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City of Belfast
Council Chambers-Belfast City Hall
Tuesday, August 6, 2019
7:00 p.m.

Regular Council Meeting No. 3

1) Call to order

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

3) Pledge of Allegiance

4) Adoption of the agenda

City Manager, Joseph Slocum requested to remove item **10) Z #4** Request from the Police Department to accept criminal forfeiture funds in the amount of \$1,915.

Councilor Hurley requested to add as a new **10) Z #4** Discussion on civil engineering for Swan Lake Ave.

City Manager, Joseph Slocum, request to add item **10) Z #12** Request to go into Executive Session on an Economic Development matter pursuant to 1 M.R.S.A 405 (6) C.

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

5) Acceptance of the minutes

Regular Council Meeting of July 16, 2019.

Councilor Sanders, seconded by Councilor Dean, made a motion to accept the minutes from Regular Council Meeting of July 16, 2019. This was approved, 5-0.

6) A. Open to the public

1. Organizers of the Waldo County Diaper Closet provided an update on how people in need of diapers can get assistance through their local program.
2. Christopher Hyk of Belfast discussed concerns with recent Planning Board Meeting regarding Nordic Aquafarms permit application.

B. Organization and Department Reports

- Lorraine Brown provided an update on the Belfast Creative Coalition.
- Director of Code & Planning, Wayne Marshall, provided an update regarding upcoming Planning Board meetings on Nordic Aquafarm’s Permit Applications and new Code & Planning Office hours.
- Carol Good, Parks and Recreation Commission Chair, provided an update on behalf of the Commission.

7) Communications

Council thanked all those involved in the Belfast Street Party event, Celtic Festival and Chicken BBQ.

Councilor Dean requested an update on status of Comprehensive Planning Committee.

Councilor Mortier reminded the public of upcoming Harbor Fest.

8) Old Business and Council Committee Reports

No comments.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an off premises catering permit for The Otis Group Inc. d/b/a Rollie’s Bar & Grill for the Maine Woodlands Fundraiser located at the Belfast Boathouse, 34 Commercial Street, Belfast, ME on July 24, 2019.
- B. Request to approve an off premises catering permit for The Otis Group Inc. d/b/a Rollie’s Bar & Grill for the Mathews Brothers Meeting located at the Belfast Boathouse, 34 Commercial Street, Belfast, ME on July 17, 2019.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the consent agenda. This motion was approved, 5-0.

10) Business

A) Public Hearing on proposed changes to City Ordinances Chapter 58, Section 50-39, “Specific Restrictions”, which would prohibit parking on the western side of Church Street, between Anderson and Market streets, except for two marked spaces between the intersection of Market Street and the exit from the State courthouse parking lot.

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

B) Second Reading on proposed changes to City Ordinances Chapter 58, Section 50-39, “Specific Restrictions”, which would prohibit parking on the western side of Church Street, between Anderson and Market streets, except for two marked spaces between the intersection of Market Street and the exit from the state courthouse parking lot.

City Manager, Joseph Slocum, briefly reviewed the proposed amendments.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the Second Reading on proposed changes to City Ordinances Chapter 58, Section 50-39, “Specific Restrictions”, as presented. This motion was approved, 5-0.

C) Public Hearing on proposed changes to City Ordinances Chapter 58, Section 58-40, “Time limits for individual parking spaces”, that would limit the amount of time to park at 4 marked parking spots on Church Street between its intersection of Market and Anderson Streets.

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

D) Second Reading on proposed changes to City Ordinances Chapter 58, Section 58-40, “Time limits for individual parking spaces”, that would limit the amount of time to park at 4 marked parking spots on Church Street between its intersection of Market and Anderson Streets.

City Manager, Joseph Slocum, briefly explained the proposed amendments.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the Second Reading on proposed changes to City Ordinances Chapter 58, Section 58-40, “Time limits for individual parking spaces”, as presented. This motion was approved, 5-0.

E) Public Hearing on proposed amendments to the City Code of Ordinances Chapter 50, Section 50-131 through 50-139, which would impose restrictions on the use of the Bridge Street Parking Lot.

Mayor Paradis asked for proponents and opponents.

1. Paul Carlson of Belfast thanked Council for their consideration and action.
2. Judson Colby of Belfast thanked Council for their consideration.

Mayor Paradis declared the hearing closed.

