mph on Route.

Councilor Chris Bitely reviewed the request for approval of a draft letter to MDOT regarding a request to lower the speed limit to 40-mph on Route.

Belfast citizen Ariel Morgan, who initially brought the request to the City Council, inquired about requesting a lower speed and thanked the Council for their support.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to approve a letter to the Maine Department of Transportation (MDOT) regarding a request to lower the speed limit to 40-mph on Route. This motion was approved, 5-0.

L) Signing of Council Orders and housekeeping items.

Council Order #36 Signed by Councilor Mortier Ordered That:

**CONTRACT REZONING AGREEMENT
AMENDMENT #1
CITY of BELFAST CODE of ORDINANCES**

**APPLICANT: MAIA PROPERTIES, LLC (DANIEL WALDRON)
PROJECT: THREE TIDES RESTAURANT RENOVATION
LOCATION: MAP 11, LOT 141B**

Editor’s Note: (See attached text of adopted agreement).

First Reading: December 3, 2024

Second Reading: January 7, 2025

(Approved January 7, 2025)

Council Order #37 Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$1,696.11 for lodging at Fireside Inn & Suites for citizens impacted by the fire at 75 Wight Street. Funding is to come from account G 1-2326-00 Keep the Faith Fund. (Approved February 4, 2025)

Council Order #38 Signed by Councilor Dean Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$107, 473.00, including a trade in of a 2012 J.D. Backhoe and a 1999 Champion Grader. Funding is to come from the Public Works Department's Purchase of Equipment Account #410-535. (Approved February 4, 2025)

Council Order #39 Signed by Councilor Harkness Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$4,195.99 for the supplies, including primed lumber, to rebuild the downtown trash boxes. Funding is to come from the Public Works Sidewalk Reserve Account #420-902. (Approved February 4, 2025)

11) Open to the Public

No comments.

12) Communications

No comments.

13) Adjourn

Councilor Dean, seconded by Councilor Bonneville, made a motion to adjourn at 8:30 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