

**MANAGER'S REPORT**  
**City Council Meeting**  
**Tuesday, June 1, 2010**

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

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

**DATE: Friday, May 28, 2010**

**Non-Agenda Items:**

**An update on Range way and Right of Way Identification, Maintenance, and Development, etc.**

There is a lot of discussion going on about the City's range ways and rights-of-Way to the water. This is in the area that rife for misunderstanding, confusion and a lot of unnecessary time being spent trying to clear up rumors and innuendos. In an effort to keep us all on the same page, I outlined again for the Council, our committees and boards, our staff and our citizens just what the plan is.

At the outset there is a difference between a right-of-way to the water and a range way to the water. A right-of-way means that someone owns the underlying piece of land but the City has a right-of-way over it. In the case of a range way, the City owns it completely. It is likely that the City can exercise more dominion over a range way that it owns completely than a right-of-way. The City Attorney can provide additional clarification if that is needed.

Secondly, under City ordinance, the Parks and Recreation Commission has general jurisdiction over range ways but not rights-of-way. As a practical matter, the Commission has met and addressed both range ways and rights-of-way. The Commission worked with City Council and local citizen Margo Carpenter to prepare a summary report of existing documentation on these range ways and rights-of-way. That report is available on the City's Website, at City Hall and at the City library. This report identifies the following as range ways:

Commercial Street	Mitchell Street	Highview Terrace
Condon Street	Parish Strout Farm	Fahy Street
Stephenson Lane		

The report also identified the following rights-of-way to the water:

Allyn Street	Mayo Street	Footbridge Road
Race Street	Huntress Avenue	Upper Bridge East
Upper Bridge	West Mayo Street	Upper Mason Pond

The City has received a number of complaints, concerns and thoughts from a broad spectrum of the community with regards to these range ways and rights-of-way. These concerns include:

1. That they are marked and identified.
2. That no one is encroaching on them or taking them away from public ownership.

3. That they are not properly signed both at the street level as well as at the beach.

4. That they are not well maintained to provide good public access to the water.

Against this backdrop the City Council requested the Parks and Recreation Commission to make arrangements to have several range ways and rights-of-way surveyed and staked. The Council indicated it did not want to approve an encroachment policy until we first identify the extent to which there may or may not be encroachments into the City's range ways or rights-of-way.

We are on the verge of reporting the results of eight of these locations where we have conducted professional surveys and identified the boundaries of the public access on Condon Street, Fahy Street, Highview Terrace, Huntress Avenue, Mayo Street, Race Street, Upper Bridge area west and Upper Bridge area east. These boundary surveys will also be staked on the ground.

Once these surveys are available the City will proceed to evaluate what encroachments there are, if any, in each location, and the City Council will be involved in discussions about what is the proper way to address them.

Secondly, the Parks and Recreation Commission will inspect these areas to determine the adequacy of access from street level to the beach. Parks and Recreation will also look at signage issues and any improvements that they recommend to the Council should be made.

The City Council has stressed that it wants to proceed in a fair and neighborly fashion. No one is looking to make major change but we are looking to preserve these resources and to make sure they are marked and accessible to the general public. There is no plan to clear-cut these range ways or rights-of-way.

The Council has asked that the neighbors in these areas be involved in the discussions and we will all have to work hard to find the best mechanism to do that, neighborhood by neighborhood. Individual abutters of these range ways and rights-of-way will certainly be able to have direct communication with my office as well as the City Council Members themselves.

Nothing will be done in any of these areas without specific approval of Belfast City Council, who has asked that nothing be recommended to them without consultation being had with the neighbors. That's where we're headed in general. It will be somewhat of a complicated process because there are multiple locations, neighborhoods and circumstances that are involved. It will also involve a lot of discussion between City Park Director Jim Bell, the Belfast Parks and Recreation Commission, the community as a whole, the neighbors and the Belfast City Council.

I do note that a proposal has been floated by Waterfall Arts for some of these areas to also include a piece of artwork. No decisions on this have been made to-date. It is simply something that is being discussed and proposed by Waterfall Arts as an enhancement to the City's trails and pathways. This also is an area that must be discussed with the neighbors before the City Council will consider acting upon it.

