

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, October 15, 2019**

6:00 p.m. 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 Hurley, made a motion to go into Executive Session on an Economic Development matter pursuant to 1 MRSA 405 (6) C at 6:00 p.m. This motion was approved, 4-0 (Councilor Dean was tardy).

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 7:02 p.m. This motion was approved, 5-0.

7:00 p.m. Regular Council Meeting

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, October 15, 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 Tall Pine Healthcare Inc. d/b/a The Residence at Tall Pines located at 24 Martin Lane, Belfast, Maine for a renewal Malt and Vinous Other (Assisted Living) Class liquor license, interior only.

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

Public Hearing #2

Pursuant to Title 30-A MRSA, section 3751 through 3760 a public hearing will be held on October 15, 2019 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall for a renewal Automobile Junkyard/Graveyard Permit for the year 2019-2020 for Lorraine Gibbs and Bert Bailey d/b/a Gibb's Auto Sales located at 50 Back Belmont Road.

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

Regular Council Meeting No. 8

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:

- Remove item **10) Z #2** Discussion and possible action on a renewed lease agreement with French & Webb for buildings located on Front Street.
- Remove item **10) Z #3** Discussion and possible action on granting a revocable license to French & Webb for purposes of boat restoration.
- Remove item **10) Z #4** Request from City Manager to go into an Executive Session on a Poverty Abatement pursuant to 36 M.R.S.A. Chapter 105 Section 841 (2).

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

Councilor Hurley requested to amend the agenda to add item **10) Z #4** Request to go into Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A.

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

5) Acceptance of the minutes

Special Council Meeting and Work Session of June 11, 2019, Special Council Meeting of September 24, 2019 and Regular Council Meeting of October 1, 2019.

Councilor Dean, seconded by Councilor Hurley, made a motion to accept the minutes from Special Council Meeting and Work Session of June 11, 2019, Special Council Meeting of September 24, 2019 and Regular Council Meeting of October 1, 2019. This was approved, 5-0.

6) A. Open to the public

1. Petra Hall of Belfast informed the public of the upcoming Candidates Forum on Monday, October 21st at 7:00 p.m. at the Belfast Boathouse.
2. Kevin Connolly of Belfast spoke on behalf of a group of organizations who have come together to research the impact of cigarette butts on the environment and proposed a method of decreasing the amount around Belfast with a proposal for Council to consider.
3. Dana Keene of Belfast thanked Council for their work.

B. Organization and Department Reports

No comments.

7) Communications

City Manager, Joseph Slocum, discussed the following:

- Noted that National Harbor Master's Day was last week, thanked the Harbor Master, Kathy Pickering for all that she has done for the City of Belfast.
- Reminded the public that October is Domestic Abuse Awareness Month and Breast Cancer Awareness month.
- Informed the public of leaf pickup inside the bypass starting October 24th for as long as weather permits.

Councilor Harkness informed the public of the passing of Eunice Palmer, Councilors give condolences to the family.

8) Old Business and Council Committee Reports

No comments.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an application by Tall Pine Healthcare Inc. d/b/a The Residence at Tall Pines located at 24 Martin Lane, Belfast, Maine for a renewal Malt and Vinous Other (Assisted Living) Class liquor license, interior only.
- B. Request to approve a renewal Automobile Junkyard/Graveyard Permit for the year 2019-2020 for Lorraine Gibbs and Bert Bailey d/b/a Gibb's Auto Sales located at 50 Back Belmont Road.
- C. Request to approve a twelve-month Blanket Letter of Approval for Game of Chance (Cribbage) for the Frank D. Hazeltine Post 43 located at 143 Church Street, Belfast, Maine. This approval is granted from January 1, 2020 through December 31, 2020.
- D. Request to approve an off premises catering permit for The Otis Group d/b/a Rollie's for a private wedding located at the Waldo County Shrine Club, 20 Northport Ave., Belfast Maine on October 12, 2019 from 4:00 p.m. to 10:00 p.m.
- E. Request to approve an off premises catering permit for The Otis Group d/b/a Rollie's for a private wedding located at the United Farmers Market, 18 Spring Street, Belfast Maine on October 13, 2019 from 4:00 p.m. to 9:00 p.m.
- F. Request to approve an application by The Belfast Maskers, located at 17 Court Street, Belfast, Maine for an Incorporated Civic Organization license, for a benefit concert to be held on October 24, 2019 from 12:00 p.m. to 11:00 p.m.

- G. Request to approve a Facility Use application by Our Town Belfast for the annual Lighting of the Christmas Tree in Post Office Square on Saturday, December 7, 2019 from 4:30 – 7:00 p.m.
- H. Request to approve a Facility Use application by Our Town Belfast for the annual Menorah Lighting in Post Office Square on Sunday, December 22, 2019 from 4:00 – 6:00 p.m.

