

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 6, 2020**

6:45 PM Committee Interview

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. 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 Tile 28-A Section 1054 MRSA a public hearing will be held in the Council Chambers of Belfast City Hall on October 6, 2020 at 7:00 p.m. or as soon as possible thereafter on an application for a renewal Special Amusement Permit for Randall Collins VFW Post 3108 located at 34 Field Street, for live music, vocals, karaoke, DJ, dancing, and all live entertainment (interior/exterior).

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

Regular Council Meeting No. 7

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 an update from the Transfer Station Manager during item 10) M.

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

5) Acceptance of the minutes

Regular Council Meeting of September 15, 2020

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the minutes from Regular Council Meeting of September 15, 2020. This was approved, 5-0.

6) A. Open to the public

1. Allison Harrell of Searsmont provided an update on the Waldo County Homeless Coalition’s Community Assessment Survey.
2. Doug Smith of Belfast provided an update on the Rotary e-waste collection.

B. Organization and Department Reports

Project Planner Wayne Marshall provided an update on the Planning Board’s review of the Nordic Aquafarm Project.

7) Communications

Councilor Bonneville discussed the dedication of Joe Slocum on the Rail Trail over the weekend.

Councilor Harkness requested that the City of Belfast link the survey done by the Waldo Homeless Coalition to be added to the City website.

Councilor Hurley informed the public of the passing of Ron Cowan and acknowledged the newly published Annual Report.

City Manager Erin Herbig discussed the Annual Report and thanked staff for their contributions.

Mayor Eric Sanders per CDC guidelines notified the public that the City of Belfast would not be closing down Cedar Street for Halloween this year due to the high volume of people that is typically expected and encouraged the public to find CDC approved Halloween activities.

8) Old Business and Council Committee Reports

- Request to schedule interviews for the Comprehensive Planning Committee and Climate Crisis Committee.

Councilors unanimously agreed to schedule the interviews for October 20th, 2020 at 6:15 p.m.

- Consideration of an appointment to the Library Board of Trustees.

Councilor Hurley, seconded by Councilor Bonneville, made a motion to appoint Dorothy Havey to the Library Board of Trustees. This motion was approved, 5-0.

9) Permits, Petitions and Licenses - Consent Agenda

- A.** Request to approve an application for a renewal Special Amusement Permit for Randall Collins VFW Post 3108 located at 34 Field Street, for live music, vocals, karaoke, DJ dancing, and all live entertainment (interior/exterior).
- B.** Request to approve an application by Randall Collins VFW Post 3108 located at 34 Field Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Club On Premise Catering (Class I) liquor license, interior and exterior decks.
- C.** Request to approve an application by Bowen’s Tavern, located at 181 Waterville Road, Belfast, Maine for a renewal Malt, Spirituous and Vinous Class A Restaurant/Lounge liquor license.

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

10) Business

A) Presentation from the Project Planner on proposed amendments to the City Code of Ordinances Chapter 90, Site Plan, and minor amendments to Chapter 66, General Provisions (Definitions) and Chapter 84, Subdivisions, regarding the regulation of multi-family housing.

Project Planner Wayne Marshall reviewed the proposed amendments.

B) Public Hearing on proposed amendments to the City Code of Ordinances Chapter 90, Site Plan, and minor amendments to Chapter 66, General Provisions (Definitions) and Chapter 84, Subdivisions, regarding the regulation of multi-family housing.

Mayor Sanders asked for proponents and opponents.

1. Zafra Whitcomb noted that he was here to speak as he thought these amendments would impact the proposed housing project at 115 Congress Street, but realized now that they do not.
2. Project Planner Wayne Marshall informed the Council that no written comments had been received.

Mayor Sanders declared the hearing closed.

C) Discussion and possible action on proposed amendments to the City Code of Ordinances Chapter 90, Site Plan, and minor amendments to Chapter 66, General Provisions (Definitions) and Chapter 84, Subdivisions, regarding the regulation of multi-family housing.

Councilor Dean inquired about whether or not there will be any changes to the table.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the proposed amendments to the City Code of Ordinances Chapter 90, Site Plan, and minor amendments to Chapter 66, General Provisions (Definitions) and Chapter 84, Subdivisions, regarding the regulation of multi-family housing, as presented. This motion was approved, 5-0.

D) Presentation on the proposed 2020-2021 General Assistance Ordinance and State derived maximum benefits for General Assistance requests.

City Manager Erin Herbig reviewed the proposed amendments.

E) Public Hearing on the proposed 2020-2021 General Assistance Ordinance and State derived maximum benefits for General Assistance requests.

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

F) Discussion and possible action on the proposed 2020-2021 General Assistance Ordinance and State derived maximum benefits for General Assistance requests.

