

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 21, 2018
Executive Session 6:30 p.m.
Regular Council Meeting 7:00 p.m.**

Executive Session

Request to go into Executive Session to discuss a Legal Matter pursuant to 1 M.R.S.A. 405 (6) E.

Councilor Mortier, seconded by Councilor Harkness, made a motion to go into Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 6:30 p.m. This motion was approved, 4-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to adjourn Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 7:05 p.m. This motion was approved, 4-0.

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, August 21, 2018 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Pinchy, Inc. d/b/a Three Tides located at 2 Pinchy Lane, Belfast, Maine for a renewal Malt, Spirituous and Vinous Class A Lounge liquor license, interior and exterior decks.

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

Public Hearing #2

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28-A Section 1054 MRSA a public hearing will be held in the Council Chambers of Belfast City Hall on August 21, 2018 at 7:00 p.m. or as soon as possible thereafter on an application for a Special Amusement Permit for Pinchy, Inc. d/b/a Three Tides for live entertainment, music, vocals - Karaoke, DJ and dancing at 2 Pinchy Lane, Belfast, Maine, interior and exterior decks.

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

Regular Council Meeting No. 4

1) Call to order

2) Present: Mayor Samantha Paradis, Councilors Mary Mortier, Neal Harkness, Eric Sanders and Michael Hurley; City Manager Joseph Slocum and Admin. Assistant to the City Manager Manda Cushman.

Absent: Councilor John Arrison.

3) Pledge of Allegiance

4) Adoption of the agenda

City Manager Joseph Slocum requested to amend the agenda as follows:

- Add item **10) A #2** Further discussion on the Mayor's request for funding to attend the Clinton Global Initiative University.
- Add item **10) K #1** Request from the tax collector to abate 2016 property taxes assessed against City owned property.

Councilor Hurley request to include under item **10) A** consideration of outer High Street as part of the request.

Councilor Hurley, seconded by Councilor Mortier, made a motion to adopt the agenda, as amended. This motion was approved, 4-0.

5) Acceptance of the minutes

Regular Council Meeting of August 7, 2018.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the minutes from Regular Council Meeting of August 7, 2018. This was approved, 4-0.

6) Open to the public

1. Dorothy Odell of Belfast informed the Council that they would be receiving an application from her at the next Council Meeting for a Bread & Puppet event on September 11th.
2. Joyce Dodge of Belfast invited the public and Council to the Belfast Seniors Sizzling BBQ event on September 12th.
3. Steve Ryan, Executive Director of the Belfast Area Chamber, provided a Chamber update and requested to be on an upcoming agenda to give a presentation to the Council on the Chamber's Strategic Plan. Council unanimously agreed to place the requested presentation on the September 4th Council Meeting.

4. Ellie Daniels of Belfast discussed concerns with City's lack of a formal Code of Ethics and urged the Council to discuss and adopt one.

7) Communications

City Manager, Joseph Slocum, reminded the Council of the Council Work Session set for Tuesday, September 28th starting at 6:00 p.m.

Councilor Mortier provided an update on the Harbor Fest and thanked all those who helped make the event a success.

Mayor Paradis provided updates on the boating events that took place during the Harbor Fest.

Councilor Harkness provided a personal update on his wife's health and thanked all those who work at Waldo County General Hospital for the outstanding service they provide to this community.

Councilor Hurley provided an update on the Harris family rock splitting.

Economic Development Director, Thomas Kittredge, informed the public of the Public Information Meeting on Thursday, August 23rd regarding the parallel taxiway project.

Director of Code & Planning, Wayne Marshall, provided an update on MDOT striping project and Planning Board Public Hearing updates.

Parks & Recreation Director, Norm Poirier, provided an events update.

Mayor Paradis discussed reestablishing a youth committee and discussed various meetings and events she has recently attended on behalf of the City.

8) Old Business and Council Committee Reports

No communications.

9) Permits, Petitions and Licenses - Consent Agenda

- A.** Request to approve an application by Pinchy Inc., d/b/a Three Tides, located at 40 Marshall Wharf Belfast, Maine for a renewal Malt, Spirituous, and Vinous Class A Lounge liquor license.
- B.** Request to approve a Special Amusement Permit for Pinchy Inc., d/b/a Three Tides, for live entertainment, music, vocals - Karaoke, DJ and dancing at 2 Pinchy Lane, Belfast, Maine, interior and exterior decks.
- C.** Request to approve a Facility Use application by Experimental Aircraft Association for the use of the Belfast Airport for the Annual Open House and Fly-In on Saturday, September 15, 2018 from 7:30 a.m. – 3:00 p.m.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the consent agenda. This motion was approved, 4-0.

