

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, March 16, 2021
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. 18

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 Mortier, 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 March 2, 2021.

Councilor Hurley, seconded by Councilor Dean, made a motion to accept the minutes from Regular Council Meeting of March 2, 2021. This was approved, 5-0

6) A. Open to the public

City Manager Erin Herbig noted that Council received 0 emails, prior to the start of the Council meeting to be included as part of the Open to the Public.

1. Glenn Montgomery of the Pedestrian, Biking and Hiking Committee thanked Councilor Hurley for continued work on finding pedestrian access on Swanlake Ave.

B. Organization and Department Reports

City Manager Erin Herbig reminded the public that Council Meetings will be starting at 6:30 p.m. on April 6th for three months and inquired about what time Council wanted to start their Work Session on March 30th. Council unanimously agreed to start the Work Session at 6:30 p.m.

7) Communications

Councilor Harkness noted the email from Connie Hatch regarding Monarch Butterflies and requested that she resubmit the request earlier next year as there are no more Council Meetings in March, he discussed the recent boy from Belmont who saved his mom that was honored at the Belfast Fire Department, and informed the City Manager that flashing lights need to be adjust due to daylight savings time.

Councilor Bonneville noted that it has been one year since starting Zoom Council Meetings and thanked all for making it as smooth as possible.

Councilor Dean reminded the public of the Comprehensive Plan Community Survey that can be completed online or hard copies can be picked up and dropped off at City Hall.

Councilor Mortier thanked City Manager Erin Herbig for her 1st year of service to the City of Belfast and all that she has accomplished in that year.

Councilor Hurley thanked the City Manager and all who are helping during the pandemic to keep the City of Belfast going.

Mayor Sanders reminded everyone to “Keep the Faith.”

8) Old Business and Council Committee Reports

- Chair Jon Beal provide an update from the Climate Crisis Committee on current work and activities and answered Council questions.
- Councilor Hurley inquired about applications for the Comprehensive Plan Committee opening.

9) Permits, Petitions and Licenses - Consent Agenda

- A.** Request to approve a Lunch Wagon License permit application by James Crothers d/b/a Za' Spresso located at 100 Searsport Ave, Belfast, Maine, license to expire on December 31, 2021.

- B.** Request to approve an application by Rosamond Peters d/b/a Nautilus Seafood & Grill, LLC located at 3 Main Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant/Lounge liquor license.

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

10) Business

A) Presentation on proposed Ordinance amendments to Chapter 34 Miscellaneous Offenses, Article II Noise and Public Conduct, Section 34-31 Findings; purpose of article.

Attorney Bill Kelly reviewed the proposed amendments.

B) Public Hearing on proposed Ordinance amendments to Chapter 34 Miscellaneous Offenses, Article II Noise and Public Conduct, Section 34-31 Findings; purpose of article.

City Manager Erin Herbig noted that Council received 2 emails, prior to the start of the Council meeting to be included as part of the Public Hearing from Nancy Crooker of Belfast inquiring whether or not motor cycle noise would be banned as part of this proposed Ordinance amendment and Danielle Wight who inquired about whether or not ATVs and UTVs were included in this Ordinance.

Mayor Sanders asked for proponents and opponents.

1. Zafra Whitcomb of Belfast requested to reserve his comment.
2. Danielle Wight of Belfast inquired about ATVs and UTVs on private property.

Mayor Sanders declared the hearing closed.

C) Discussion and possible action on proposed Ordinance amendments to Chapter 34 Miscellaneous Offenses, Article II Noise and Public Conduct, Section 34-31 Findings; purpose of article.

Attorney Bill Kelly answered questions regarding the proposed amendments.

Council discussed additional amendments including adjusting the decibels and exemptions. City Manager Erin Herbig inquired about whether or not an additional public hearing would be required due to amendments made at the meeting, City Attorney Kelly noted that the changes would not require an additional hearing.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to accept the proposed Ordinance amendments to Chapter 34 Miscellaneous Offenses, Article II Noise and Public Conduct, Section 34-31 Findings; purpose of article, to include additional amendments made my Council during the meeting. This was approved, 5-0.

D) Request from the Public Works Director to accept and award road paving projects bids.

Public Works Director Bob Richards reviewed the bids and recommended Council accept all bids and award the bid to the lowest bidder Vaughn Thibodeau II Inc. with the low bid of \$67.63 per ton for paving the streets with allocated paving funding from account# 450-577 Road Construction and Paving.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the bids and to award the bid to the lowest bidder Vaughn Thibodeau II Inc. with the low bid of \$67.63 per ton for paving the streets with allocated paving funding from account# 450-577 Road Construction and Paving. This was approved, 5-0.

E) Request to enter into a lease agreement with Clark & Eisele, Traditional Boatbuilders at Belfast Yards.

Project Planner Wayne Marshall reviewed the request and answered Council questions.

Garett Eisele of Traditional Boatbuilders provided additional clarification regarding the request.

