

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, April 7, 2020
7:27 p.m.

All City Council Meetings will be conducted online using Zoom and can be streamed on the City website at www.cityofbelfast.org. They will air live on BEL TV as well as on Belfast Community Radio WBFY 100.9.

Regular Council Meeting No. 19

1) Call to order

- 2) Present:** Mayor Eric Sanders, Councilors Mary Mortier, Neal Harkness, Brenda Bonneville, Michael Hurley and Paul Dean; City Manager Erin Herbig and Admin. Assistant to the City Manager Manda Cushman.

3) Pledge of Allegiance

4) Adoption of the agenda

Councilor Hurley requested to add the following items:

- **10) K #1** Discussion on setting up a fund that would assist citizens and businesses affected by COVID-19.
- **10) K #2** Discussion on scheduling additional meetings or work sessions over the next couple months.

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

Regular Council Meeting of March 17, 2020 and Special City Council Meeting of April 1, 2020.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of March 17, 2020 and Special City Council Meeting of April 1, 2020. This was approved, 5-0.

6) A. Open to the public

Mayor Sanders read emails from the following:

1. Kali Litrides, provided suggestions on how the City could respond to certain issues that have arose due to COVID-19.

B. Organization and Department Reports

Mayor Sanders read a letter from Public Health Nurse, Susan Dupler, regarding COVID-19.

7) Communications

Councilor Bonneville thanked businesses for responding appropriately to Governors mandates and reminded those returning to the area to self-quarantine for 14 days.

Councilor Harkness addressed article in the Bangor Daily News regarding COVID-19 at Tall Pines in Belfast and thanked grocery store workers.

City Manager, Erin Herbig, asked if there was one councilor who would be available to sign Council Orders on behalf of the group rather than having the Councilor who makes the motion sign, just while meetings are conducted via Zoom, Councilor Bonneville offered.

Councilor Hurley requested further information on financial figures for if the Council did suspend household trash fees, inquired about courthouse addressing the browntail moth nest in their tree and where people should call if they have a complaint to make regarding the mandate from the Governor.

Councilor Dean reminded the public that the City of Belfast has reduced the trash fee from \$3.50 to \$3.00 and requested the City Manager address where people go if they are looking for information on unemployment or small business loans.

Mayor Sanders discussed Governor looking to move the election from June to July.

8) Old Business and Council Committee Reports

No comments.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a Facility Use Request by the Maine Celtic Celebration Committee for use of Belfast Common and Steamboat Landing Parks as well as Front Street between Miller and Commercial Streets for the Maine Celtic Celebration on July 17-19, 2020.

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

10) Business

A) Presentation from Director of Code & Planning, Wayne Marshall, on the Second Reading of proposed amendments to City Code of Ordinances regarding the Route 3 Commercial Zoning District.

Director of Code & Planning, Wayne Marshall, reviewed the proposed amendments and answered Council questions.

B) Public Hearing on the Second Reading of proposed amendments to City Code of Ordinances regarding the Route 3 Commercial Zoning District.

Mayor Sanders asked for proponents and opponents, he read emails from the following citizens:

1. Destioney Pinkham of Rip Tide Smoke Shop discussed her support of the proposed amendments and the benefit it would have for her to expand her business.
2. Denis Pendleton of Belfast requested further clarification and consideration as Council considers the proposed amendments.

Mayor Sanders declared the hearing closed.

C) Council consideration on the Second Reading of proposed amendments to City Code of Ordinances regarding the Route 3 Commercial Zoning District.

Councilors discussed the proposed amendments and concerns brought forward by citizens.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the Second Reading of amendments to the City Code of Ordinances regarding the Route 3 Commercial Zoning District, as presented. This was approved, 4-1 (Councilor Bonneville opposed).

D) Request from Police Chief, Gerry Lincoln, to confirm a new Deputy Police Chief to the Belfast Police Department.

Police Chief, Gerry Lincoln, introduced and recommended the Council confirm Dean Jackson as the new Deputy Police Chief to the Belfast Police Department.

Councilors welcomed Dean Jackson.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from Police Chief, Gerry Lincoln, to confirm Dean Jackson as the new Deputy Police Chief to the Belfast Police Department. This was approved, 5-0.

E) Request from Police Chief, Gerry Lincoln, to confirm a full-time officer to the Belfast Police Department.

Police Chief, Gerry Lincoln, introduced and recommended the Council confirm Megan Tribuzio as a full-time officer to the Belfast Police Department.

