

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, May 7, 2019
7:00 p.m.

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on May 7, 2019 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Victor Flick Corp d/b/a Colonial Theater located at 163 High Street, Belfast, Maine for a renewal Malt and Vinous Restaurant Class III, IV liquor license, interior only.

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

Public Hearing #2

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on May 7, 2019 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Donald L. Benson d/b/a All-Play LLC located at 49 Searsport Avenue, Belfast, Maine for a renewal Malt and Vinous Restaurant Class III & IV liquor license, interior only.

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

Public Hearing #3

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on May 7, 2019 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Chase’s Daily located at 96 Main Street, Belfast, Maine for a renewal Malt and Vinous Restaurant Class III, IV liquor license, interior only.

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

Public Hearing #4

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 May 7, 2019 at 7:00 p.m. or as soon as possible thereafter on an application for a Special

Amusement Permit for Chase's Daily for Live Music, DJ, Karaoke, all Live Entertainment, and dancing located at 96 Main Street, Belfast, Maine, interior only.

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

Public Hearing #5

Pursuant to Belfast Victualer License Ordinance a public hearing will be held on May 7, 2019 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall on the following applications for a Victualer License renewal, due to expire May 31, 2020.

Alessandro Scelsi	dba	Meanwhile In Belfast
Alexa & Nathaniel Clifford	dba	The Alden House Inn
Ameduen Rogers	dba	Seng Thai Restaurant
Anthony Jacovino	dba	Delvino's Grill and Pasta House
Arcadio Clima	dba	Oriental Cuisine
Barry Asalone	dba	Ocean's Edge Restaurant
Brian Berman	dba	B & F Footlong, LLC
C.N Brown	dba	Big Apple Belfast #1037
Carlos Laurel	dba	Bay Wrap
Cathy Heffentrager	dba	The Jeweled Turret Inn
Cory & Lisa Chase	dba	Darby's Restaurant
Crusty Crab LLC	dba	Front Street Pub
Danny Costa	dba	Dunkin Donuts
David Bowen	dba	Waldo County Shrine Club
David Crabiel	dba	Chocolate Drop Candy Store
Denise Fuller	dba	Wasses Hot Dogs
Donald Benson	dba	AllPlay Family Entertainment Center
Douglas Coffin	dba	Belfast Curling Club
Douglas Frost	dba	Tarratine Tribe #13 1ORM
George Darling	dba	Perry's Nut House
J. Goulet – MS 9805	dba	Hannaford Bros. Co, LLC
Jane Liedtke	dba	Belfast Breeze Inn, Inc
Jennifer Whitson	dba	Crumb Provision's
John Wentworth	dba	Wentworth Family Qwik Stop
Joseph Benjamin	dba	BV52, LLC
Kelly Matthews	dba	The Night Fall Inn
Kevin Barrett	dba	Jack's Grocery
Kiril Lozanov	dba	Crosby, LLC
Lori Wood	dba	Belfast Dairy Queen
Mac's Convenience	dba	Circle K #7011
Mac's Convenience	dba	Circle K #7104
Michael Bowen	dba	Bowen's Tavern LLC
Michael Casby	dba	Trillium Events, INC
Nutjarin Sukkasemsri	dba	Rice & Noodle Thai Restaurant

Penobscot Shores Asso.	dba	Penobscot Shores
Randall Collins	dba	VFW Post 3108
Raymond Young	dba	Young’s Lobster Pound
Robert Hogan	dba	McDonald’s
Ronald Benjamin	dba	Belfast Variey, Inc.
Ronald Goldstein	dba	Belfast Co-op
Rosamund Peters	dba	Nautilus Seafood & Grill
Ryan Cowan	dba	Wild Cow Creamery
Ryan Otis	dba	Rollie’s Bar & Grill
Sally Jaskold	dba	The Only Doughnut
Seth Whited	dba	Neighborhood
Traci Mailloux	dba	Traci’s Diner
Victor Flick	dba	Colonial Theatre
Wayne Cookson	dba	American Legion Post #43

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

Public Hearing #6

Pursuant to Belfast Bed & Breakfast License Ordinance a public hearing will be held on May 7, 2019 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers at Belfast City Hall on the following applications for a B&B Class 1 or 2 licenses to expire May 31, 2020.