There are many stakeholders and concerned people involved in this process. It will be a real challenge to centralize all comment and concerns and to make sure that it is evenly addressed throughout our process. On some issues with respect to encroachments, the City Council may be more involved; on other issues such as maintenance, signage, etc., the Parks and Recreation Commission may be more involved. Regardless, we are intending to have good communication all around. People could talk to Public Works, Parks, City Clerk, City Manager, and City Assessor with the possibility that responses could go out which are not based upon all the available information.

I am accordingly looking to centralize all communication on this issue in one place so that everybody can turn to that one place to access all of the information. I propose that we centralize all communication in the City Manager's Office. I would ask Tanya Mitchell to maintain a separate file on each of these locations and keep track of all inquiries and information in those files so that they can be readily available to everyone. If an abutter sends a copy of their survey that questions the City survey such documentation would be in that file and available to all as we work to improve the City's responsibilities over these places.

**Agenda Items:**

**10.B Discussion and action on confirming the City Manager's appointment of an Economic Development Director.**

On October 20, 2009, the majority of the City Council endorsed the idea of hiring the City's first-ever Economic Development Director. Following that decision the Council pursued the development of a draft job description for the position and also on January 15<sup>th</sup> identified a Draft Economic Development Plan for the City.

The City advertised for the position on January 27<sup>th</sup> and spent thousands of dollars in advertising expenses. The application deadline was February 26<sup>th</sup> and was extended to March 5<sup>th</sup>. We were successful in recruiting approximately twenty-five (25) candidates from Maine and seven (7) from out of State. After March 8<sup>th</sup>, a panel consisting of myself, City Planner Wayne Marshall and City Council Representative, Michael Hurley sorted through the applications and selected those we wanted to interview. Interviews were conducted both in person and over the phone and two out of State candidates travelled at their own expense to Maine to present themselves for a personal interview. Since the City did not (pay their travel expenses) we had to accommodate these applicants schedules. Some candidates were invited back for second interviews. It has been a long and difficult search, but I believe it is one that is going to be very rewarding for the City.

I am pleased to announce that I have offered the job of Belfast Economic Development Director to Thomas Kittredge of Brewer, Maine. Mr. Kittredge is a Maine native, graduated from Brewer High School, is a graduate of Yale University and holds a Masters Degree from Johns Hopkins University. He is presently the Executive Director of the Piscataquis County Economic Development Council, where he works in more than 15 communities to do economic development on a daily basis. He has served in that position for three years. Prior to that, he did some work for the economic development department for the City of Brewer.

Thomas is a smart, experienced, engaging and highly enthusiastic professional. I believe that the combination of his capabilities and Belfast's many diversified opportunities will bring real success to our economic future.

I pause to repeat here what both City Planner Wayne Marshall and myself have said when we started down this road. Getting an Economic Development Director is not like a light switch. You don't turn it on and all of a sudden jobs fall from the sky. Economic Development is a highly competitive field that works on retaining existing jobs, growing existing businesses as well as attracting new opportunities. Successful economic development relies on a broad variety of factors, some of which will always be outside of our control. Access to capital, a qualified labor force, reasonable transportation costs, reasonable utility costs, federal, state and corporate decisions all play a role in successful economic development at the local level. It is very much like fishing. You won't catch any unless you go, and you can bring them right up to the boat and still lose them.

Having said all of this, we are about to embark on a daily aggressive economic development effort in keeping with the draft economic development plan that was approved by the City Council on January 15, 2010.

I am most pleased to present Thomas Kittredge for your confirmation and to the broader community as Belfast's first ever, full time, Economic Development Director.

**10.C Discussion and action on a request by Wreaths Across America for Belfast to participate in a Veterans Day parade on December 5, 2010.**

One of the great things that happens in Maine every year is that wreaths are made here donated here, transported from here to be placed at the gravesite of our fallen heroes at Arlington National Cemetery.