Councilors welcomed Megan Tribuzio.

Councilor Mortier, seconded by Councilor Hurley, made a motion to accept the request from Police Chief, Gerry Lincoln, to confirm Megan Tribuzio as a full-time officer to the Belfast Police Department. This was approved, 5-0.

F) Request from City Assessor, Brent Martin, to move \$6,000 from Capital Project account 730-858 to the departments wages account 120-501, for continuing the equalization of the City's property tax cards.

City Assessor, Brent Martin, explained the request and answered questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from City Assessor, Brent Martin, to move \$6,000 from Capital Project account 730-858 to the Assessing department wages account 120-501, for continuing the equalization of the City's property tax cards. This was approved, 5-0.

G) Request from Wastewater Superintendent, Jon Carman, for approval to proceed with engineering services for the Franklin Street sewer replacement project.

City Manager, Erin Herbig, reviewed the request on behalf of Wastewater Superintendent, Jon Carman.

Councilor Mortier, seconded by Councilor Dean, made a motion to accept the request from the Wastewater Superintendent, Jon Carman, for approval to proceed with engineering services for the Franklin Street sewer replacement project, as presented. This was approved, 5-0.

H) Request from Economic Development Director, Thomas Kittredge, to have the City Council reauthorize the submission of a grant application to the Island Institute, and to recommit matching funds for this application.

Economic Development Director, Thomas Kittredge, explained the request for reauthorization.

Councilor Mortier explained in more detail the research that was completed by the Broadband Committee that brought them to this conclusion on how best to proceed.

Councilor Dean, seconded by Councilor Mortier, made a motion to accept the request from the Economic Development Director, Thomas Kittredge, to have the City Council recommit matching funds of \$9,600 for the application. This was approved, 5-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from the Economic Development Director, Thomas Kittredge, to have the City Council reauthorize the submission of a grant application to the Island Institute and to authorize the City Manager to sign any necessary documents for the application. This was approved, 5-0.

I) Request for additional funding of up to \$7,750 to cover laboratory expenses for sampling of private property wells near the old landfill site on Pitcher Rd.

City Manager, Erin Herbig, briefly explained the request to amend the original request to include an additional \$7,750 for laboratory expenses.

Councilor Mortier, seconded by Councilor Dean, made a motion to accept the request for additional funding of up to \$7,750 to cover laboratory expenses for sampling of private property wells near the old landfill site on Pitcher Rd. from account #730-634. This was approved, 5-0.

J) Request that \$260,000 be moved from the Undesignated Fund Balance to the Public Works Project account #730-636 and review of interim financial report of the New Public Works Facility.

City Manager, Erin Herbig, explained the request.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the request that \$260,000 be moved from the Undesignated Fund Balance to the Public Works Project account #730-636. This was approved, 5-0.

K) Request from Alexia’s Pizza regarding the installation of a temporary pick-up window during the COVID-19 pandemic.

Director of Code & Planning, Wayne Marshall, explained the request and requested that if Councilors are comfortable to authorize the Planning Office to work out similar arrangements with any other business that may be seeking approval.

Councilor Harkness, seconded by Councilor Hurley, made a motion to accept the request from Alexia’s Pizza regarding the installation of a temporary pick-up window during the COVID-19 pandemic and to authorize the Planning Office to work out similar arrangements with any other business that maybe seeking approval. This was approved, 5-0.

K) #1 Discussion on setting up a fund that would assist citizens and businesses affected by COVID-19.

Councilor Hurley discussed creating a program that would provide citizens and businesses affected by COVID-19 the opportunity to apply for a small grant.

Councilors discussed their support to have City staff look into parameters and legal limits and to bring back a model that they could approve at an upcoming meeting.

K) #2 Discussion on scheduling additional meetings or work sessions over the next couple months.

Councilor Hurley recommended that for the next month or two that the Council consider meeting every Tuesday.

Councilors unanimously agreed to meet on the 2nd and 4th Tuesday of the month as Special City Council Meetings.

L) Request to go into an Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C.

Councilor Mortier, seconded by Councilor Dean, made a motion to go into Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 10:55 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to adjourn Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 11:36 p.m. This motion was approved, 5-0.

M) Request to go into an Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C.

Councilor Mortier, seconded by Councilor Harkness, made a motion to go into Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 11:37 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to adjourn Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 11:51 p.m. This motion was approved, 5-0.

N) Request to go into an Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C.