Alexa & Nathaniel Clifford	dba	The Alden House Inn: Class 2
Cathy Heffentrager	dba	The Jeweled Turret Inn: Class 1
Kelly Matthews	dba	The Night Fall Inn: Class 2

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

Regular Council Meeting No. 21

1) Call to order

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

Absent: Councilor Michael Hurley

3) Pledge of Allegiance

4) Adoption of the agenda

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

- Add item **10) Q #1** Consideration of the Warrant for the RSU #71 School Budget Referendum.
- Move item **10) Q** Request to sponsor the Build Maine Conference. (Mayor), to **10) A #1**
- Update on the website redesign will take place under Committee Reports.

Councilor Harkness, 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 April 16, 2019.

Councilor Harkness, seconded by Councilor Dean, made a motion to accept the minutes from Regular Council Meeting of April 16, 2019. This was approved, 4-0.

Special Council Meeting of April 18, 2019.

Councilor Dean, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of April 18, 2019. This was approved, 4-0.

6) A. Open to the public

1. Caitlin Hills of Belfast, spoke on behalf of the Belfast School Board, providing an update to the Council on the proposed School Budget for FY 19-20.
2. Mary Alice McLean, Superintendent of Schools, addressed Council inquiry regarding increases to the budget in relation to bus maintenance.
3. David Black of Belfast addressed item **10) B**.
4. Kim Ervin Tucker of Lincolnville, spoke on behalf of Upstream Watch as their lawyer and addressed item **10) B**.
5. Amy Grant of Belfast, President of Upstream Watch addressed item **10) B**.
6. Andy Stevenson of Belfast, member of Upstream Watch addressed item **10) B**.
7. John Kruger of Northport, member of Upstream Watch addressed item **10) B**.

B. Organization and Department Reports

No comments.

7) Communications

Councilor Harkness and Dean thanked those who helped create and volunteered for the Keep Belfast Beautiful roadside cleanup event.

City Manager Joseph Slocum discussed the following:

- City Clerk, Amy Flood's recognition by the Clerk's Association.
- Reminded the Council of the meeting with neighbors of the old Public Works Facility on May 14th with a tour of the site at 5:30 p.m. and a meeting at the Boathouse at 6:30 p.m.
- Briefly discussed concerns with parking on Northport Ave. when the City Park gates are closed.

Councilor Sanders discussed a request made my Council at a recent Budget Meeting.

Mayor Paradis thanked all who provided comments to Council during open to the public and read a letter to the Council from Belfast Soup Kitchen President, Mary Brand.

Councilor Harkness noted that Probate Judge, Susan Longley, is resigning.

8) Old Business and Council Committee Reports

Economic Development Director, Thomas Kittredge, provided an update on the Website Redesign Work Group.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application by Victor Flick Corp d/b/a Colonial Theater located at 163 High Street, Belfast, Maine for a renewal Malt and Vinous Restaurant Class III, IV liquor license, interior only.
- B. Request to approve an application by Donald L. Benson d/b/a All-Play LLC located at 49 Searsport Avenue, Belfast, Maine for a renewal Malt and Vinous Restaurant Class III & IV liquor license, interior only.
- C. Request to approve an application by Chase's Daily located at 96 Main Street, Belfast, Maine for a renewal Malt and Vinous Restaurant Class III, IV liquor license, interior only.

- D.** Request to approve an application for a Special Amusement Permit for Chase's Daily for Live Music, DJ, Karaoke, all Live Entertainment, and dancing located at 96 Main Street, Belfast, Maine, interior only.
- E.** Request to approve the following applications for a Victualer License renewal, due to expire May 31, 2020.