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

10) Business

A) Presentation by the Director of Code and Planning, Wayne Marshall, on the Second Reading of a Contract Rezoning Agreement on the Paul Naron properties located at 7 and 15 Front Street.

Paul Naron discussed concerns with the agreement as presented.

Director of Code and Planning, Wayne Marshall, provided an overview of the proposed agreement.

B) Public Hearing on the Second Reading of a Contract Rezoning Agreement on the Paul Naron properties located at 7 and 15 Front Street.

Mayor Paradis asked for proponents and opponents.

1. Director of Code and Planning, Wayne Marshall, noted that one written comment was submitted by the Parks & Recreation Director.
2. Carol Good spoke on behalf of the Parks & Recreation Commission and their concerns regarding the view easement being considered as part of the proposed agreement.
3. Kali Litrides of Belfast discussed concerns with the view easement as written.

Mayor Paradis declared the hearing closed.

C) Discussion and possible approval of the Second Reading of a Contract Rezoning Agreement on the Paul Naron properties located at 7 and 15 Front Street.

Councilors discussed concerns brought forward regarding the view easement and how to proceed in lieu of comments made by the applicant, Mr. Naron.

Councilor Harkness, seconded by Councilor Sanders, made a motion to remove the view easement from the proposed agreement and to bring back the revised Contract Rezoning Agreement on the Paul Naron properties located at 7 and 15 Front Street for a Public Hearing and Second Reading at a future meeting. This motion was approved, 5-0.

D) Presentation from the City Manager regarding the Second Reading of proposed Ordinance amendments to Chapter 50, “Streets, Sidewalks and Other Public Places,” that would prohibit certain conduct on certain City property.

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

Councilor Hurley inquired about pan handling language.

E) Public Hearing on the Second Reading of proposed Ordinance amendments to Chapter 50, “Streets, Sidewalks and Other Public Places,” that would prohibit certain conduct on certain City property.

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

F) Discussion and possible action on the Second Reading of proposed Ordinance amendments to Chapter 50, “Streets, Sidewalks and Other Public Places,” that would prohibit certain conduct on certain City property.

Councilors discussed enforcement and signage.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the Second Reading of proposed Ordinance amendments to Chapter 50, “Streets, Sidewalks and Other Public Places,” that would prohibit certain conduct on certain City property, as presented and directing City staff to come back with an enforcement policy. This motion was approved, 5-0.

G) Presentation from the City Manager on the Second Reading of proposed Ordinance amendments to Chapter 10, “Animals,” Article 2, “Dogs” that will require:

-dogs to be on a leash at all times on all public property except the dog park at the Walsh Field Recreation Area and the Sportsman’s Park

-and will increase the penalties for leaving dog waste on all City property.

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

H) Public Hearing on the Second Reading of proposed Ordinance amendments to Chapter 10, “Animals,” Article 2, “Dogs” that will require:

-dogs to be on a leash at all times on all public property except the dog park at the Walsh Field Recreation Area and the Sportsman’s Park

-and will increase the penalties for leaving dog waste on all City property.

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

I) Discussion and possible action on the Second Reading of proposed Ordinance amendments to Chapter 10, “Animals,” Article 2, “Dogs” that will require:

-dogs to be on a leash at all times on all public property except the dog park at the Walsh Field Recreation Area and the Sportsman’s Park

-and will increase the penalties for leaving dog waste on all City property.

Councilors discussed clarifying questions regarding the ordinance language as presented.

Councilor Sanders, seconded by Councilor Mortier, made a motion to accept the Second Reading of proposed Ordinance amendments to Chapter 10, “Animals,” Article 2, “Dogs”, as presented. This motion was approved, 5-0.

J) Presentation from the City Manager on the Second Reading of proposed Ordinance amendments to Chapter 58, “Traffic and Vehicles,” Article IV, “Bicycles” that would:

- eliminate the requirements for licensing bicycles in Section 58-91 to 58-94
- and prohibit bicycles on sidewalks on Main Street from Front Street to Church Street and on High Street from Market Street to Miller Street.

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

K) Public Hearing on the Second Reading of proposed Ordinance amendments to Chapter 58, “Traffic and Vehicles,” Article IV, “Bicycles” that would:

- eliminate the requirements for licensing bicycles in Section 58-91 to 58-94
- and prohibit bicycles on sidewalks on Main Street from Front Street to Church Street and on High Street from Market Street to Miller Street.

