

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, July 7, 2020**

Committee Interviews 6:30 p.m.

Regular Council Meeting 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.

Regular Council Meeting No. 1

1) Call to order

2) Present: 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.

Absent: Mayor Eric Sanders.

3) Pledge of Allegiance

4) Adoption of the agenda

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

5) Acceptance of the minutes

Regular Council Meeting of June 16, 2020, Special Council Meeting of June 23, 2020, Special Council Meeting of June 29, 2020 and Special Council Meeting of June 30, 2020.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of June 16, 2020, Special Council Meeting of June 23, 2020, Special Council Meeting of June 29, 2020 and Special Council Meeting of June 30, 2020. This was approved, 5-0.

6) A. Open to the public

1. Syd Sanders of Belfast demanded that the Council redirect funding for the Police Department to various social service agencies within the community.
2. Zafra Whitcomb of Belfast expressed his support for the redevelopment of 115 Congress Street and the Contract Rezoning Agreement proposal for Three Tides.

B. Organization and Department Reports

- Update from the City Clerk on the July 14, 2020 Primary/Special Referendum Election.
- Update from the City Manager on a second listening session on work force housing at 115 Congress Street, scheduled for July 28th from 5:30 p.m. to 7:00 p.m. at 115 Congress Street (with a Rain Date of July 30th).

7) Communications

Councilor Harkness informed the public that the Sandy Carey Way sign is up and asked that everyone do their part and wear a mask.

City Manager, Erin Herbig, provided an updated to item 9.E on the Consent Agenda noting that they events would take place on July 16, August 6 and September 3 and they would be requesting to shut down the bridge from 3:00 p.m. to 8:30 p.m.

Councilor Hurley noted that he is encouraged by increase mask wearing.

8) Old Business and Council Committee Reports

- Consideration of Committee Appointments.

City Clerk, Amy Flood, clarified the openings within the Library Board of Trustees.

Councilor Mortier, seconded by Councilor Harkness, made a motion to re-appoint Kay Zegel to the Belfast Free Library Board of Trustees, and to appoint Richard Swain to the Belfast Free Library Board of Trustees and Pegi Miller to the In-Town Design Review Board. This motion was approved, 5-0.

9) Permits, Petitions and Licenses - Consent Agenda

Councilor Hurley requested to move item 9.E to 10) A #1 for further discussion, Council unanimously agreed.

- A. Request to approve a Lunch Wagon License permit application by Bruce Chamberlain d/b/a Stone Fox Farm Creamery located at 15 Front Street, Belfast, Maine, license to expire on December 31, 2020.
- B. Request from the City Clerk to have Council approve the Election Warrant for the RSU # 71 budget referendum to be held on July 14, 2020.
- C. Request to approve a CMP pole permit for two new poles located on Belmont Ave.
- D. Request to approve a Facility Use Request by Coastal Mountain Land Trust and Journey to Health to conduct a program, Flexible 5K Training, on Tuesday mornings July 14, August 11 and September 8, all 6:30 a.m. to 7:15 a.m. on the Belfast Rail Trail.
- E. Item moved to 10) A #1.

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

10) Business

A) #1 Request to approve a Facility Use Request by Ando Anderson to conduct Belfast Summer Nights, on Thursday, July 16th, August 6th and September 3rd on the Belfast Armistice Bridge.

Councilor Hurley inquired about bridge closure and requested additional signage before the event dates to help notifying those who utilize the bridge to get to and from home for work.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the Facility Use Request by Ando Anderson to conduct Belfast Summer Nights, on Thursday, July 16th, August 6th and September 3rd, closing the bridge from 3:00 p.m. to 8:30 p.m. This motion was approved, 5-0.

A) Request from the Wastewater Treatment Superintendent, Jon Carman, to accept, award bids and allocate funding for the Miller, Charles & Franklin Streets Sewer Improvement Projects and the MDOT Route 1 Goose River Bridge Box Culvert Project.

Jon Carman, Wastewater Treatment Superintendent, explained the requests and answered Council questions.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to accept the bids for the Miller, Charles & Franklin Streets Sewer Improvement Projects. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to award the bid for the Miller, Charles & Franklin Streets Sewer Improvement Projects to Ford Enterprises. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to allocate an additional \$166,500.00 from the Sewer Expansion Reserve Account to complete the Miller, Charles & Franklin Streets Sewer Improvement Projects. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to allocate funding of up to \$208,000.00 from the WWTP Fund Balance Account for the City's portion of the MDOT Route 1 Goose River Bridge Box Culvert Project. This motion was approved, 5-0.

B) Request by the Economic Development Director to have the City Council authorize Developers Collaborative to submit a Multifamily Housing 2020-2021 Financing and Low-Income Housing Tax Credit Pre-Application to the Maine State Housing Authority, and to enter into an option agreement with Developers Collaborative for the City-owned parcel located at 115 Congress Street.

Thomas Kittredge, Economic Development Director, recapped the history of 115 Congress Street and reviewed the request in further detail.

Laura Reading of Developers Collaborative thanked Council for the opportunity.