Alessandro Scelsi	dba	Meanwhile In Belfast
Alexa & Nathaniel Clifford	dba	The Alden House Inn
Ameduen Rogers	dba	Seng Thai Restaurant
Anthony Jacovino	dba	Delvino's Grill and Pasta House
Arcadio Clima	dba	Oriental Cuisine
Barry Asalone	dba	Ocean's Edge Restaurant
Brian Berman	dba	B & F Footlong, LLC
C.N Brown	dba	Big Apple Belfast #1037
Carlos Laurel	dba	Bay Wrap
Cathy Heffentrager	dba	The Jeweled Turret Inn
Cory & Lisa Chase	dba	Darby's Restaurant
Crusty Crab LLC	dba	Front Street Pub
Danny Costa	dba	Dunkin Donuts
David Bowen	dba	Waldo County Shrine Club
David Crabiel	dba	Chocolate Drop Candy Store
Denise Fuller	dba	Wasses Hot Dogs
Donald Benson	dba	AllPlay Family Entertainment Center
Douglas Coffin	dba	Belfast Curling Club
Douglas Frost	dba	Tarratine Tribe #13 1ORM
George Darling	dba	Perry's Nut House
J. Goulet – MS 9805	dba	Hannaford Bros. Co, LLC
Jane Liedtke	dba	Belfast Breeze Inn, Inc
Jennifer Whitson	dba	Crumb Provision's
John Wentworth	dba	Wentworth Family Qwik Stop
Joseph Benjamin	dba	BV52, LLC
Kelly Matthews	dba	The Night Fall Inn
Kevin Barrett	dba	Jack's Grocery
Kiril Lozanov	dba	Crosby, LLC
Lori Wood	dba	Belfast Dairy Queen
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Penobscot Shores Asso.	dba	Penobscot Shores
Randall Collins	dba	VFW Post 3108
Raymond Young	dba	Young's Lobster Pound
Robert Hogan	dba	McDonald's
Ronald Benjamin	dba	Belfast Variey, Inc.

Ronald Goldstein	dba	Belfast Co-op
Rosamund Peters	dba	Nautilus Seafood & Grill
Ryan Cowan	dba	Wild Cow Creamery
Ryan Otis	dba	Rollie's Bar & Grill
Sally Jaskold	dba	The Only Doughnut
Seth Whited	dba	Neighborhood
Traci Mailloux	dba	Traci's Diner
Victor Flick	dba	Colonial Theatre
Wayne Cookson	dba	American Legion Post #43

F. Request to approve the following applications for a B&B Class 1 or 2 licenses to expire May 31, 2020.

Alexa & Nathaniel Clifford	dba	The Alden House Inn: Class 2
Cathy Heffentrager	dba	The Jeweled Turret Inn: Class 1
Kelly Matthews	dba	The Night Fall Inn: Class 2

- G.** Request to approve an off premises catering permit for The Otis Group d/b/a Rollie's Bar & Grill for the Annual Boy Scouts Diner on May 7, 2019 from 5:00 p.m. to 9:00 p.m. located at the Hutchinson Center, 80 Belmont Ave., Belfast, Maine.
- H.** Request to approve an application by Launchpad for an Incorporated Civic Organization license for the All Roads Music Festival being held 6:00 p.m. on May 17, 2019 to 11:30 p.m. on May 18, 2019, located at the American Legion Hall, 143 Church Street, Belfast, Maine.
- I.** Request to approve an application by Launchpad for an Incorporated Civic Organization license for the All Roads Music Festival being held on May 18, 2019 from 10:00 a.m. to 10:00 p.m., located at Waterfall Arts, 256 High Street, Belfast, Maine.
- J.** Request to approve an application by Launchpad for an Incorporated Civic Organization license for the All Roads Music Festival being held on May 18, 2019 from 10:00 a.m. to 10:00 p.m., located at The Bazz, 17 Court Street, Belfast, Maine.
- K.** Request to approve an application for a parade permit request submitted by the Veterans of Foreign Wars for the annual Memorial Day Parade on Monday, May 27, 2019 starting at 11:00 a.m. from Reny's Parking Lot.
- L.** Request to approve a Facility Use application by LifeShare, LLC for use of the lower part of Belfast City Park and Pavilion on Friday, July 19, 2019 from 11:00 a.m. to 2:00 p.m. for their annual employee recognition/luncheon.

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

10) Business

A) #1 Request to sponsor the Build Maine Conference. (Mayor)

Mayor Paradis discussed the request in further detail and answered Council questions, noting that an individual ticket for the conference cost \$83.

Councilor Harkness, seconded by Councilor Dean, made a motion to inquire if there are any staff or board members interested in attending, authorizing the up to four people to attend. This motion was approved, 3-2 (Councilors Mortier and Sanders opposed).

A) Update on shoreline erosion projects at City Park and the East Side of the Armistice Bridge.

City Director of Code and Planning, Wayne Marshall provided a brief overview.

Will Gartley, Gartley & Dorsky Engineers, discussed the erosion at Belfast City Park and the Footbridge and reviewed their proposal on how to best address it.