F) Second Reading on proposed amendments to the City Ordinances Chapter 50, Section 50-131 through 50-139, which would impose restrictions on the use of the Bridge Street Parking Lot.

Councilors thanked the public for bringing the issue to their attention and acknowledge receipt of written public comment.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the Second Reading on proposed amendments to City Ordinances Chapter 50, Section 50-131, as presented. This motion was approved, 5-0.

G) Public Hearing on proposed amendments to the City Code of Ordinances Chapter 58, Section 58-44, that would create 4 way stop signs at intersections of Church and Miller Streets as well as Miller Street and Congress Street.

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

H) Second Reading on proposed amendments to the City Code of Ordinances Chapter 58, Section 58-44, that would create 4 way stop signs at intersections of Church and Miller Streets as well as Miller Street and Congress Street.

City Manager, Joseph Slocum, briefly explained the proposed amendments and noted written public comment.

Councilor Dean requested that the ordinances be amended to have gender neutral language.

City Manager, Joseph Slocum informed the Council that the gender neutral amendments could be brought forward at a future date.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the Second Reading on proposed amendments to the City Code of Ordinances Chapter 58, Section 58-44, as presented. This motion was approved, 5-0.

I) First Reading on proposed changes to the Code of Ordinances Chapter 10, Article II, “Animals”, Section 10-35, 32 (b) and 32 (c), requiring all dogs to be on leashes at all times on all City property including Parks, streets, sidewalks, trails, facilities, etc.

City Manager, Joseph Slocum, reviewed the proposed ordinance changes.

Carol Good, Parks Commission Chair, spoke on behalf of the Commission and their support of these proposed changes.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the First Reading on proposed changes to the Code of Ordinances Chapter 20, Article II, “Animals”, Section 10-35, 32 (b) and 32 (c), as presented with the Public Hearing and Second Reading scheduled for August 20, 2019. This motion was approved, 5-0.

J) First Reading on proposed changes to the Code of Ordinances Chapter 50, Section 50-146 through 50-151, Regulations that apply to all City Property.

City Manager, Joseph Slocum, explained the complexity of the proposed amendments and what they encompass.

Councilors discussed creating a more uniform fine, discussing \$50 for the 1st and 2nd offense and \$250 civil fine for any additional offenses.

Councilor Dean discussed concerns with how the proposed amendments could impact the public and businesses.

Councilor Harkness, seconded by Councilor Hurley, made a motion to accept the First reading on proposed changes to the Code of Ordinances Chapter 50, Section 50-146 through 50-151, as presented with the Public Hearing and Second Reading scheduled for August 20, 2019. This motion was approved, 4-1 (Councilor Dean opposed).

K) First Reading on proposed changes to the Code of Ordinances Chapter 58, Section 58-40, “Time limits for individual parking spaces”, that would limit the amount of time to park in all parking spaces at the western end of the Armistice Bridge to three hour parking.

City Manager, Joseph Slocum, briefly reviewed the proposed amendments.

Councilor Dean noted a grammatical error.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the First Reading on proposed changes to the Code of Ordinances Chapter 58, Section 58-40, “Time limits for individual parking spaces, as presented with the Public Hearing and Second Reading scheduled for August 20, 2019. This motion was approved, 5-0.

L) Public Hearing on proposed amendments to the Code of Ordinances Chapter 30, “Marine Activities”, Section 30 – 169, design standards.

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

M) Discussion and possible action on proposed amendments to the Code of Ordinances Chapter 30, “Marine Activities”, Section 30 – 169, design standards.

Harbor Master, Kathy Pickering, briefly addressed the proposed changes.

Councilors thanked the Harbor Master and Advisory Committee for their work.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the Second Reading on proposed amendments to the Code of Ordinances Chapter 30, “Marine Activities, Section 30-169, as presented. This motion was approved, 5-0.

N) Request to appoint City Clerk, Amy Flood, as interim Municipal Motor Vehicle Agent.

City Clerk, Amy Flood, briefly explained the request.

City Manager, Joseph Slocum, request that the Council also appoint the City Clerk as interim Tax Collector.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request to appoint City Clerk, Amy Flood, as interim Municipal Motor Vehicle Agent and interim Tax Collector. This motion was approved, 5-0.

O) Request to settle the amount of taxes owed with the existing Tax Collector who is retiring on August 2nd.

City Clerk, Amy Flood and City Manager, Joseph Slocum, explained the request to Council.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the settlement of taxes owed with the existing Tax Collector who retired on August 2nd, as presented. This motion was approved, 5-0.