Councilor Hakness, seconded by Councilor Mortier, made a motion to accept the request to enter into a 9 month lease agreement with Clark & Eisele, Traditional Boatbuilders for use of Belfast Yards from September 1, 2021 until May 31, 2022 with an option for three 1-month extensions that could be approved by the City Manager, as presented. This was approved, 5-0.

F) Discussion with representatives of Maine Department of Transportation (MDOT) regarding the City's support for a pedestrian bridge at the Kelly Bridge on Swan Lake Avenue, State Route 14.

Representatives from MDOT, Brian Reeves and Patrick Adams discussed with Council their request that an exception to the requirement for a setback of 10 feet be made to allow the City to install a temporary footbridge to facilitate pedestrian safety and sidewalk improvements at the Kelly Bridge on Swan Lake Avenue, they offered signage and to conduct a site visit in the spring.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to authorize City staff to work with MDOT to install proposed signage as quickly as possible. This was approved, 5-0.

G) Request from the Fire Chief to appoint Hayden Bradford as a paid per call Firefighter.

City Manager Erin Herbig briefly explained the request on behalf of the Fire Chief.

Councilor Harkness, seconded by Councilor Dean, made a motion to appoint Hayden Bradford as a paid per call Firefighter for the Belfast Fire Department. This was approved, 5-0.

H) Request from the Fire Chief to authorize 3 full-time Paramedics; Mike Sealy, Charles Sisson, and David Walsh, to respond to fires in the Belfast area during their shift.

City Manager Erin Herbig briefly explained the request on behalf of the Fire Chief.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the request to authorize 3 full-time Paramedics; Mike Sealy, Charles Sisson, and David Walsh, to respond to fires in the Belfast area during their shift. This was approved, 5-0.

I) Request from the Belfast Area Chamber of Commerce to fly the Irish Flag at City Hall on Wednesday, March 17th.

Executive Director of the Belfast Area Chamber of Commerce Steve Ryan explained the request to fly the Irish Flag at City Hall on Wednesday, March 17th and answered Council questions.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to accept the request from the Belfast Area Chamber of Commerce to fly the Irish Flag at City Hall on Wednesday, March 17th. This was approved, 5-0.

J) Request to hire Attorney Kristin Collins of Preti Flaherty to assist the City of Belfast, advise the City and potentially work with the RSU 71 School Board regarding the future apportionment of school taxes.

City Manager Erin Herbig reviewed the request and answered Council questions.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to accept the request to hire Attorney Kristin Collins of Preti Flaherty to assist the City of Belfast, advise the City and potentially work with the RSU 71 School Board regarding the future apportionment of school taxes for \$5,000 with funding to come from the Undesignated Fund Balance. This was approved, 5-0.

K) Request from the Director of Code and Planning to transfer funds from the Department's Equipment Capital Reserve into their operating budget.

City Manager Erin Herbig reviewed the request on behalf of the Director of Code and Planning.

Councilor Harkness, seconded by Councilor Mortier, made a motion to accept the request to transfer up to \$129.00 to purchase a new monitor for our Code Enforcement Officer, with funding to be transferred from the departments Equipment Capital Reserve to their operating budget account# 670-504 Planning Supplies and Expenses. This was approved, 5-0.

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

Councilor Dean, seconded by Councilor Bonneville, made a motion to go into Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 9:30 p.m. This motion was approved, 5-0.

Councilor Bonneville, seconded by Councilor Dean, made a motion to adjourn the Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 10:37 p.m. This motion was approved, 5-0.

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

Councilor Dean, seconded by Councilor Mortier, made a motion to go into Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 10:37 p.m. This motion was approved, 5-0.

Councilor Dean, seconded by Councilor Hurley, made a motion to adjourn the Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 11:29 p.m. This motion was approved, 5-0.

N) Signing of Council Orders and housekeeping items.

Council Order #55 Signed by Councilor Dean Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$67.63 per ton to Vaughn Thibodeau II Inc. for paving of City streets. Funding is to come from account# 450-577 Road Construction and Paving. (Approved March 16, 2021)

Council Order #56 Signed by Councilor Dean Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$5,000 to hire Attorney Kristin Collins of Preti Flaherty to assist the City of Belfast, advise the City and potentially work with the RSU 71 School Board regarding the future apportionment of school taxes. Funding is to come from Undesignated Fund Balance. (Approved March 16, 2021)

Council Order #57 Signed by Councilor Dean Ordered That:

The City Manager and the City Treasurer are authorized to transfer up to \$129 to purchase a new monitor for our Code Enforcement Officer. Funding is be transferred from the Department's Equipment Capital Reserve into their operating budget account# 670-504 Planning Supplies and Expenses. (Approved March 16, 2021)

11) Communications

Councilor Hurley thanked everyone for tonight's discussion with MDOT.

12) Adjourn

Councilor Mortier, seconded by Councilor Bonneville, made a motion to adjourn the meeting at 11:29 p.m. This motion was approved, 5-0.

I HEREBY CERTIFY THAT THE ABOVE
IS A TRUE COPY OF INFORMATION
ON THE RECORDS KEPT IN MY
OFFICIAL CUSTODY

ATTEST 

AMANDA CUSHMAN, BELFAST MAINE