Councilor Sanders, seconded by Councilor Mortier, made a motion to authorize Gartley & Dorsky Engineers to submit the permit application to DEP and to finish the specs to go out to bid and to bring those bids back to City Council for the City Park project. This motion was approved, 4-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to authorize Gartley & Dorsky Engineers to submit the permit application to DEP and to finish the specs to go out to bid and to bring those bids back to the City Council for the East Side of the Armistice Bridge. This motion was approved, 4-0.

B) Consideration of a request from the State to provide the City Council with an opportunity to comment on any impacts caused by the Nordic Aquafarms proposed installation of intake and outflow pipes on submerged lands at 282 Northport Avenue in Belfast.

City Director of Code and Planning, Wayne Marshall, discussed issues brought up regarding the City's zoning and recommended the Council provide comments clarifying what the City's regulations are.

Joanne Moeswilde and Dan Miller, Harbor Committee Members, reviewed the committee's review of the application and discussed the committees concerns.

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

C) Consideration of a new Facility Use Request by the Front Street Pub to use the Belfast Yards lot to conduct a Fishing Derby Event on Saturday, July 27th from 7:00 a.m. to 4:00 p.m. and also on Sunday, July 28th from 7:00 a.m. to 4:00 p.m.

City Manager, Joseph Slocum, provided a brief explanation.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the Facility Use Request by the Front Street Pub to use Belfast Yards lot to conduct a Fishing Derby Event on Saturday, July 27th from 7:00 a.m. to 4:00 p.m. and Sunday, July 28th from 7:00 a.m. to 4:00 p.m. This motion was approved, 4-0.

D) Consideration of a new Facility Use Request from Cold Comfort Theatre to use the Belfast Common for rehearsal on Wednesday, July 24th and Thursday, July 25th from 6:00 p.m. to 9:00 p.m. and for performances on Friday, August 2nd, Saturday, August 3rd and Sunday, August 4th.

Councilor Harkness, seconded by Councilor Sanders, made a motion to accept the Facility Use Request from Cold Comfort Theatre to use the Belfast Common for rehearsal on Wednesday, July 24th and Thursday, July 25th from 6:00 p.m. to 9:00 p.m. and for performances on Friday, August 2nd, Saturday, August 3rd and Sunday, August 4th. This motion was approved, 4-0.

E) Consideration of a request from the Sons of the American Legion to organize a chicken barbecue and silent auction in City Park on Saturday, August 3rd, 2019 from 11:00 a.m. to 3:00 p.m.

Councilor Harkness, seconded by Councilor Sanders, made a motion to accept the request from the Sons of the American Legion to organize a chicken barbecue and silent auction in City Park on Saturday, August 3rd, 2019 from 11:00 a.m. to 3:00 p.m. This motion was approved, 4-0.

F) Discussion on parking on Church Street between the new courthouse and the American Legion.

The City Manager noted the change in parking due to the newly constructed sidewalk and discussed with the Council the idea of looking into alternative traffic control options to help with

the safety concerns that have arose, such as creating a four way stop at the intersection of Church and Market Streets.

Councilors provided feedback and requested that as the City looks at how to best address this to also look at other areas of concern such as, Spring and Miller Street.

G) Consideration of a request from Jennifer Whitson D/B/A “Crumbs Provisions” to use some of the Spring Street right-of-way for placement of several outside seats associated with her new restaurant located at 2 Spring St.

Director of Code and Planning, Wayne Marshall, reviewed the request, recommending the Council approve the request as license for a Use Agreement for one year with a possible renewal.

Jennifer Whitson, owner of Crumbs Provisions, explained the request in further detail.

Councilors asked clarifying questions regarding the proposal.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the request from Jennifer Whitson d/b/a “Crumbs Provisions” to use some of the Spring Street right-of-way for placement of several outside seats located at 2 Spring Street, for one year with no fee, and to review the request after one year. This motion was approved, 4-0.

H) Request from Parks and Recreation Director, Norm Poirier, to approve a concession agreement for City Park.

City Manager, Joseph Slocum, explained the request.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the request to approve a concession agreement at City Park with Matt Norwood for the concession business Baby Burritos, as presented. This motion was approved, 4-0.

I) Presentation by Wayne Marshall, Director of Code and Planning, on a proposed First Reading of a Contract Rezoning Agreement with Volunteers of America of Northern New England to redevelop the former Group Home Foundation property at 80 High St.

Director of Code and Planning, Wayne Marshall, reviewed the proposed Contract Rezoning Agreement.