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

L) Discussion and possible action on the Second Reading of proposed Ordinance amendments to Chapter 58, “Traffic and Vehicles,” Article IV, “Bicycles” that would:

- eliminate the requirements for licensing bicycles in Section 58-91 to 58-94

-and prohibit bicycles on sidewalks on Main Street from Front Street to Church Street and on High Street from Market Street to Miller Street.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the Second Reading of proposed Ordinance amendments to Chapter 58, "Traffic and Vehicles," Article IV, "Bicycles", as presented. This motion was approved, 5-0.

M) Presentation from the City Manager on the Second Reading of proposed Ordinance amendments to Chapter 58, "Traffic and Vehicles," Section 58-35, "Fines" which would increase parking fines from:

- \$10 to \$15 for every ticket which grows to \$30 if not paid within 30 days,

- provides that the violator will pay with City's reasonable attorney fees needed to Prosecute the violation and to collect the fine if the violator fails to pay the fine after 90 days,

- any monies paid in fines for the first annual ticket that would otherwise be free shall become the property of the City.

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

N) Public Hearing on the Second Reading of proposed Ordinance amendments to Chapter 58, "Traffic and Vehicles," Section 58-35, "Fines" which would increase parking fines from:

- \$10 to \$15 for every ticket which grows to \$30 if not paid within 30 days,

- provides that the violator will pay with City's reasonable attorney fees needed to Prosecute the violation and to collect the fine if the violator fails to pay the fine after 90 days,

- any monies paid in fines for the first annual ticket that would otherwise be free shall become the property of the City.

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

O) Discussion and possible action on the Second Reading of proposed Ordinance amendments to Chapter 58, "Traffic and Vehicles," Section 58-35, "Fines" which would increase parking fines from:

- \$10 to \$15 for every ticket which grows to \$30 if not paid within 30 days,

- provides that the violator will pay with City's reasonable attorney fees needed to Prosecute the violation and to collect the fine if the violator fails to pay the fine after 90 days,

- any monies paid in fines for the first annual ticket that would otherwise be free shall become the property of the City.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the Second Reading of proposed Ordinance amendments to Chapter 58, "Traffic and Vehicles," Section 58-35, "Fines", as presented. This motion was approved, 5-0.

P) Request from the Harbor Master to identify the source of matching funds to secure a Small Harbor Improvement Grant for the replacement of floats.

Harbor Master, Kathy Pickering, explained the request in further detail with the Council requesting that if they identify the source of matching funds.

Councilor Mortier, seconded by Councilor Sanders, made a motion to accept the request to apply for a Small Harbor Improvement Grant for replacement floats with \$23,000 from the Harbor Gas or Diesel Fuel Fund identified as the City's 50% matching funds. This motion was approved, 5-0.

Q) Request from Dana Keene for the City to release to him City owned land that bisects his family property off Swan Lake Avenue.

Dana Keene of Belfast explained the request and answered Council questions.

Councilors discussed the request and best way to proceed with the request.

Councilor Hurley, seconded by Councilor Sanders, made a motion to direct staff to work with Mr. Keene to look into how the City could abandon the old road while preserving future pedestrian access under the bridge. This motion was approved, 5-0.

R) Facility Use request from Megan Abbott to organize and conduct a walk-a-thon fundraiser on the Rail Trail on October 26th from 9:00 a.m. to 1:00 p.m. to benefit the fight against cancer.

No Council discussion.

Councilor Harkness, seconded by Councilor Sanders, made a motion to approve the Facility Use request from Megan Abbott to organize and conduct a walk-a-thon fundraiser on the Rail Trail on October 26th from 9:00 a.m. to 1:00 p.m., as presented. This motion was approved, 5-0.

S) Request from the Wastewater Superintendent, Jon Carman, to move \$6,500 from the Wastewater Treatment Reserve Account 990-614 to pay for trench borings as we evaluate the potential relocation of a sewer line between Charles Street and Waldo Avenue.

City Manager, Joseph Slocum, briefly discussed the request, noting funding would come from the Wastewater Fund Balance as it was not budgeted for.

No Council discussion.

Councilor Mortier, seconded by Councilor Sanders, made a motion to move \$6,500 from the Wastewater Fund Balance to account 990-614 to pay for trench borings. This motion was approved, 5-0.

T) Request from the Climate Crisis Committee to spend up to \$2,000 to install a weather station on the City pier.

Jon Beal of the Climate Crisis Committee explained the request of \$1,400 to purchase and install a weather station on the City pier, noting that this expense was budgeted for.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from the Climate Crisis Committee to spend up to \$1,400 from account 720-887 to purchase and install a weather station on the City pier. This motion was approved, 5-0.

