

\*These are "Action Only" minutes. Video of comments may be found on recorded discs at City Hall or at [www.cityofbelfast.org](http://www.cityofbelfast.org).\*

**City of Belfast  
Council Chambers-Belfast City Hall  
Tuesday, September 17, 2019  
7:00 p.m.**

**Public Hearing #1**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on September 17, 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 the Midcoast Conservancy, located at 202 US Route One, Edgecomb, Maine for an Incorporated Civic Organization license, for the Wild & Scenic Film Festival to be held at the University of Maine, Hutchinson Center in Belfast, Maine.

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 September 17, 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 Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior decks.

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

**Public Hearing #3**

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 September 17, 2019 at 7:00 p.m. or as soon as possible thereafter on an application for a renewal Special Amusement Permit for Randall Collins VFW Post 3108 located at 34 Field Street, for live music, vocals, karaoke, DJ dancing, and all live entertainment (interior/exterior).

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

**Public Hearing #4**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, September 17, 2019 at 7:00 p.m. or as soon as possible thereafter, on an application by The Crusty Crab LLC d/b/a Front Street Pub, located at 37B Front Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior fenced in deck.

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

### **Public Hearing #5**

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 Tuesday, September 17, 2019 at 7:00 p.m. or as soon as possible thereafter on an application for a renewal Special Amusement Permit by The Crusty Crab LLC d/b/a Front Street Pub for live entertainment, music vocals- Karaoke, DJ and dancing located at 37B Front Street, Belfast, Maine interior and exterior deck.

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

### **Regular Council Meeting No. 6**

#### **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 amend the agenda as follows:

- Add item **10) K #1** Request from Public Works Director for permission to spend \$7,726 on a new truck sander from budget line 410-535.
- Add item **10) L #1** Request for a Parade Permit from “The Village Canoe” for Friday, September 27<sup>th</sup> from Waterfall Arts to Heritage Park from 6:00 to 7:00 p.m.
- Add item **10) Q #1** Update on the new Public Works Facility on Crocker Rd.
- Add item **10) Q #2** Request from the City Manager to go into Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A.
- Add item **10) Q #3** Request from the City Manager to go into Executive Session on an Economic Development matter pursuant to 1 M.R.S.A. 405 (6) C.
- Remove item **10) R** Request from the Climate Committee to spend up to \$2000 for a weather station.

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

**5) Acceptance of the minutes**

Regular Council Meeting of September 3, 2019.

Councilor Sanders, seconded by Councilor Dean, made a motion to accept the minutes from Regular Council Meeting of September 3, 2019. This was approved, 5-0.

**6) A. Open to the public**

1. Doug Smith of Belfast Rotary informed the public of the upcoming E-Waste Day on September 28<sup>th</sup>.
2. Nancy Smith of Belfast discussed concerns with item **10) L** and urged the Council not to support MDOT's proposed project to eliminate the jug handle.

**B. Organization and Department Reports**

- Steve Ryan, Executive Director of the Chamber of Commerce, provided an organization update.
- Wayne Marshall, Director of Code & Planning, provided an update on the Planning Board's review of the Nordic Aquafarm permits and the City Park Shore Stabilization Project.
- Norm Poirier, Parks & Recreation Director thanked all involved in the Bike ME event.

**7) Communications**

Councilor Harkness reminded the public of the memorial for Sandy Carey and provided an update on new programs through the Library.

Councilor Dean requested to send a letter of support to the City of Farmington and discussed importance of community involvement and improvements to social media.

Councilor Hurley discussed new 4 ways stop at Church and Miller Streets and suggested putting cone back to remind people of the change.

**8) Old Business and Council Committee Reports**

No comments.

