

\*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, April 21, 2020**

**6:30 PM** Request to go into an Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C.

Councilor Harkness, seconded by Councilor Hurley, made a motion to go into Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 6:32 p.m. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Hurley, made a motion to adjourn Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 7:03 p.m. This motion was approved, 5-0.

**7:00 PM** Regular Council Meeting

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

**Regular Council Meeting No. 20**

**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 Dean, seconded by Councilor Harkness, made a motion to adopt the agenda. This motion was approved, 5-0.

**5) Acceptance of the minutes**

Regular Council Meeting of April 7, 2020 and Special Council Meeting of April 14, 2020.

Councilor Dean requested that on page 8 to update the motion to reflect that he left the room due to technical difficulties.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of February 4, 2020 and Special Council Meeting of April 14, 2020, as amended. This was approved, 5-0.

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

1. Mayor Sanders read an email from Andrew Stevenson regarding Nordic Aquafarm and the Belfast Planning Board.

## **B. Organization and Department Reports**

Councilor Bonneville provided an update from Waterfall Arts.

Councilor Harkness provided an update from Belfast Creative Coalition.

## **7) Communications**

Councilor Harkness provided an update on expanded services of Meals on Wheels and informed the public on ways in which citizens can assist Tall Pines.

Councilor Hurley noted the passing of Vicki McDaniel and the 102<sup>nd</sup> birthday of Margaret Cunningham and thanked City Manager and staff for all their work during this uncertain time.

Councilor Mortier noted article in the Republican Journal regarding Toni Mailloux's experience with Tall Pines.

Councilor Dean requested a moment of silence for those who have been lost due to COVID-19.

Councilor Harkness noted to the public that Belfast Community Radio station WBFY 100.9 is still on the air.

Mayor Sanders provided an update on the Belfast Keep the Faith Fund.

Councilors discussed the Belfast Keep the Faith Fund in more detail.

Mayor Sanders discussed honoring High School seniors with football lights.

## 8) Old Business and Council Committee Reports

No comments.

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

- A. Request from Fire Chief, Jim Richards, to approve confirmation of Brandon Peasley as a paid per call driver for the Belfast Ambulance and a Firefighter for the Belfast Fire Department.
- B. Request from Fire Chief, Jim Richards, to approve confirmation of Michael Jastram as a paid per call driver for the Belfast Ambulance.

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

## 10) Business

A) Request from Parks & Recreation Director, Norm Poirier, to move \$21,000.00 from the Parks Capital Reserve Account to the Parks operating budget for roof repairs to three park facility buildings.

Parks & Recreation Director, Norm Poirier, provided a brief overview.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to accept the request to move \$21,000.00 from the Parks Capital Reserve Account to the Parks operating budget for roof repairs to three park facility buildings: City Park Pavilion, City Park Pool and the Walsh Field restrooms and concessions. This motion was approved, 5-0.

B) Review and approve final documents for the real property exchanges with Dana Keene regarding City owned land that bisects their family property off Swan Lake Avenue.

City Attorney, Bill Kelly, reviewed the proposed exchange of property and requested that if approved the Council authorize the City Manager to sign all required documents on behalf of the City Council.

Councilors discussed additional condition of stone marker and signage if appropriate.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to accept the final documents for the real property exchanges with Dana Keene regarding City owned land that bisects their family property off Swan Lake Avenue, as presented, with the addition of working out signage. This motion was approved, 5-0.

C) Request from Director of Code & Planning, Wayne Marshall, to amend the adopted Contract Rezoning Agreement between the City and DMK Development to reflect their decision to establish a specific LLC to construct the Tractor Supply project.

Director of Code & Planning, Wayne Marshall, briefly explained the request.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the amendment to the adopted Contract Rezoning Agreement between the City and DMK Development to reflect their decision to establish a specific LLC to construct the Tractor Supply project as presented and to authorize the City Manager to sign an amendment to the Contract Rezoning Agreement between the City and DMK Development-Belfast, LLC. This motion was approved, 5-0.

D) Request to install 3 new LED lights (to match the new ones the City recently installed around town) on existing CMP poles on Starrett Drive.

Director of Code & Planning, Wayne Marshall, explained the request and recommended that if approved the Council could authorize that funding of up to \$2,970.00 come from the Street Light Retrofit account #730-878.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to accept the request to hire contractor Hedstrom Electric for \$2,970.00 to install 3 LED lights on Starrett Drive with funding to come from the Street Light Retrofit account 730-878. This motion was approved, 5-0.

E) Discussion to issue a letter to the Board of Environmental Protection.

Councilor Hurley explained the request to submit a letter.

Mayor Sanders read a draft letter.

Director of Code & Planning, Wayne Marshall, read a letter from the Board of Environmental Protection regarding their deliberations schedule.