Councilor Mortier, seconded by Councilor Harkness, made a motion to go into Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 11:51 p.m. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Mortier, made a motion to adjourn Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 12:15 a.m. This motion was approved, 5-0.

***Council returned to open session at 12:24 a.m.**

O) Continuation of deliberations, and possible adoption of the Contract Rezoning Agreement with the Paul Naron companies for 7 and 15 Front Street.

Councilor Mortier, seconded by Councilor Hurley, made a motion to adopt the Second Reading of the Contract Rezoning Agreement with Paul Naron for his properties located at 7 and 15 Front Street, as amended and to authorize the City Manager to execute the contract and the related view easement. This motion was approved, 4-0 (Councilor Dean left the meeting due to technical difficulties).

P) Signing of Council Orders and housekeeping items.

Council Order #59 Signed by Councilor Bonneville, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$10,600 to hire Stand Tech and along with an additional \$7,750 for laboratory fees for water testing at private properties located near the old Landfill. Funding to come from account #730-634. (Approved April 7, 2020)

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

The City Manager and the City Treasurer are authorized to accept the lowest fuel bid at the fixed cost of \$1.87 price per gallon (using approximately 24,000 gallons per year) from Maritime Energy, Belfast ME for November 1, 2020 to July 31, 2021 for the following City Buildings: City Hall, Wastewater Treatment Plant, Fire & Ambulance Station, Transfer Station/Recycling Building, Highway Department, Belfast Free Library, Boathouse and Belfast Police Station. (Approved March 17, 2020)

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

The City Manager and the City Treasurer are authorized to transfer \$6,000 from Capital Project account 730-858 to the City Assessor's wages account 120-501, to pay for additional wages for Avis Winchester to assist the Assessing Office for continuing the equalization of the City's property tax cards. (Approved April 7, 2020)

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

The City Manager and the City Treasurer are authorized to expend up to \$9,600 in matching funds for a grant through the Island Institute for a broadband planning grant. Funding is to come from 730-862. (Approved April 7, 2020)

Council Order #63 Signed by Councilor Bonneville, Ordered That:

The City Manager and the City Treasurer are authorized to transfer \$260,000 from Undesignated Fund Balance to the Public Works Project account #730-636. (Approved April 7, 2020)

Council Order #64 Signed by Councilor Bonneville, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$74.55 a ton placed per mix and \$1.50 for milling from Mainely Paving Services. Funds are to come from account #450-577. (Approved March 3, 2020)

Council Order #65 Signed by Councilor Bonneville, Ordered That:

The City Manager and the City Treasurer are authorized to abate the following personal property taxes because they are uncollectible:

<u>Acct#</u>	<u>Name</u>	<u>Tax Year(s)</u>	<u>Principal Amount</u>
747PP	Belfast National LTD	2006	69.48
1119PP	Ciao Bella Bridal	2010	147.22
777PP	John F Cox MD	2008	68.82
509PP	William Dawson	2004-2015	2,265.16
930PP	Gateway Technologies Inc	2006	121.59
1078PP	Kenneth R Lindell	2008	68.82
1158PP	Shawna Peckham	2004	12.80
1149PP	Piper Stream Fitness	2006	121.59
355PP	Maurice E. Pooler	2005-2017	1,968.18
1365PP	Chris Roberts	2015-2017	329.13
905PP	Seagull Software Systems	2008	122.76
851PP	Walter E. Wagner	2009-2016	113.30

(Approved March 3, 2020)

Council Order #66 Signed by Councilor Bonneville, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$5000 to hire Olver Associates to prepare an accurate topography, utility and boundary survey of Washington Street. Funds are to come from account #680-604. (Approved February 18, 2020)

Council Order #67 Signed by Councilor Bonneville, Ordered That:

The City Manager and the City Treasurer are authorized to pay Director of Code and Planning, Wayne Marshall, carryforward vacation time totaling 254.5 hrs/\$10,066.31 for FY 19/20 and to

pay City Manager, Joseph Slocum, carryforward vacation time totaling 125 hrs. for FY 19/20 from account 100-501. (Approved February 18, 2020)

11) Open to the Public

Mayor Sanders read emails from the following:

1. Phillip Prince inquired about spring clean-up.

12) Communications

Councilors looked for direction from the City Manager regarding the Executive Sessions.

Councilor Hurley provided an update on how Keeping Belfast Maine Beautiful is looking to modify their annual clean up event during this pandemic.

13) Adjourn

Councilor Harkness, seconded by Councilor Mortier, made a motion to adjourn the meeting at 12:26 a.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