No Council discussion.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the proposed 2020-2021 General Assistance Ordinance and State derived maximum benefits for General Assistance requests, as presented. This motion was approved, 5-0.

G) Request from the Director of Code and Planning to appoint Stephen Wilson as the new Code Enforcement Officer for the City of Belfast.

Director of Code & Planning Bub Fournier reviewed his recommendation to hire Steve Wilson as the new Code Enforcement Officer for the City of Belfast and to reappoint himself as a Code Enforcement Officer to allow for back up within the office if needed.

Councilor Hurley, seconded by Councilor Harkness, made a motion to appoint Stephen Wilson as the new Code Enforcement Officer for the City of Belfast. This motion was approved, 5-0.

Councilor Hurley, seconded by Councilor Mortier, made a motion to appoint Bub Fournier as a Code Enforcement Officer for the City of Belfast. This motion was approved, 5-0.

H) Request to rename the Little River Trail in honor of Skip Pendleton.

Mayor Sanders explained the request.

Councilors discussed Skip's contributions to the City of Belfast.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to rename the Little River Trail in honor of Skip Pendleton. This motion was approved, 5-0.

Councilors further discussed that the trail is owned by the Belfast Water District and maintained by the Belfast Bay Watershed Coalition an organization started by Skip Pendleton thus the Council would additionally like to seek their approval and input on renaming the Trail.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to rename the Little River Trail in honor of Skip Pendleton.

Councilors discussed seeking approval and feedback on renaming the trail from the Belfast Water District as they own the land and the Belfast Bay Watershed Coalition as they maintain it.

Councilor Harkness suggested amending the original motion to include seeking approval.

Councilor Harkness, seconded by Councilor Mortier, made a motion to seek approval from The Belfast Water District and the Belfast Bay Watershed Coalition to rename the Little River Trail in honor of Skip Pendleton. This motion was approved, 5-0.

I) Request to remove four City trees at various locations.

Public Works Director Bob Richards reviewed trees at the following locations: 14 John Street, 15 John Street, Corner of Cedar and Spring Streets and Union Street.

Councilors discussed each location, the recommendation from the arborist.

Councilor Hurley, seconded by Councilor Harkness, made a motion to remove the trees located at 14 John Street and the Corner of Cedar and Spring Streets, to prune the tree At 15 John Street and to cable the tree on Union Street. This motion was approved, 5-0.

J) New Facility Use Request by the Belfast Maskers to conduct Halloween One-Act performances utilizing Court Street between Miller and Spring Streets on October 23, 24, 29, 30 and 31 between the hours of 4:00PM to 10:00PM.

City Manager Erin Herbig briefly reviewed the request.

Meg Nickerson on behalf of the Belfast Maskers provided further detail and answered questions regarding safety during night time performances.

Council discussed the Halloween performance and suggesting that they check in with the Police Department to discuss any additional safety measures.

Councilor Harkness, seconded by Councilor Dean, made a motion to accept the new Facility Use Request by the Belfast Maskers to conduct Halloween One-Act performances utilizing Court Street between Miller and Spring Streets on October 23, 24, 29, 30 and 31 between the hours of 4:00PM to 10:00PM. This motion was approved, 5-0.

K) Request from the Parks and Recreation Commission to consider amending Chapter 38 of the Code of Ordinances to include the Harbor Walk and Rail Trail to the list of Parks and Public Recreational Areas.

Parks & Recreation Commission Chair Larry Theye explained the request in further detail.

City Manager Erin Herbig provided some history and the intent behind the creation of the Friends of the Rail Trail and Harbor Walk Committee, recommending that the Council see how the Committee works and then, if needed, can come back to this request at a future date.

Councilors discussed the request and agreed to allow the Committee to move forward as planned.

L) Request from the City Treasurer for the Council to approve certain carry forward budget lines from the previous fiscal year to the current fiscal year.

City Manager Erin Herbig reviewed the request.

Councilor Mortier, seconded by Councilor Harkness, made a motion to approve certain carry forward budget lines from the previous fiscal year to the current fiscal year as presented. This motion was approved, 4-0 (Councilor Hurley stepped away).

M) Request from the Transfer Station Manager to return the price per bag for household trash to its former rates of \$3.50 and \$5.50.

Transfer Station Manager Mike McFadden reviewed the request and provided an update to the Council on Fiberight.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request from the Transfer Station Manager to return the price per bag for household trash to its former rates of \$3.50 and \$5.50. This motion was approved, 5-0.

N) Request to accept a donation of \$250.00 to the City of Belfast.

City Manager Erin Herbig briefly explained the requesting recommending that funding be placed into the Undesignated Fund Balance.

Councilor Mortier, seconded by Councilor Dean, made a motion to accept a donation of \$250.00 to the City of Belfast to be placed into the Undesignated Fund Balance. This motion was approved, 5-0.

