

**MANAGER'S REPORT**  
City Council Meeting  
Tuesday, July 20, 2010

**TO: Mayor Walter Ash Jr. and Honorable Members of Belfast City**

**Council**

**FROM: Joseph J. Slocum, City Manager**

**DATE: Friday, July 16, 2010**

**Non-agenda items:**

**Farewell and the very best of wishes to outgoing City Clerk Roberta L. Fogg.**

One of the key elements to a successful community is having a great city clerk. Perhaps no office in city government has more contact with the public on all levels than the Office of the City Clerk. I often referred to clerks as the air traffic controllers of a municipality. They guide our affairs by helping us schedule our meetings, record our actions and preserve our history while making it available to all of us. They are State-licensing agents helping this document with absolute credibility of our births, our marriages and our deaths. They oversee the most essential function of our government and that is making sure their elected officials are properly put into position to do their best for our community. They network with every department, employee, citizen, group or entity that exists within the City and well beyond.

For 13 years Roberta L. "Bobbie" Fogg served as the city's city clerk with distinction. She has become a part of our fabric. She leaves for new opportunities and challenges for which is well suited. We will miss her but more importantly we thank her for all of her extended efforts over the years. A lot of what is done here is for people whose names we don't always know and faces we don't always recognize but it is nonetheless a duty owed to them. Bobbie Fogg fulfilled that duty with the style all of her own and with substance. We wish her very best with her continuing success.

**Agenda items:**

**10.B Request by the American Veterans (AmVets) to sell games of chance tickets in Belfast City Park during their encampment weekend on August 21, 2010.**

City council has previously approved the encampment over the last two years and this year as well. These events have been conducted without incidents. The organization sponsoring the event has asked for permission to sell what is essentially game of chance "scratch tickets" with some kind of prize. The State will not allow this unless the City supports it. Since we have had a good history of this, no complaints and responsible coordination, I recommend approval of their request.

**10.C Committee Appointments**

We have several committees where reappointments or appointments are in order. Councilor Baker asked we put this matter on for this meeting and we understand that we are doing so to identify the process Council wants to follow in order to proceed to decision. We do need to straighten out the staggered terms of the Planning Board and we seek your guidance on the best way to proceed on that.

**10.D Consideration and possible action and permitting city employees to borrow money against their retirement program.**

Many employer offered retirement systems include an option to allow an employee to borrow against their retirement balance with an obligation to pay this back to their retirement. The City of Belfast ICMA Retirement Plan offers this option but only if it has been previously approved by the Council. To date the Council has not approved this option but we now have a request from one of our employees to borrow against their retirement. They cannot do so without the option first being offered through the City.

The question is whether the Council would support such an option.

**10.E Consideration and possible action on a policy regarding late payments on tax bills when the owner asserts they never received the bill.**

The City issues more than 3500 tax bills annually. About eight times a year someone walks in and says they never received their bill and we have no record that the bill was returned to the City. Presently I have a property owner who asserts they did not receive their property tax bill and requests that we forgive the late interest payment of less than \$22. I have no authority to waive this interest but after some discussion I thought it best to refer this matter to the Council.

In considering this issue I am reminded that the city collects more than \$100,000 year in late payment fees on taxes and this money is used as revenue to pay for city operational costs. If we adopt a policy that forgives interest everyone who says they didn't get the bill we could see a dramatic impact. The individual that is driving this question has own property in the city for three years and asserts that the bill just never came to him. I am not able to identify a credible set of standards under which I could recommend forgiveness of interest unless I had absolute proof that the city mailed it that it did not come back and it actually was not received. The last part here is the most unlikely to be verified.

There are options where we could either do this case-by-case or arbitrarily limit it to a certain amount of money. Our responsibility is to put the bill in the mail not in the hand. I am sure that for some reason people really don't get their mail. I am curious whether you have any thoughts on this.