J) Public Hearing on a proposed First Reading of a Contract Rezoning agreement with Volunteers of America of Northern New England to redevelop the former Group Home Foundation property at 80 High St.

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

K) Discussion and possible vote on the First Reading of the proposed Contract Rezoning Agreement with Volunteers of America of Northern of New England to redevelop the former Group Home Foundation property at 80 High St.

Director of Code and Planning, Wayne Marshall, noted that no written comments were submitted as part of the Public Hearing.

Mayor Paradis requested that an invitation to attend the next Council Meeting be provided to employees of Volunteers of America in Belfast.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the First Reading of the proposed Contract Rezoning Agreement with Volunteers of America of Northern New England to redevelop the former Group Home Foundation property at 80 High Street. This motion was approved, 4-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to schedule the Second Reading of the proposed Contract Rezoning Agreement with Volunteers of America of Northern New England to redevelop the former Group Home Foundation property at 80 High Street for the Regular Council Meeting of May 21st. This motion was approved, 4-0.

L) Request from the VFW for a donation to support the purchase of American flags.

Councilors discussed the request.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from the VFW to support the purchase of American flags for the City with a donation of \$329 from Misc. Promotional account #650-596. This motion was approved, 5-0.

M) Request from the Cemetery Director to rename the position of Lead Person to that of Assistant Superintendent of the Cemetery.

City Manager, Joseph Slocum, briefly explained the request.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from the Cemetery Director to rename the portion of Lead Person to that of Assistant Superintendent of the Cemetery. This motion was approved, 4-0.

N) Request to accept and award the bid for the Variable Frequency Drive for the Aeration Blower at Wastewater Treatment Facility.

City Manager, Joseph Slocum, explained the request on behalf of the Wastewater Superintendent.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept and award the bid to M C Electric Co., Inc. for \$9,650 to replace the Variable Frequency Drive for the Aeration Blower at the Wastewater Treatment Facility with funding to come from accounts 990-611 and 990-613. This motion was approved, 4-0.

O) Request from City Treasurer, Theresa Butler, for authority to advertise two parcels of foreclosure property for sale.

Mayor Paradis discussed looking into the option of creating a land trust to develop foreclosed properties into possible affordable lots for housing development, as a way to look at foreclosed land in a different way.

Councilors requested further details regarding the properties and the possibility of creating a land trust at the next Regular Council Meeting.

P) Consideration of a request from the Town of Searsport to have the City of Belfast Wastewater Treatment Facility to accept all wastewater from the Town of Searsport.

City Manager, Joseph Slocum, reviewed the request from the Town of Searsport and the recommendations from the City Wastewater Superintendent and City engineer.

Councilors unanimously agreed to send a letter to the Town of Searsport noting that although the City of Belfast appreciates their inquiry, the City is going to follow the recommendation and expertise of City staff and engineer.

Q) Request to sponsor the Build Maine Conference. (Mayor)

Moved to item **10) A #1**

Q) #1 Consideration of the Warrant for the RSU #71 School Budget Referendum.

City Manager, Joseph Slocum, briefly explained the request, noting that the Election for the School Budget will be held on June 11th.

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

R) Signing of Council Orders and housekeeping items.

Council Order #60 Signed by Councilor Mortier, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$23,550 to purchase 30 Scott Carbon Air Pack Cylinders to replace 60 cylinders recently removed from service. Funding is to come from the Fire Department Equipment Reserve Account. (Approved April 16, 2019)

Council Order #61 Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$7,717.50 per year for a contract with Moore’s Septic Services for portable toilets for the 2019-2021 seasons. Funding is to come from account 610-585. (Approved April 16, 2019)

Council Order #62 Signed by Councilor Mortier, Ordered That:

The City Manager and the City Treasurer are authorized to send \$3,499 to the Belfast Area High School from the income earned from the Carolyn Crosby Trust Fund. (Approved April 2, 2019)

11) Open to the Public

No comments.

12) Communications

City Manager, Joseph Slocum, provided an update regarding Paul Naron’s proposal.

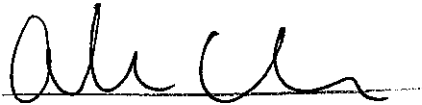
Mayor Paradis inquired about the property on being developed on Church Street, and if they have permission from the City to place a ramp across the sidewalk.

13) Adjourn

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn the meeting at 10:39 p.m. This motion was approved, 4-0.

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