P) Request from City Treasurer, Theresa Butler, for signatures to engage C.H. Door & Company to perform the annual audit of the City’s finances.

No comments.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the request for signatures to engage C.H. Door & Company to perform the annual audit of the City’s finances. This motion was approved, 5-0.

Q) Request from the Director of Public Works, Bob Richards, to accept the bids for road salt and to award the bid to the lowest bidder.

City Manager, Joseph Slocum, reviewed the bids with Council.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the bids for road salt and to award the bid to the lowest bidder New England Salt. This motion was approved, 5-0.

R) Request from the Director of Public Works, Bob Richards, to accept the bids for diesel fuel and to award the bid to the lowest bidder.

City Manager, Joseph Slocum, reviewed the bids with Council.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the bids for diesel fuel and to award the bid to the lowest bidder Maritime Energy. This motion was approved, 5-0.

S) Request from the Director of Public Works, Bob Richards, to accept the bids for winter road sand and to award the bid to the lowest bidder.

City Manager, Joseph Slocum, reviewed the bids with Council noting that both bids came in the same.

Councilors discussed the bidders noting that both companies have done great work in the past for the City of Belfast.

Councilor Dean, seconded by Councilor Harkness, made a motion to accept the bids for winter road sand and to award the bid to the lowest bidder Scott Ellis. This motion was approved, 4-1 (Councilor Sanders opposed).

T) Discussion with the City Clerk on possible relocation of the polling place at the Boathouse.

City Clerk, Amy Flood, explained the request and requested Council direction in how they would like to proceed.

Councilors discussed support for moving to the Crosby center.

Councilor Harkness, seconded by Councilor Sanders, made a motion to move the voting location for Wards 1-4 from the Boathouse to the Crosby Center, for \$1,000, for the next election in November. This motion was approved, 5-0.

U) Discussion with the City Clerk, Amy Flood, on further efforts to fill vacancies on City committees.

City Clerk, Amy Flood, noted six new applicants.

Councilors unanimously agreed to do all six interviews at 5:30 p.m. on August 20, 2019 and to discuss appointments as an agenda item at the August 20th Council Meeting.

V) Request from City Treasurer, Theresa Butler, to transfer annually collected cemetery funds to the trust for perpetual care.

Mayor Paradis requested an update on moving investments off fossil fuels, Council unanimously agreed to discuss this at the next Council Meeting of August 20th.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request to transfer annually collected cemetery funds to the trust for perpetual care. This motion was approved, 5-0.

W) Request from the Little River Church to use Steamboat Landing on August 24th from 11:00 a.m. to 5:00 p.m. for an organized kite flying activity.

Parks & Recreation Director, Norm Poirier, reviewed the request with Council.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the request from Little River Church to use Steamboat Landing on August 24th from 11:00 a.m. to 5:00 p.m. for an organized kite flying activity. This motion was approved, 5-0.

X) Request from the American Traveling Morris Dance Group to perform at various locations on City property, from August 12th to August 18th.

Parks & Recreation Director, Norm Poirier, reviewed the request with Council.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the request from the American Traveling Morris Dance Group to perform at various location on City property, from August 12th to August 18th. This motion was approved, 5-0.

Y) Request from the Parks and Recreation Department to spend up to \$10,000 from the Parks Capital Reserve to purchase equipment storage for the department.

Parks & Recreation Director, Norm Poirier, explained the request with Council.

City Manager, Joseph Slocum, discussed funding with the Council, suggesting utilizing the Parks Capital Reserve.

Councilor Harkness, seconded by Councilor Sanders, made a motion to accept the request from the Park and Recreation Department to spend up to \$10,000 from the Parks Capital Reserve account to purchase equipment storage. This motion was approved, 5-0.

Z) Request from the City Manager for authorization to spend up to \$59,000 to purchase a six mobile lift system for the new Public Works Facility as part of the project.

City Manager, Joseph Slocum, reviewed the request, explaining that funding would come from the borrowing of the new Public Works Facility.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request to spend up to \$59,000 to purchase a six mobile lift system for the new Public Works Facility with funding to come from the borrowing of the new Public Works Facility. This motion was approved, 5-0.

Z) #1 Consideration of draft findings of fact on an application for Contract Rezoning from Paul Naron for seven and 15 Front St.