10) Business

A) Consideration of a request to the US Department of Transportation to do a speed study on Route 1 between the Searsport line and the Veterans' Bridge (requested by Council member Arrison) and outer High Street (requested by Council member Hurley).

City Manager, Joseph Slocum, discussed the typical procedure for moving forward with these kind of requests.

Councilors discussed these locations and any implications the requests may have on current accident investigations.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the request to ask the Department of Transportation to conduct a speed study on Route 1 (between the Searsport line and the Veterans' Bridge) and outer High Street (between Vine Street and Oak Hill Road). This motion was approved, 4-0.

A) #1 Report on Nordic Aquafarms litigation with Bill Kelly, City Attorney.

City Attorney, Bill Kelly, provided a brief update on litigations.

City Manager, Joseph Slocum, addressed concerns brought forward by the litigation.

A) #2 Further discussion on the Mayor's request for funding to attend the Clinton Global Initiative University.

City Attorney, Bill Kelly, discussed with Councilors the private funding and options on how to proceed.

Councilor Mortier, seconded by Councilor Harness, made a motion to accept funds privately donated for the Mayor to attend the Clinton Global Initiative University, and to authorize the Mayor to use those donated funds to attend the event as a guest speaker. This motion was approved, 4-0.

B) Consideration of a recommendation to remove 12 trees in various locations in the City.

Public Works Director, Bob Richards, discussed the following requested tree removal locations with Councilors:

76 Court Street (1 tree)
55 Court Street (1 tree)
10 Elm Street (1 tree)
60 Wight Street (1 tree)
8 Court Street (1 tree)
133 Swan Lake Ave. (2 trees)
41 Ocean Street (1 tree)
38 Congress Street (1 tree)
93 Congress Street (3 trees)

Councilor Hurley requested the Council consider amending the motion to include tabling the tree at 60 Wight Street until it could be inspected further.

Councilor Mortier, seconded by Councilor Harkness, made a motion to remove 11 of the requested trees, noting that the Sugar Maple located at 93 Congress Street is not to be removed per the recommendation from the City arborist. This motion was approved, 3-1 (Councilor Hurley opposed).

B) #1 Consideration of a proposal for donated Armed Services flags at the Harbor.

Eric Schrader of Belfast discussed his proposal to purchase and donate Armed Service flags.

Councilors discussed the request, thanking Mr. Schrader for his donation.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the donation of Armed Services flags to be hung at the Harbor. This motion was approved, 4-0.

C) Request for authorization to accept a grant from the Federal Government to fund 90% of the taxiway expansion at the Belfast Airport.

Economic Development Director, Thomas Kittredge, explained the request noting a discrepancy in the grant offer and discussed his recommendation to accept the offer as presented.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request to authorize the City Manager and the City Attorney to sign a grant offer from the Federal Aviation Administration in the amount of \$3,625,887, which represents the FAA's 90% share of the project costs. This motion was approved, 4-0.

D) Request from the Economic Development Director, Thomas Kittredge, to fund the cost for a storm water analysis, as part of the extension of the Airport Taxiway Project.

Economic Development Director, Thomas Kittredge, explained the request and informed the Council of the negotiated price of \$19,500.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request to fund the cost for a Stormwater Pollution Prevention Plan (SWPPP), approving the negotiated price of \$19,500 for the update, to authorize an amendment to the contract between the City of Belfast and McFarland Johnson to include the SWPPP update, and to authorize the City Manager to sign the amended contract between the City of Belfast and McFarland Johnson. This motion was approved, 4-0.

E) Discussion on updating the platform for the City's website.

Economic Development Director, Thomas Kittredge, reviewed the three options on how to move forward, requesting Council direction on how to proceed.

Councilors discussed the need to update the website and possible funding sources.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept option two, to redesign the City's website with Civic Plus, as presented. This motion was approved, 4-0.

F) Request from two private individuals to use Steamboat Landing Park on September 15, 2018 from 11:00 a.m. to 7:00 p.m. for a musical, craft, food and alcohol event.

Parks & Recreation Director, Norm Poirier, briefly explained the request.

Belfast Vendor and Craft Fair organizers Zane Cole and Rob Dunbar explained the request and answered Council questions noting that they are no longer including a beer tent as part of the request.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the Facility Use Request for use of Steamboat Landing Park on September 15, 2018 for a Belfast Vendor and Craft Fair, without the beer tent. This motion was approved, 4-0.

G) Request from CMP to install 20 new utility poles on Crocker Road as an upgrade in service.