U) Presentation by the City Manager on the Second Reading of proposed amendments to the City General Assistance Ordinance which will provide new allowable maximum amounts of assistance for helping people in need.

City Manager, Joseph Slocum, provided a brief presentation.

V) Public Hearing on the Second Reading of proposed amendments to the City General Assistance Ordinance which will provide new allowable maximum amounts of assistance for helping people in need.

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

W) Discussion and possible action on the Second Reading of proposed amendments to the City General Assistance Ordinance which will provide new allowable maximum amounts of assistance for helping people in need.

No Council discussion.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the Second Reading of proposed amendments to the City General Assistance Ordinance, as presented. This motion was approved, 5-0.

X) Request from the Economic Development Director, Thomas Kittredge, for permission for he and the City Planner, John Boynton, to attend the national Brownfields training conference and to have their eligible conference related expenses covered and reimbursed by the City's Brownfield assessment grants.

Economic Development Director, Thomas Kittredge, explained the request.

Councilor Hurley requested a breakdown of costs.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the request from the Economic Development Director for he and the City Planner to attend the national Brownfields training conference and to have the eligible conference related expenses covered and reimbursed by the City's Brownfield assessment grants. This motion was approved, 5-0.

Y) Request from City Clerk, Amy Flood, to discuss and consider whether or not the City wishes to continue the practice of requiring liquor license applicants to pay for a newspaper ad and to conduct public hearings for new on premises licenses as well as applications for transfer of location of existing on premises licenses.

City Clerk, Amy Flood, discussed options with the City Council and answered Council questions.

Councilor Hurley, seconded by Councilor Sanders, made a motion to forego the practice of requiring liquor license applicants to advertise and conduct public hearing for reissuance of a license, but continue notices and hearings for new licenses and change of location. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Sanders, made a motion to forego the practice of requiring liquor license applicants to advertise and conduct public hearing for all liquor license applicants which includes reissuance, new or change of locations. This motion was approved, 4-0 (Councilor Hurley opposed).

Z) Request from the Director of Code and Planning, Wayne Marshall, to appoint the Chair of the Planning Board as an Alternate and an Alternate on the Planning Board to the position of Chair.

City Manager, Joseph Slocum, briefly explained the request to appoint Hugh Townsend as Chair, and to appoint Steve Ryan as the alternate position.

Councilor Mortier, seconded by Councilor Sanders, made a motion to appoint the chair (Steve Ryan) of the Planning Board as an alternate and the alternate (Hugh Townsend) as the chair, as presented. This motion was approved, 5-0.

Z) #1 Discussion on the future of the old Public Works building at 115 Congress St.

Council discussed upcoming Work Session regarding the redevelopment of the former Public Works site on Tuesday, October 29, 2019 at 7:00 p.m. in Council Chambers of Belfast City Hall.

Z) #2 Discussion and possible action on a renewed lease agreement with French & Webb for buildings located on Front Street.

Item removed.

Z) #3 Discussion and possible action on granting a revocable license to French & Webb for purposes of boat restoration.

Item removed.

Z) #4 Request from City Manager to go into an Executive Session on a Poverty Abatement pursuant to 36 M.R.S.A. Chapter 105 Section 841 (2).

Councilor Sanders, seconded by Councilor Hurley, made a motion to go into Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 10:01 p.m. This motion was approved, 5-0.

Councilor Sanders, seconded by Councilor Harkness, made a motion to adjourn Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 10:20 p.m. This motion was approved, 5-0.

Z) #5 Request from the City Manager to go into an 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 10:20 p.m. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Sanders, made a motion to adjourn Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 10:28 p.m. This motion was approved, 5-0.

Z) #6 Signing of Council Orders and housekeeping items.

11) Open to the Public

1. John Steed of Belfast briefly discussed the Mr. Naron project and interest from the public to know how much time Council and staff put into projects such as this one.

12) Communications

Councilor Harkness discussed public concerns regarding animal control policies regarding stray cats and requested an update from the Chief of Police regarding their policies.

Councilors wished the Mayor best of luck as tonight was her last meeting serving as Mayor.

Mayor thanked all for the opportunity to serve.

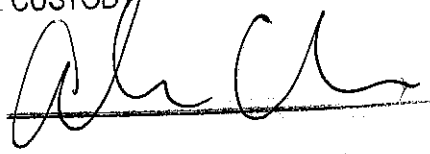
Councilor Sanders reminded the public that the parking ban starts on November 1st.

13) Adjourn

Councilor Harkness, seconded by Councilor Sanders, made a motion to adjourn the meeting at 10:29 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

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

AMANDA CUSHMAN, BELFAST MAINE