City Director of Code and Planning, Wayne Marshall, reviewed a new proposal from Paul Naron and recommending that if Council is interested in pursuing the proposal that they authorize staff to continue to work with Paul Naron's attorney Joseph Biaungo to try to come back to the Council with specific terms at an upcoming meeting.

Attorney Joseph Baiungo discussed the proposal with the Council in more detail and answered Council questions.

Council unanimously agreed to move forward, requesting staff to continue to work with Paul Naron and his attorney on specific terms for Council consideration at a future meeting.

Z) #2 Request from the City Director of Code and Planning, Wayne Marshall, to consider entering into a boundary line agreement with the owner of the County Copy building on Main Street.

City Director of Code and Planning, Wayne Marshall, reviewed the proposal.

Councilor Sanders, seconded by Councilor Mortier, made a motion to approve entering into a boundary line agreement with the owner of the County Copy building on Main Street, as presented. This motion was approved, 5-0.

Z) #3 Request from the Director of Code and Planning, Wayne Marshall, for authorization for the Department to spend up to \$6000 from the Department's Capital Equipment Reserve to enable the department to purchase office equipment.

Councilor Sanders, seconded by Councilor Harkness, made a motion to accept the request for authorization to spend up to \$6000 from the Planning Departments Capital Equipment Reserve to purchase office equipment. This motion was approved, 5-0.

Z) #4 Discussion on civil engineering for Swan Lake Ave.

Councilor Hurley explained the request to have graduate students from the University of Maine look into Swan Lake Ave. with no cost or obligation to the City of Belfast and requesting authorization to be the point person.

Councilor Harkness, seconded by Councilor Sanders, made a motion to direct Councilor Hurley to take the necessary steps to move the request, as presented, with the advice of the City Manager forward to the University of Maine. This motion was approved, 5-0.

Z) #5 Request from the Public Works Director for permission to sell two used oil burning furnaces that are currently located at the Public Works Facility for \$2500.

No Council discussion.

Councilor Sanders, seconded by Councilor Mortier, made a motion to. This motion was approved, 5-0.

Z) #6 Request from the Public Works Director, Bob Richards, to accept paving bids and to award the bid to the lowest responsible bidder.

City Manager, Joseph Slocum, explained that staff is requesting to accept the bids but at this not to award the bids as the bids came in higher then expected.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the bids for paving. This motion was approved, 5-0.

Z) #7 Update on public access to the beach at Highview Terrace.

City Manager, Joseph Slocum, provided a brief update regarding a lease with property owners to provide access.

Z) #8 Update from City Economic Development Director, Thomas Kittredge, on the development of a market survey analysis for various properties in the City.

City Economic Development Director, Thomas Kittredge, provided a brief update and answered Council questions.

Z) #9 Request the City Manager to use Reserve funds towards the lease of a new copier for the City Manager Officer.

City Manager, Joseph Slocum, briefly reviewed the request.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to use Reserve funds for the lease of a new copier for the City Manager Office. This motion was approved, 5-0.

Z) #10 Request from the City Manager to go into Executive Session to discuss a Personnel matter pursuant to 1MRSA 405 (6) A.

Councilor Sanders, seconded by Councilor Harkness, made a motion to go into Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 10:10 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Mortier, made a motion to adjourn Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 10:17 p.m. This motion was approved, 5-0.

10) Z #12 Request to go into Executive Session on an Economic Development matter pursuant to 1 M.R.S.A 405 (6) C.

Councilor Harkness, seconded by Councilor Sanders, made a motion to go into Executive Session on an Economic Development matter pursuant to 1 MRSA 405 (6) C at 10:17 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn Executive Session on an Economic Development matter pursuant to 1 MRSA 405 (6) C at 10:27 p.m. This motion was approved, 5-0.

Z) #11 Signing of Council Orders and housekeeping items.

11) Open to the Public

1. Paul Carlson of Belfast thanked Council for their actions regarding ordinance amendments.

12) Communications

Councilor Hurley discussed having the State look into Browntail Moths in Belfast as a health issue.

Councilor Dean reminded the public of the newly launched City website.

Councilor Harkness discussed the City looking into an option for a cooling center when heat index rises to dangerous levels in the summer months.

Councilor Sanders cautioned public regarding a bobcat that has been seen behind the Captain Albert School.

13) Adjourn

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn the meeting at 10:27 p.m. This motion was approved, 5-0.

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