Councilors discussed proposed changes to the draft letter with City Manager, Erin Herbig.

Director of Code & Planning, Wayne Marshall, provided a brief update on the Planning Board review of the Nordic Aquafarms applications.

Councilor Harkness, seconded by Councilor Mortier, made a motion to authorize the City Manager on behalf of the City Council to issue a letter to the Board of Environmental Protection, after review of edits by the Council via email. This motion was approved, 5-0.

**F)** Further discussion on City support for Tall Pines and Harbor Hill.

City Manager, Erin Herbig, provided recommendations per the conversations she had with the Director of each facility.

Councilors discussed support for the proposed recommendations.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to authorize the City Manager and the City Treasurer to expend up to \$3,500.00 with \$2,250.00 to support Tall Pines (\$1,000 for kitchen support, \$1,000 toward their Sunshine Fund and \$250 to purchase drinks and snacks for staff) and \$1,250.00 to support Harbor Hill (\$1,000 toward their Employee Excellence Committee and \$250 to purchase drinks and snacks for staff) with funding to come from the Undesignated Fund Balance. This motion was approved, 5-0.

**G)** Request for reconsideration of removal of a decaying tree located at 58 Church Street.

Councilors discussed the request and unanimously agreed to deny the request for removal.

**H)** Request to go into Executive Session to discuss an Economic Development matter pursuant to 1 M.R.S.A. 405 (6) C.

Councilor Mortier, seconded by Councilor Hurley, made a motion to go into Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 9:50 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Dean, made a motion to adjourn Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 10:26 p.m. This motion was approved, 5-0.

I) 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 10:26 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Hurley, made a motion to adjourn Executive Session on a Real Estate matter pursuant to 1 MRSA 405 (6) C at 10:44 p.m. This motion was approved, 5-0.

J) 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 10:44 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 10:50 p.m. This motion was approved, 5-0.

K) Signing of Council Orders and housekeeping items.

**Council Order #69** Signed by Councilor Bonneville, Ordered That:

**AMENDMENTS CITY OF BELFAST CODE OF ORDINANCES  
CHAPTER 102, ZONING, ARTICLE V, DISTRICT REGULATIONS  
DIVISION 24, ROUTE 3 COMMERCIAL ZONING DISTRICT**

**Editor's Note:** All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 102, Zoning. All text shown in **red and bold font** is new language that is proposed to be added to Chapter 102, and all text shown in ~~blue and strike-through font~~ is language that is proposed to be deleted from Chapter 102. Language identified in **green font** is a note to the public or identifies a date that will be inserted based on the date of adoption of the Ordinance amendments. (See attached text of adopted amendments).

**First Reading:** March 17, 2020

**Second Reading:** April 7, 2020

**Council Order #70** Signed by Councilor Bonneville, Ordered That:

**AMENDMENTS TO BELFAST CODE OF ORDINANCES  
CHAPTER 102, ZONING  
AMENDMENTS TO INCREASE THE MAXIMUM BUILDING HEIGHT FOR  
PROPERTIES LOCATED ON WASHINGTON STREET IN THE DOWNTOWN  
COMMERCIAL ZONING DISTRICT**

**Editor's Note:** (See attached text of adopted amendments).

**First Reading:** February 4, 2020

**Second Reading:** February 18, 2020

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

The City Manager and the City Treasurer are authorized to transfer \$21,000.00 from the Parks Capital Reserve Account to the Parks operating budget for roof repairs to three park facility buildings (City Park Pavilion, City Park Pool and the Walsh Field restrooms/concessions). (Approved on April 21, 2020)

**Council Order #72** Signed by Councilor Bonneville, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$2,970.00 to hire contractor Hedstrom Electric to purchase and install 3 LED lights on CMP poles on Starrett Drive. Funds are to come from the Street Light Retrofit account #730-878. (Approved on April 21, 2020)

**Council Order #73** Signed by Councilor Bonneville, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$3,500.00 with \$2,250.00 to support Tall Pines (\$1,000 for kitchen support, \$1,000 toward their Sunshine Fund and \$250 to purchase drinks and snacks for staff) and \$1,250.00 to support Harbor Hill (\$1,000

toward their Employee Excellence Committee and \$250 to purchase drinks and snacks for staff). Funds are to come from the Undesignated Fund Balance. (Approved on April 21, 2020)

**11) Open to the Public**

No public comments submitted.


**12) Communications**

Councilor Hurley requested the City get guidance from MMA regarding policy on public comments for Council Meetings conducted via ZOOM.

**13) Adjourn**

Councilor Mortier, seconded by Councilor Dean, made a motion to adjourn the meeting at 10:51 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 

AMANDA CUSHMAN, BELFAST MAINE