City Manager, Joseph Slocum, briefly noted that the request is in conjunction with work being done for the new Public Works Facility.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the request from CMP to install 20 new utility poles on Crocker Road. This motion was approved, 4-0.

H) Request from the Tax Collector to abate sewer fees issued in error.

No comments.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request refund \$805.34 in sewer fees for a trailer that was removed from the property at 5 Twins Way. This motion was approved, 4-0.

I) Discussion with the Director of Code and Planning, Wayne Marshall, to schedule meetings relating to Nordic Aquafarms, local marijuana legislation and efforts to encourage additional housing.

Director of Code and Planning, Wayne Marshall, discussed with the Council upcoming meeting dates, scheduling the following meetings:

Thursday, September 6th 7-9 p.m. Council Work Session on Sewer Upgrades. (Councilor Hurley unavailable)

Tuesday, September 25th 6-9 p.m. Special Council Meeting regarding the First Reading on Zoning Changes relating to Nordic Aquafarms, location to be determined.

Wednesday, October 3rd 6-10 p.m. Work Session on Broadband and Capital Projects. (Councilor Arrison unavailable)

Tuesday, October 9th 6-9 p.m. Special Council Meeting regarding the Second Reading on Zoning Changes relating to Nordic Aquafarms, location to be determined. Noted that voting on zoning changes will take place at the Regular Council Meeting of Tuesday, October 16th. (Councilor Mortier unavailable)

Tuesday, October 23rd 7-10 p.m. Council Work Session on Belfast Yards.

Councilors also discussed housing and local marijuana legislation, unanimously agreeing that those items could be discussed during regularly scheduled meetings.

J) Request by the City Manager to authorize the expenditure of \$25,000 to replace the grinder at the Wastewater Treatment Facility.

City Manager, Joseph Slocum, briefly discussed funding.

Councilor Mortier, seconded by Councilor Sanders, made a motion to authorize the expenditure of \$25,000 from the Sewer Departments Undesignated Fund Balance to replace the grinder at the Wastewater Treatment Facility. This motion was approved, 4-0.

K) Request from the City Manager to transfer monies to pay bills for repairing and constructing new sidewalks.

City Manager, Joseph Slocum, explained the request to transfer funds from the Sidewalk Reserve account to account 420-573 for sidewalk repair work done during FY 17-18.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the request to transfer \$17,700 from the Sidewalk Reserve account to account 420-573 to pay bills for repairing and constructing new sidewalks during FY 17-18. This motion was approved, 4-0.

K) #1 Request from the tax collector to abate 2016 property taxes assessed against City owned property.

City Manager, Joseph Slocum, explained the request noting that only the Council can abate these taxes as it has been over one year.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the request to abate 2016 taxes assessed against City owned property, located at 54 Crocker Rd., in the amount of \$1,769.03. This was approved, 4-0.

L) Request to go into Executive Session to discuss a Legal Matter pursuant to 1 M.R.S.A. 405 (6) E.

Councilor Mortier, seconded by Councilor Sanders, made a motion to go into Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 10:19 p.m. This motion was approved, 4-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 10:32 p.m. This motion was approved, 4-0.

M) Signing of Council Orders and housekeeping items

Council Order #12 Signed by Councilor Mortier, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$60,100 as the City's matching funds for the Maine Recreational Trails Grant to install permanent bathrooms near the intersection of the Harbor Walk and the Armistice Bridge. Funds are to come from the Downtown-Waterfront Project Account (730-850). (Approved August 7, 2018)

Council Order #13 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$55,631 to pay for various invoices in relation to the agreement between the City of Belfast and Penobscot McCrum to connect the City's Harbor Walk and Rail Trail. Funds are to come from the Downtown TIF Account. (Approved August 7, 2018)

11) Open to the Public

1. Ellie Daniels of Belfast discussed concerns with sidewalk in front of her business on High Street and requested the Council consider installing a curb or barrier between the sidewalk and parking spaces as a safety precaution.

12) Communications

Councilor Hurley updated Council on Pedestrian Workshop he attended in Bangor presented by the Bicycle Coalition of Maine.

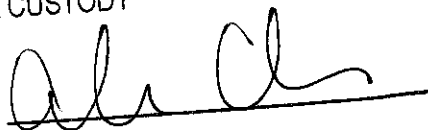
City Manager, Joseph Slocum, briefly addressed the Pedestrian, Biking & Hiking Committee's work on creating comprehensive approach on how the City's works on streets.

13) Adjourn

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn the meeting at 10:32 p.m. This motion was approved, 4-0.

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