**10.F Consideration of a request from the Belfast Garden Club to have the City accept donations of money for additional trees at Grove Cemetery**

Every community should be so blessed to have people and organizations that want to spend their time, physical energy and efforts to raise money to beautify public spaces. The Belfast Garden Club once again distinguishes itself by offering financial and physical resources to Grove Cemetery for its enhancement and improvement. Further, they aspire to raise money to help the Cemetery enhance its tree inventory by securing financial donations to the City, which could be used to purchase landscaping trees.

Their plan is in your packet.

I recommend to council to authorize the City to accept donations through the Belfast Garden Club for enhancements to Grove Cemetery.

**10.G Further discussion City Projects and their prioritization.**

At the last City Council meeting we discussed the idea of updating Council goals and making sure that our list of goals was comprehensive. If there are any items that individual members wish to advance onto the list, this is a good opportunity to do so. Certainly a strong and immediate effort to locate a new City Clerk is one that I would recommend.

**10.H Update on the Waterfront Master Plan and possible scheduling of a work session to clarify scope of services and anticipated timelines.**

We have received several proposals with wide ranging cost estimates. Wide ranges of anticipated cost suggest a need to clarify the anticipated scope of work for both the Council as well as the prospective consultants. I am recommending that the Council schedule a work session to tighten down our expected scope of services so that we are sure that we are getting what we want and not spending time or resources on things we may not want. The clearer we are in talking this over with prospective consultants the more efficient the process will be. It will also insure that the final product will adhere to scope and timeline expectations.

**10.I Discussion of the DOT speed reduction request**

I will bring to the meeting additional information on what process the State follows when it determines whether to lower speeds on State roads.

**10.J Consideration of adoption of the FY2010-2011 Budget.**

We had no one speak at the public hearing on the budget on Thursday July 15<sup>th</sup>. One likely reason is that the Council has generated a budget, which we expect will not increase property taxes.

**10.K Consideration of the City Manager's recommendation to sell a piece of foreclosed real estate directly to relatives of the former owner.**

We have a piece of real estate, one acre in size that the City foreclosed upon. The City does have a strong policy of trying to sell the property back to the former owner as long as all outstanding taxes, penalties and interest are paid. In this case, the former owner has somewhat disappeared, but the family members of the former owner, who own the land all around this parcel have asked if they could purchase the parcel in her absence.

Belfast, to its credit, does not desire to profit from the difficulties of families trying to pay their taxes. Since we are pleased to try and find ways to sell property back directly to the owner who could not pay

the taxes, I think we should consider treating immediate family owners who own the abutting land in the same way. This essentially allows families to keep land that's been in the family.

I will ask the Council to support a motion to forego the public sale of this property and allow us to sell it to a relative (brother) of the former owner for outstanding taxes, penalties and interest.

**10.I Discussion on the updated job description for Belfast's City Clerk.**

In your packets you will see the updated job description we have put together for City Clerk. It has been reviewed by existing City Clerk Bobbie Fogg, and supported by her. There are really no significant changes in this job description other than clarifying that in the future the City Clerk will report to the City Manager. I do note that the old job description had some language in it that was confusing and we have made every attempt to clear that up. We put this on in case the Council has any thoughts about modifying the job description in any other way. At this point we are accepting applications for the City Clerk's position until August 3<sup>rd</sup> at 3 p.m., after which we will immediately commence interviews.

**10.M Consideration of a request by the City Manager to conduct an executive session to discuss the acquisition or the use of real property, or interest therein, pursuant to Title 13 Chapter 405 MRSA 6C.**

**10.N Signing of council orders and housekeeping items.**

That's it for now.

The Celtic Festival, complete with fireworks is this weekend. Everyone should come. We will have many visitors so we want to watch our driving, bicycling, running and walking. I will be there at the dinner and party tonight and again all day on Saturday working on the highly coveted garbage detail. Apparently the organizers felt that I was well qualified.

If you have never seen the highland games then you owe it to you and your family to do so. I have a Celtic heritage but I never once had the desire to lift an entire tree, run with it and then try to flip it up into the air and watch it spin before it crashes to the ground. It is absolutely amazing to watch. Frankly, I think I am better off with my 50-gallon trash bag toss. We will all be safer that way.

Have a great weekend, shop local and above all -be safe.