Councilors discussed support for taking the opportunity to increase housing options in Belfast.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to authorize Developers Collaborative to submit a Multifamily Housing 2020-2021 Financing and Low-Income Housing Tax Credit Pre-Application, and allow the City Manager to sign any documents related and necessary to the submission of that pre-application. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to authorize the City of Belfast to enter into an option agreement with Developers Collaborative for the City owned parcel located at 115 Congress Street, and to allow the City Manager to sign any documents related and necessary to the execution of the option agreement. This motion was approved, 5-0.

C) Request from the Transfer Station Manager, Mike McFadden, to accept and award the bids for the water filtration system for a property located near the old landfill.

Mike McFadden, Transfer Station Manager, explained the request and recommended that the Council award the bid to Advanced Quality Water Solutions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the bids for the water filtration system for a private property located near the old land fill and to award the bid to Advanced Quality Water Solutions for \$10,599.00 with funding to come from the Solid Waste/Landfill Capital Reserve Account #730-634. This motion was approved, 5-0.

D) First Reading on proposed amendments to the City Code of Ordinances, Chapter 102, Zoning, regarding front structure setback requirements for certain properties located in the Residential 1, 2 and 3 Zoning Districts.

Director of Code & Planning, Wayne Marshall, reviewed the proposed amendments.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to accept the First Reading on proposed amendments to the City Code of Ordinances, Chapter 102, Zoning, regarding front structure setback requirements for certain properties located in the Residential 1, 2 and 3 Zoning Districts. This motion was approved, 4-0 (Councilor Mortier recused).

Councilor Bonneville, seconded by Councilor Harkness, made a motion to schedule the Public Hearing and Second Reading for the July 21st Council Meeting on proposed amendments to the City Code of Ordinances, Chapter 102, Zoning. This motion was approved, 4-0 Councilor Mortier recused).

E) First Reading on a Contract Rezoning Agreement with Three Tides restaurant.

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

Daniel Waldron and Greg Tinder reviewed the proposal in more detail and answered Council questions.

Council reviewed questions proposed by the Director of Code & Planning, providing further clarification and direction.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the First Reading on a Contract Rezoning Agreement with Three Tides restaurant, as presented, and to schedule the Public Hearing and Second Reading for the July 21st Council Meeting. This motion was approved, 5-0.

F) Further discussion on creating a City Policy for Browntail Moth infestation in Belfast and to apply for the Public Health Nuisance declaration.

City Manager, Erin Herbig, discussed possible options on how the Council could proceed.

Director of Parks & Recreation, Norm Poirier discussed what other communities have done to try and address them.

Councilor Harkness, seconded by Councilor Dean, made a motion to authorize City staff to hire a consultant to provide the City with an assessment of trees infested with Browntail Moth with funding of up to \$1,000.00 from the Undesignated Fund Balance . This motion was approved, 5-0.

G) Request to accept funding from various Federal and State funding opportunities for municipal COVID-19 assistance.

City Manager, Erin Herbig, discussed with Council how these funds were being utilized.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to accept the funding from various Federal and State funding opportunities for municipal COVID-19 assistance, and to direct staff to continue to seek reimbursement when deemed appropriate. This motion was approved, 5-0.

H) Request to accept an anonymous donation of \$500.00 to the Police Department.

No Council discussion.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the anonymous donation of \$500.00 to the Police Department to applied to their Building Maintenance Budget Line (220-520). This motion was approved, 5-0.

I) Request to go into Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A.

Councilor Mortier, seconded by Councilor Harkness, made a motion to go into Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 9:48 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Dean, made a motion to adjourn Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 10:00 p.m. This motion was approved, 5-0.

J) Request to go into Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A.

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

Councilor Mortier, seconded by Councilor Harkness, made a motion to adjourn Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 10:27 p.m. This motion was approved, 5-0.

K) Signing of Council Orders and housekeeping items.

Council Order #1 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$166,500.00 for additional funding needed to complete the Miller, Charles & Franklin Streets Sewer Improvement Projects. Funds is to come from the Sewer Expansion Reserve Account. (Approved July 7, 2020)

Council Order #2 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$208,000.00 for the MDOT Route 1 Goose River Bridge Box Culvert Project. Funds is to come from the WWTP Fund Balance Account. (Approved July 7, 2020)

Council Order #3 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$10,599.00 for the water filtration system for a private property located near the old landfill. Funds is to come from the Solid Waste/Landfill Capital Reserve Account (730-634). (Approved July 7, 2020)

Council Order #4 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to accept a donation of \$500.00 to the Belfast Police Department. Funds are to be applied to the Police Department Building Maintenance budget line (220-520). (Approved July 7, 2020)

Council Order #5 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$1,000.00 to hire a contractor to conduct an assessment of City Trees impacted by Browntail Moths. Funds are to come from the Undesignated Fund Balance. (Approved July 7, 2020)

11) Communications

Councilor Harkness noted that he had received feedback from a citizen that felt that the City of Belfast had stolen their Senator.

12) Adjourn

Councilor Mortier, seconded by Councilor Dean, made a motion to adjourn the meeting at 10:27 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



AMANDA CUSHMAN, BELFAST MAINE