

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, June 16, 2020
7:00 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.

Public Hearing #1

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 June 16, 2020 at 7:00 p.m. or as soon as possible thereafter on an application for a Special Amusement Permit for Chase's Daily for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 96 Main St., Belfast, Maine, interior only.

Mayor Sanders 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 in on June 16, 2020 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Moonbat LLC d/b/a Marshall Wharf Brewing Company located at 36 Marshall Warf, Belfast, Maine for a new Malt & Vinous Restaurant Class III &IV liquor license (interior only).

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

Regular Council Meeting No. 24

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

City Manager, Erin Herbig, requested to amend the agenda as follows:

- Add item **10) L #1** Authorization to purchase a new server through our new IT provider ComDoctor as a pre-pay for the next fiscal year. ComDoctor begins their contract with the City of Belfast on July 1 but needs to set up the server ahead of time.
- Add item **9) G** Request to approve a lunch Wagon License permit application by Douglas Hufnagel d/b/a Coffeeman at located at 7 and 15 Front Street Belfast, Maine, license to expire on December 31, 2020.

Councilor Hurley requested to move **9) D** Request to approve a Lunch Wagon License permit application by Canaan Jordan d/b/a Ras Dal Falafel, LLC located at 15 Front Street, Belfast, Maine, license to expire on December 31, 2020, to **10) J #1**.

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

5) Acceptance of the minutes

Regular Council Meeting of June 2, 2020.

Councilor Dean, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of June 2, 2020. This was approved, 5-0.

6) A. Open to the public

No comments.

B. Organization and Department Reports

- Update from Parks & Recreation Director on use of parks following CDC recommendations and Browntail Moths.
- Update from City Manager, Erin Herbig, on Governor Mills COVID-19 mandates.

7) Communications

Councilor Harkness informed the public of the Hideaway Diner fire.

Councilor Hurley discussed use and condition of the Rail Trail.

Mayor Sanders discussed the High School Graduation at the Airport and thanked all who made it a special day.

8) Old Business and Council Committee Reports

A. Consideration of committee appointments.

City Clerk, Amy Flood reviewed appointment requests and answered Council questions.

Councilors scheduled committee interviews for new applicants on Tuesday, July 7th at 6:15 p.m.

Councilor Mortier, seconded by Councilor Dean, made a motion to re-appoint all committee members seeking re-appointment as presented by the City Clerk. This was approved, 5-0.

9) Permits, Petitions and Licenses - Consent Agenda

A. Request to approve an application for Lafayette Belfast, LLC d/b/a Fireside Inn & Suites at Ocean's Edge, located at 159 Searsport Avenue, Belfast, Maine for a renewal Hotel-Optional Food Class I-A liquor license, interior and exterior decks.

B. Request to approve an application for a Special Amusement Permit for Chase's Daily for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 96 Main St., Belfast, Maine, interior only.

C. Request to approve an application by Moonbat LLC d/b/a Marshall Wharf Brewing Company located at 36 Marshall Wharf, Belfast, Maine for a new Malt & Vinous Restaurant Class III &IV liquor license (interior only).

D. Item moved to 10) J #1.

E. Request to approve a CMP pole permit for one new pole located on Patterson Hill Rd.

F. Request from Police Chief Gerry Lincoln to approve confirmation of Kyle Hayward as a part-time police officer for the Belfast Police Department.

G. Request to approve a lunch Wagon License permit application by Douglas Hufnagel d/b/a Coffeeman at located at 7 and 15 Front Street Belfast, Maine, license to expire on December 31, 2020.

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

10) Business

A) Request from Waterfall Arts to remove a tree located at their High Street entrance.

Gianne Conard, President, Waterfall Arts, explained the request and answered Council questions.

Councilor Hurley suggested making a donation of a new tree to the City to replace the one being requested for removal.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request from Waterfall Arts to remove a tree located at their High Street entrance, contingent on getting approval for the curb cut and the start of the project. This was approved, 5-0.

B) Request from a group of citizens to establish a community garden in Wales Park.

Norm Poirier, Parks & Recreation Director, reviewed the proposal and discussed the details with the Council.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request to establish a community garden in Wales Park, as presented. This was approved, 5-0.

C) Discussion with Parks & Recreation Director Norm Poirier on proposed plans for Walter Ash Jr. Recreational Area.

Norm Poirier, Parks & Recreation Director, reviewed the proposed plan to be implemented within the next fiscal year.

Councilors unanimously agreed to the proposed plans as presented.

D) Discussion with City Treasurer Theresa Butler regarding ambulance outstanding accounts receivables.

City Treasurer, Theresa Butler, explained the recommendations from medical reimbursement and the auditor.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request to send the last 3 years of outstanding ambulance accounts to a collection agency and to make a policy that from

this point moving forward anything that is 120 day past due is sent to a collection agency. This was approved, 5-0.

E) Discussion with Director of Code & Planning Wayne Marshall on revising the permit fee schedule for the Code and Planning Department.

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

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the proposed permit fee for the Code and Planning Department, as presented. This was approved, 4-1 (Councilor Hurley opposed).

F) Request from Mossy Ridge Subdivision to reduce the number of constructed houses from seven to three to enable the road to be accepted as a City street.

Director of Code & Planning, Wayne Marshall, reviewed the request.

Brian Cooper, owner of Mossy Ridge Subdivision, provided the Council with further details.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from Mossy Ridge Subdivision to reduce the number of constructed houses from seven to three to enable the road to be accepted as a City street, as presented. This was approved, 5-0.