**9) Permits, Petitions and Licenses - Consent Agenda**

- A. Request to approve an application by the Midcoast Conservancy, located at 202 US Route One, Edgecomb, Maine for an Incorporated Civic Organization license, for the Wild & Scenic Film Festival to be held at the University of Maine, Hutchinson Center in Belfast, Maine.
- B. Request to approve an application by Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior decks.
- C. Request to approve an application for a renewal Special Amusement Permit for Randall Collins VFW Post 3108 located at 34 Field Street, for live music, vocals, karaoke, DJ dancing, and all live entertainment (interior/exterior).
- D. Request to approve an application by The Crusty Crab LLC d/b/a Front Street Pub, located at 37B Front Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant Class liquor license, interior and exterior fenced in deck.
- E. Request to approve an application for a renewal Special Amusement Permit by The Crusty Crab LLC d/b/a Front Street Pub for live entertainment, music vocals- Karaoke, DJ and dancing located at 37B Front Street, Belfast, Maine interior and exterior deck.
- F. Request to approve an off premises catering permit for the American Legion Frank D. Hazeltine Post 43 for a celebration of appreciation located in the American Legion Hall (Main Function Hall), 143 Church Street, Belfast on September 28, 2019 from 10:00 a.m. to midnight.
- G. Request to approve an extension of liquor license on premise permit for The Crusty Crab d/b/a Front Street Pub for the Miracle German Shepherd Dog Rescue Fundraiser located at 37 Front Street, Belfast on September 19, 2019.
- H. Request to approve a Facility Use application by Waterfall Arts for the fourth annual “Chalk Walk” event on the Harbor Walk (Heritage Park section) on Saturday, September 21, 2019 from 9:00 a.m. to 4:00 p.m.
- I. Request to approve an off premises catering permit for The Otis Group d/b/a Rollie’s Bar & Grill for a private wedding located in the Waldo County Shrine Club, 40 Northport Ave., Belfast on September 21, 2019 from 4:00 p.m. to 10:00 p.m.

Councilor Dean, 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 amendments to the City Code, Chapter 50, “Streets Sidewalks and other Public Places” that would prohibit certain conduct on all City property.

Mayor Paradis asked for proponents and opponents.

1. Carol Good of Belfast spoke on behalf of the Parks & Recreation Commission regarding differences between Parks Commission proposed smoking ordinance and the one being proposed tonight.
2. Alan Weaver discussed concerns with banning fire arms on City property in reference to current state open carry laws.
3. City Manager, Joseph Slocum, noted a typo in which firearms was supposed to be eliminated from the proposed language being discussed.
4. Abby Gilcrest spoke as a business owner in Belfast and concerns with alienating potential visitors to town by eliminating the use of Tabaco on City sidewalks.
5. Steve Ryan of Belfast discussed concerns with overreaching and discussed areas of the proposal that need clarification.

Mayor Paradis declared the hearing closed.

**B) Discussion and possible action on proposed amendments to City Code Chapter 50 “Streets, Sidewalks and other Public Places” that would prohibit certain conduct on all City property.**

City Manager, Joseph Slocum, briefly provided an update and clarification of proposed amendments.

Councilors thoroughly discussed the proposal and amendments they would like to see before voting to pass ordinance changes, which included removing language regarding firearms and sidewalks and adding clarification regarding usage not possession and to take into consideration language from the Police Chief that will assist the Police Department with enforcement.

Councilor Hurley, seconded by Councilor Harkness, made a motion to table the Second Reading on amendments to City Code of Ordinances, Chapter 50 “Streets, Sidewalks and other Public Places”, and to bring back proposed amendments at a future meeting. This motion was approved, 5-0.

**C) Public Hearing on proposed amendments to the City Code, Chapter 10 “Animals”, Article II “Dogs” , that would increase the fine for leaving behind dog waste and also require that all dogs to be on leashes at all times on all City property, excluding the Dog Park at Walsh Fields.**

Mayor Paradis asked for proponents and opponents.

1. Carol Good spoke on behalf of the Parks & Recreation Commission discussed Commission’s recommendation to have both the Dog Park and Sportsman Park as exceptions.

Mayor Paradis declared the hearing closed.

**D)** Discussion and possible action on proposed amendments to the City Code, Chapter 10 “Animals”, Article II “Dogs” that would increase the fine for leaving behind dog waste and also require that all dogs to be on leashes at all times on all City property excluding the Dog Park at Walsh Fields.

Councilors discussed possible amendments such as Sportsman Park as an exception along with the Dog Park.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the amendments to the City Code of Ordinances, Chapter 20 “Animals”, Article II “Dogs”, as a First Reading and to bring back language with included amendments as recommend by the Council for a Second Reading at an upcoming meeting. This motion was approved, 5-0.