O) 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 Dean, made a motion to go into Executive Session on a Personal matter pursuant to 1 MRSA 405 (6) A at 9:57 p.m. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Mortier, made a motion to adjourn Executive Session on a Personnel matter pursuant to 1 MRSA 405 (6) A at 10:13 p.m. This motion was approved, 5-0.

P) Request to go into Executive Session on a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C.

Councilor Harkness, 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 10:13 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 10:20 p.m. This motion was approved, 5-0.

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

Councilor Mortier, seconded by Councilor Harkness, made a motion to go into Executive Session on an Economic Development matter pursuant to 1 MRSA 405 (6) C at 10:21p.m. This motion was approved, 5-0.

Councilor Dean, seconded by Councilor Hurley, made a motion to adjourn Executive Session on an Economic Development matter pursuant to 1 MRSA 405 (6) C at 11:03 p.m. This motion was approved, 5-0.

R) Signing of Council Orders and housekeeping items.

Council Order #26 Signed by Councilor Bonneville Ordered That:

Up to \$116,906.33 to be carried forward from the FY 2019-2020 to FY 2020-2021 from the following accounts:

#120-501	Assessing, Salary & Wages (CO#61)	1,418.33
#130-631	City Clerk, Records Restoration	4,852.72
#130-674	City Clerk, Codification	10,842.41
#150-504	Elections, Supplies & Expenses	3,957.09
#220-503	Police, Unscheduled Overtime	6,938.78
#420-573	Sidewalk Improvement/Maint.	55,819.28
#450-577	Road Construction	8,958.77
#460-578	Tree Program	4,250.00
#460-678	Tree Program, Plantings	10,162.55
#680-604	Planning & Zoning, Engineering	8,901.40
#680-606	Planning & Zoning, Board of Appeals	805.00
	TOTAL	116,906.33

(Approved on October 6, 2020)

Council Order #27 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to accept a donation of \$250.00 to the City of Belfast. Funding is to be placed into the Undesignated Fund Balance. (Approved October 6, 2020)

Council Order #28 Signed by Councilor Bonneville Ordered That:

**Amendments to the MMA Model General Assistance Ordinance
Appendices (A-H)
October 1, 2020 - September 30, 2021**

First Reading: September 15, 2020**Second Reading: October 6, 2020**

Our existing General Assistance Ordinance that was written by Maine Municipal Association more than 17 years ago and amended over time based upon changes in State law is replaced with a newly updated Ordinance drafted as a Statewide Model by the Maine Municipal Association. The new model fully complies with all State and Federal regulations.

The Council has also adopted the overall maximum for housing that the State has set for the City of Belfast to allow the General Assistance Administrator more flexibility in assisting her clients.

(Approved October 6, 2020)

Council Order #29 Signed by Councilor Bonneville Ordered That:

AMENDMENTS TO BELFAST CODE OF ORDINANCES
Chapter 66, General Provisions (Definitions),
Chapter 90, Site Plan, and Chapter 94, Subdivision

Editor's Note: Chapter 90, Site Plan. The sections of Chapter 90, Site Plan, identified in this proposal focus on sections of the Ordinance that are proposed to be amended. The complete text of Chapter 90, Site Plan is available for review on the City of Belfast website, cityofbelfast.org, reference City Ordinances, Chapter 90, Site Plan. All text shown in **Bold and Red Font** is language that is proposed to be added to the Ordinance. All text shown in ~~Blue and Strike-Through Font~~ is language that is proposed to be deleted from the Ordinance. All text shown in **Black Font** is existing language in the Ordinance that is not proposed to be either added or deleted.

Chapter 66, General Provisions. The sections of Chapter 66, General Provisions, identified in this proposal focus identify the one new definition proposed to be added to the Ordinance. The new definition is identified in **Bold and Red Font**. The language shown in **Black Font** is existing language in Chapter 66.

Chapter 94, Subdivisions. The sections of Chapter 94, Subdivisions, identified in this proposal focuses on amendments regarding the exceptions to the Subdivision process that are identified in State law. The intent is to make the City Subdivision Ordinance consistent with State requirements. All text shown in **Bold and Red Font** is language that is proposed to be added, while all text shown in ~~Blue and Strike-Through Font~~ is language that is proposed to be deleted. All text shown in **Black Font** is existing language that is not proposed to be either added or deleted. (See attached text of adopted amendments).

First Reading: September 1, 2020

Second Reading: October 6, 2020

(Approved October 6, 2020)

11) Communications

Councilor Hurley discussed the grand opening of Tractor Supply in Belfast.

12) Adjourn

Councilor Harkness, seconded by Councilor Bonneville, made a motion to adjourn the meeting at 11:04 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