G) Request for Council to approve a one-year Union Contract between the City of Belfast and 93 AFSME covering the Public Works, Wastewater Treatment and Transfer Station Employees.

City Manager, Erin Herbig, briefly reviewed.

Councilors thanked all who worked on.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to approve the one-year Union Contract between the City of Belfast and 93 AFSME cover the Public Works, Wastewater Treatment and Transfer Station Employees from July 1, 2020 to June 30, 2021. This was approved, 5-0.

H) Discussion of a proposal for building improvements and energy upgrades at the Belfast Police Station.

City Manager, Erin Herbig, reviewed the proposal and recommended sources of funding to complete the projects.

Councilor Hurley discussed the concerns that the Energy Committee has not had the opportunity to weigh in on this proposal and asked the Council to defer action until the next Council meeting to allow for them to bring back their recommendations.

Councilors unanimously agreed to approve the request as presented but requested that the City Manager hold on moving forward with the siding until Friday so that the Energy Committee can provide the Council with their recommendation on insulation thickness and that the City Manager work with staff to get additional quotes on varying thicknesses of insulation for consideration.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the proposal for building improvements and energy upgrades at the Belfast Police Station, authorizing the City Manager and the City Treasurer to expend up to \$58,530.00 (\$39,000 to install new siding, \$1,200 for a hot water heater, \$3,300 to replace the Compressor AC Unit, \$15,000 to update the locker room) for various improvements and energy upgrades at the Belfast Police Station. Funds are to come from the following accounts: Police Station Heating Pumps #730-839, Police Building Siding #730-840, Police Forfeiture #730-672, Police Academy Training #730-798 and Police School Safety Lights #730-861, requesting that the City Manager hold on moving forward with the siding until Friday so that the Energy Committee can provide the Council with their recommendation on insulation thickness. This was approved, 5-0.

I) Update from the City Manager regarding downtown trash removal.

City Manager, Erin Herbig, reviewed the proposal to re-delegate downtown trash pick-up responsibilities between Public Works, Wastewater and Parks & Recreation and to install a dumpster at the harbor.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the proposal for downtown trash removal, as presented. This was approved, 5-0.

J) Discussion on creating a Food Truck Policy in response to COVID-19.

City Manager, Erin Herbig, requested Council feedback on if staff should pursue drafting a policy for Council consideration.

Councilors suggested revisiting next year.

J) #1 Request to approve a Lunch Wagon License permit application by Canaan Jordan d/b/a Ras Dal Falafel, LLC located at 15 Front Street, Belfast, Maine, license to expire on December 31, 2020.

Councilors discussed that the applicant could no longer use 15 Front Street and opted to approve the application as long as they found and are approved to place the wagon on a different private property location within Belfast so that he would not have to come back before the Council on July 7th.

Councilor Hurley, seconded by Councilor Mortier, made a motion to approve the Lunch Wagon License permit application by Canaan Jordan d/b/a Ras Dal Falafel, LLC located at an approved private property location within Belfast, Maine, license to expire on December 31, 2020. This was approved, 5-0.

K) Request for Council to approve and appropriate for staff training on increasing tolerance for individual differences and implicit bias awareness.

City Manager, Erin Herbig, reviewed the proposal noting that the training would cost \$2,500.00 and recommended that funding come from Undesignated Fund Balance.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to accept the request for staff training on increasing tolerance for individual differences and implicit bias awareness with funding to come from Undesignated Fund Balance. This was approved, 5-0.

L) Council discussion regarding Council letter, statement and/or listening session in response to racial injustice.

Councilors unanimously agreed to direct the City Manager to draft a letter for Council consideration, to be approved on July 7th and to set up a listening and speaking session with community leaders in response to racial injustice.

L) #1 Authorization to purchase a new server through our new IT provider ComDoctor as a pre-pay for the next fiscal year. ComDoctor begins their contract with the City of Belfast on July 1 but needs to set up the server ahead of time.

City Manager, Erin Herbig, briefly reviewed the request.

No Council discussion.

Councilor Mortier, seconded by Councilor Harkness, made a motion to authorize the City Manager and City Treasure to purchase a new server through our new IT provider ComDoctoer as a pre-pay for the next fiscal year, 2020-2021. This motion was approved, 5-0.

M) Signing of Council Orders and housekeeping items.

Council Order # 82 Signed by Councilor Bonneville, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$58,530.00 (\$39,000 to install new siding, \$1,200 for a hot water heater, \$3,300 to replace the Compressor AC Unit, \$15,000 to update the locker room) for various improvements and energy upgrades at the Belfast Police Station. Funds are to come from the following accounts: Police Station Heating Pumps #730-839, Police Building Siding #730-840, Police Forfeiture #730-672, Police Academy Training #730-798 and Police School Safety Lights #730-861. (Approved June 16, 2020)

Council Order # 83 Signed by Councilor Harkness, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$2,500.00 to hire Workplace Performance of Monroe to provide staff training on increasing tolerance for individual differences and implicit bias awareness. Funds are to come from the Undesignated Fund Balance. (Approved June 16, 2020)

Council Order #84 Signed by Councilor Harkness, Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$7,299.00 for a new Lenovo Data Center Server from ComDoctor. Funds are to come from account #140-837 FY20-21. (Approved June 16, 2020)

11) Communications

Councilor Hurley thanked the City Manager for all the work that has been done to try to get the Police Department siding addressed.

12) Adjourn

Councilor Hurley, seconded by Councilor Harkness, made a motion to adjourn the meeting at 11:22 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