**E)** First Reading on a proposal to amend the City Code, Chapter 58 “Traffic and Vehicles” to eliminate bicycle licensing (Section 58-91 to 58-94) and to prohibit riding bicycles on downtown sidewalks (Section 58-96).

No Council discussion.

Councilor Sanders, seconded by Councilor Hurley, made a motion to accept the First Reading on amendments to the City Code of Ordinances, Chapter 58 “Traffic and Vehicles”, as presented, with a Public Hearing and Second Reading to be held at an upcoming meeting. This motion was approved, 5-0.

**F)** Further discussion on proposed pedestrian and street safety measures at the intersection of Main Street and the lower eastern entrance to the Washington Street Parking Lot.

City Manager, Joseph Slocum, requested further clarification from Council regarding the placement of the crosswalk.

Councilors thoroughly discussed the want for a crosswalk in this location along with striped paint added at the entrance of the parking lot and a striped crosswalk into the parking lot.

Councilor Hurley, seconded by Councilor Harkness, made a motion to approve the idea of a crosswalk from Federal Street to the Washington Street Parking Lot leaving the details of the exact location to be determined by City staff, and to add additional striping across the entrance of the parking lot and into the parking lot to assist in pedestrian safety. This motion was approved, 5-0.

**G) First Reading on proposed amendments to the Code of Ordinances, Chapter 58, Section 35 “Fines,” that would increase the fines for parking tickets in the City.**

City Manager, Joseph Slocum, discussed the proposed language with Councilors and Police Chief.

Councilor Harkness, seconded by Councilor Sanders, made a motion to accept the First Reading on proposed amendments to the City Code of Ordinances, Chapter 58, Section 35 “Fines”, as presented. This motion was approved, 5-0.

**H) Request from the Code Enforcement Officer, Bub Fournier, for Council approval to work with the City Attorney to pursue legal action against Jonathan Clapp, owner of property located at 415 High St., regarding violations of the vegetation cutting standards.**

Code Enforcement Officer, Bub Fournier, reviewed the request with Council and answered Council questions.

Councilor Sanders, seconded by Councilor Dean, made a motion to approve the Code Enforcement Officer to work with the City Attorney to pursue legal action against Jonathan Clapp, owner of the property located at 415 High Street, regarding violations of the vegetation cutting standards. This motion was approved, 5-0.

**I) Facility Use Request from the Belfast Creative Coalition to install “Community Participation Boxes.”**

Parks & Recreation, Norm Poirier, reviewed the box locations with Council.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the Facility Use Request from the Belfast Creative Coalition to install “Community Participation Boxes”. This motion was approved, 5-0.

**J)** Request from the Public Works Director, Bob Richards, to accept the bids for our proposed surplus equipment and to reject all bids as being insufficient for the value of this equipment.

Public Works Director, Bob Richards, reviewed the bids and requested the Council reject them.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the bids for sale of surplus equipment and to reject all bids as being insufficient for the value of this equipment. This motion was approved, 5-0.

**K)** Request from the Public Works Director, Bob Richards, to purchase a 2019 Silverado Medium Duty plow truck with a 10'6" plow from O'Connor GMC for \$69,229.

Public Works Director, Bob Richards, explained the request with Council.

Councilors inquired about the specifics of the usage for the department.

Councilor Harkness, seconded by Councilor Sanders, made a motion to accept the request to purchase a 2019 Silverado Medium Duty plow truck with a 10'6" plow from O'Conner GMC for \$69,229. This motion was approved, 5-0.

**K) #1** Request from Public Works Director for permission to spend \$7,726 on a new truck sander from budget line 410-535.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the request to spend up to \$7,726 on a new truck sander from budget line 410-535. This motion was approved, 5-0.

**L)** Further discussion on the State's proposal to eliminate the jug handle and change the traffic flow at the intersection of Northport Avenue and Route One.

Councilors thoroughly discussed MDOT's proposal thoroughly.



Councilor Mortier, seconded by Councilor Sanders, made a motion to not support the State's proposal to eliminate the jug handle and change the traffic flow at the intersection of Northport Avenue and Route One. This motion was approved, 4-1 (Councilor Dean opposed).

L) #1 Request for a Parade Permit from "The Village Canoe" for Friday, September 27<sup>th</sup> from Waterfall Arts to Heritage Park from 6:00 to 7:00 p.m.

No Council discussion.