The transport of these wreaths has grown into a significant parade winding from town-to-town attracting the general public, honored veterans, community leaders and supporters to line the streets to honor these wreaths as a way of honoring those who have given so much to the preserve our nation and our way of life.

This year the transport parade will come through Belfast on December 5, 2010. Mayor Walter Ash has asked that we put this matter out for discussion, approval and support.

**10.D Discussion and action on the Kirby Lake lighting project bid opening.**

As you may recall, the Council approved improvements to the overhead lighting at Kirby Lake (The Muck). The City put the matter out to bid and we will recommend that the lowest bidder be awarded the work. We are pleased to note that this is a Belfast contractor.

**10.E Discussion on accepting the website RFP opening.**

City Clerk Roberta Fogg has worked with the City Council to distribute the requests for proposals. I believe she has 14 responses, and there are copies of these for each of you. There is attached in your

packet a memo from City Clerk Fogg outlining the possible process we might pursue to review these proposals and select a consultant to help the City overhaul its website.

#### **10.F Update by City Planner Wayne Marshall on the waterfront walkway.**

Attached in your packet is an update memo from City Planner Wayne Marshall. As the Council and the community will recall the City pursued and secured a \$250,000 grant to improve certain sections of the waterfront walkway. The City also had put up \$200,000 of City money to attract this grant.

As the Council discussed this improvement to some portions of the waterfront walkway, larger issues developed. This triggered two things. One, that we were going to need more money to do more of the walkway than we had originally planned, and two, that the walkway would be but one piece of a larger anticipated improvements and changes over the next decade in the entire region between the Footbridge and Steamboat Landing Park. There are many pieces of property along this waterfront area that are likely to change hands in the next 10 years, and each will have a dramatic effect on our waterfront resources, our beautiful downtown as well as our beautiful parks and other City owned property in this vicinity. With that in mind the Council decided to hold back on working on a portion of the walkway pending the development of a more detailed Master Plan for the waterfront area in general as well as the downtown.

Since the State was a financial partner on the sections of the walkway, we have to comply with state protocols, rules and requirements. This includes their requirement that they sign off on how we pursue consultants. There has been some back-and-forth on this and there does seem to be some difficulty with the state, who wants to involve itself and its requirements into areas well outside of the walkway portion of the Master Plan.

Wayne Marshall will discuss our options with us and give you an update at the meeting.

#### **10.G Discussion about the proposed state law for easing property tax burden.**

This is a matter that was put on the agenda at the request of Councilor Hurley following his review of a news article that addressed municipalities in the State of Maine that are offering opportunities to senior citizens who have low incomes to do some actual work for the municipality in exchange for getting some reduction in their property taxes. In your packet is a copy of the newspaper article that Councilor Hurley has identified. I've also included a second article identifying how other communities are trying to find some way to provide some property tax relief to elderly residents on limited income. I have no recommendation to make on either of these possible programs. If we decide to create a program where seniors can volunteer for the City and in exchange getting a reduction in their property taxes we will have to first identify where such volunteer work can be safely and effectively done. I look at this as an initial discussion on these issues with the idea that we will be following up with the Council before any final action is taken.

#### **10.H Discussion of possibly replacing Council chairs.**

City Clerk Roberta Fogg understood that the Council wanted to discuss this further at its next meeting and so the matter is listed for further discussion.

That's it for now.

We should of course note with deep regret, the passing of Gail O'Donnell, wife of Councilor Roger Lee, since our last Council meeting. We send our best to him and to their respective families.

It's Memorial Day weekend, and the weather is supposed to be great. I encourage everyone to do everything they can do to make it a safe weekend for all. That means driving a little slower, making sure you have your life preserver on if you go near a boat, and looking out for those younger citizens on bicycles, who understandably see the whole world as one big long, open runway.

Everyone should go to one of the many Memorial Day Parades. I can't be here for this one but I will definitely attend the one nearest to me. The Belfast Memorial day parade is this Monday, May 31<sup>st</sup>. They will start at Reny's Plaza; march to Grove Cemetery and then down Main Street to the water. Take your children, grandchildren and anyone else within reach. Thanks.