Councilor Hurley, seconded by Councilor Sanders, made a motion to accept the request for a Parade Permit from "The Village Canoe for Friday, September 27<sup>th</sup> from Waterfall Arts to Heritage Park from 6:00 to 7:00 p.m. This motion was approved, 5-0.

M) Request from the City Manager to appoint a new Tax Collector and a new Deputy Clerk/Tax Collector.

City Manager, Joseph Slocum and City Clerk, Amy Flood reviewed the requests with Councilors.

Councilor Mortier, seconded by Councilor Sanders, made a motion to temporarily appoint Theresa Butler as the new City Tax Collector and to appoint Amy Flood as the DMV agent. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to appoint Michelle McKay as the new Deputy Clerk/ Deputy Tax Collector. This motion was approved, 5-0.

N) Request for Council to consider committee appointments to the Parks and Recreation Commission and the Harbor Advisory Committee.

City Clerk, Amy Flood, requested Council direction on both Parks and Harbor committees.

Councilor Mortier, seconded by Councilor Sanders, made a motion to not accept the reapplication of Robert Gordon, recommend adding and alternate position and finally to appoint Kali Latredis to the now vacant position and to appoint Amanda Cunningham to the Parks and Recreation Commission. This motion was approved, 5-0.

Councilor Dean, seconded by Councilor Mortier, made a motion to, due to oversight, move the recently appointed new applicant, Andrew Peters, as the alternate member of the Harbor Committee and to move the current alternate, Gerald Brand, to the regular standing position on the Harbor Committee. This motion was approved, 5-0.

Councilor Dean, seconded by Councilor Harkness, made a motion to authorize the City Clerk to move forward with staggering the terms of the Parks & Recreation Commission. This motion was approved, 5-0.

**O)** First Reading on proposed Contract Rezoning amendment for the Tractor Supply project on Route # 3.

Director of Code & Planning, Wayne Marshall, reviewed the proposed Contract Rezoning amendment.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the First Reading on the proposed Contract Rezoning Agreement for the Tractor Supply project on Route #3, as presented. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Sanders, made a motion to schedule the Public Hearing and Second Reading on the proposed Contract Rezoning Agreement for the Tractor Supply project on Route #3 on October 1, 2019. This motion was approved, 5-0.

**P)** Request from the Economic Development Director, Thomas Kittredge, for the Council to approve membership for the City's Brownfield Selection Committee.

Economic Development Director, Thomas Kittredge, reviewed applications and his recommendation for appointments to the committee.

Councilor Mortier, seconded by Councilor Dean, made a motion to appoint David Bond, Jonathan Boynton, Jane Daye, Donna Kelley, Thomas Kittredge, Stephen Ryan and Zachary Schmesser to the City's Brownfield Selection Committee as recommended by the Economic Development Director. This motion was approved, 5-0.

**Q)** Request from the Economic Development Director, Thomas Kittredge, for the Council to approve a Community Development Block Grant Public Service Grant Advisory Committee and approval of the membership for the Committee.

Economic Development Director, Thomas Kittredge, reviewed applications and his recommendation for appointments to the committee.

Councilor Mortier, seconded by Councilor Dean, made a motion to approve a Community Development Block Grant Public Services Grant Advisory Committee and to appoint Maria Cameron, Travis Drake, Thomas Kittredge, Sharon Reed-Hall and Brian Sites as members to the Community Development Block Grant Housing Assistance Program Grant Advisory Committee. This motion was approved, 5-0.

**Q) #1** Update on the new Public Works Facility on Crocker Rd.

City Manager, Joseph Slocum, provided a verbal update.

Councilors unanimously agreed to have a ribbon cutting of the new Public Works Facility on Tuesday, October 15<sup>th</sup> and to hold a meeting with neighbors of the old Public Works Facility on October 29<sup>th</sup> to discuss the future of the property.

**Q) #2** Request from the City Manager to go into Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 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 11:00 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 11:12 p.m. This motion was approved, 5-0.

**Q) #3** Request from the City Manager 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 11:12 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Sanders, made a motion to adjourn Executive Session on an Economic Development matter pursuant to 1 MRSA 405 (6) C at 11:35 p.m. This motion was approved, 5-0.

R) Request from the Climate Committee to spend up to \$2000 for a weather station.

Item tabled.

S) Signing of Council Orders and housekeeping items.

**Council Order #16** Signed by Councilor Hurley, Ordered That:

**AMENDMENTS TO CITY CODE OF ORDINANCES  
CHAPTER 58, TRAFFIC AND VEHICLES,  
ARTICLE II, SECTION 58-44, STOP SIGNS**

**Editor's Note:** New language is identified in underlined, black font. (See attached text of adopted amendments)

**First Reading:** July 2, 2019

**Second Reading:** August 6, 2019

(Approved August 6, 2019)

**Council Order #18** Signed by Councilor Hurley, Ordered That:

**AMENDMENTS TO CITY CODE OF ORDINANCES  
CHAPTER 58, TRAFFIC AND VEHICLES,  
ARTICLE II, SECTION 58-40, TIME LIMITS FOR INDIVIDUAL PARKING SPACES**

**Editor’s Note:** New language is identified in underlined, black font. (See attached text of adopted amendments)

**First Reading:** August 6, 2019

**Second Reading:** August 20, 2019

(Approved August 6, 2019)

**Council Order #19** Signed by Councilor Mortier, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$3,000 to demolish and dispose of the abandoned mobile home and accessory structures on property located at 3 Baker Road and for the City to place a lien on the property to recover the cost associated with the demolition. Funds for demolition and disposal are to come from Undesignated Fund Balance. (Approved September 3, 2019)

**Council Order # 21** Signed by Councilor Harkness, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$29,117.00 for a new 2019 GMC Pickup Truck for the Parks & Recreation Department. Funds are to come from Parks & Recreation Reserve Account (610-537). (Approved September 3, 2019)

**Council Order #22** Signed by Councilor Sanders, Ordered That:

Up to \$58,291.05 to be carried forward from the FY 2018-2019 to FY 2019-2020 from the following accounts:

TITLE	ACCT#	AMOUNT
City Clerk, Records Restoration	130-631	\$ 4,852.72
City Clerk, Codification	130-674	\$ 8,037.41
City Bldg Maint, IT Services	140-837	\$ 3,730.40
Cable TV, Vehicle Maint & Repairs	250-536	\$ 400.00
Cable TV, Gas, Oil, Grease & Diesel	250-567	\$ 397.48
Sidewalk Improvement/Maint	420-573	\$ 6,962.24
Road Construction	450-577	\$ 13,699.38
Tree Program	460-578	\$3,000.00
Tree Program, Plantings	460-678	\$7,154.55
Parks & Rec, Parks Maint CO#66	610-585	\$5,500.00

Planning & Zoning, Engineering	680-604	\$14,526.40
Planning & Zoning, Board of Appeals	680-606	\$500.00
<b>TOTAL</b>		<b>\$ 58,291.05</b>

(Approved September 3, 2019)

**Council Order #23** Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to sell a 2014 Chevy Ambulance for \$15,000. Funds are to be deposited into the Ambulance Reserve Account. (Approved September 3, 2019)

**Council Order #71** Signed by Councilor Sanders, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$16,866 for a new pickup truck for the Public Works Department. Funds are to come from FY19-20 Public Works Purchase of Equipment Account (410-535). (Approved June 11, 2019)

**11) Open to the Public**

No public comments.

**12) Communications**

Council discussed moving the first meeting back to Tuesday, November 5<sup>th</sup>, Council agreed to move the first meeting in November back to its regular Tuesday meeting time.

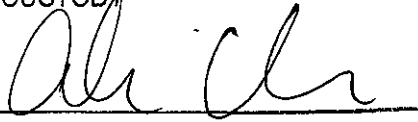
Councilor Hurley discussed consideration of how to address smoking at and around City Facilities when looking at the smoking policy for the City.

**13) Adjourn**

Councilor Harkness, seconded by Councilor Dean, made a motion to adjourn the meeting at 11:35 p.m. This motion was approved, 5-0.

I HEREBY CERTIFY THAT THE ABOVE  
IS A TRUE COPY OF INFORMATION  
ON THE RECORD WHICH IS IN MY  
OFFICIAL CUSTODY

ATTEST

A handwritten signature in cursive script, appearing to read 'Amanda Cushman', written over a horizontal line.

AMANDA CUSHMAN, BELFAST MAINE