

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 5, 2021**

6:30 p.m. Request to go into Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E.

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

Councilor Harkness, seconded by Councilor Dean, made a motion to adjourn the Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 6:57 p.m. This motion was approved, 5-0.

7:00 p.m. Regular Council Meeting

Due to the ongoing public health crisis, per Emergency Order adopted by the City Council on August 12, 2021, all City Council Meetings will be conducted online using Zoom. If you do not plan to speak at open to the public we encourage the public to stream the meeting on the City website www.cityofbelfast.org, watch live on BEL TV channel 7 or channel 1303.

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 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 **B) #1** First Reading on the proposed issuance of a general obligation bond to be issued by the City of Belfast to a lender in a principal amount not to exceed \$410,000 (the “Bond”), the proceeds to be used for the purpose of paying all or a portion of the costs associated with the design and construction of the Jet A fuel component of the fuel farm at the Airport owned by the City and facilities, equipment or both functionally related and subordinate to the foregoing (the “Project”).

- Add item C) #1 Second Reading on the proposed issuance of a general obligation bond to be issued by the City of Belfast to a lender in a principal amount not to exceed \$410,000 (the “Bond”), the proceeds to be used for the purpose of paying all or a portion of the costs associated with the design and construction of the Jet A fuel component of the fuel farm at the Airport owned by the City and facilities, equipment or both functionally related and subordinate to the foregoing (the “Project”).

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

5) Acceptance of the minutes

Regular Council Meeting of September 21, 2021.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of September 21, 2021. This was approved, 5-0.

6) A. Open to the public

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

1. Larry Theye of Belfast asked questions regarding the construction of a new pedestrian walkway through Wales Park.
2. Charlie Crane of Searsport provided an update on WBFY Community Radio.

B. Organization and Department Reports

City Manager Erin Herbig reminded the public that City Hall and the Belfast Free Library will be closed on Monday, October 11, 2021 in observance of Indigenous Peoples Day and the current policy regarding mask wearing within all City Facilities.

7) Communications

Councilor Harkness discussed a recent incident in which a lobster boat sank in the Harbor and discussed the transfer of the FCC license to WBFY Community Radio.

Councilor Hurley discussed recent running championship held at Troy Howard Middle School every year and discussed holding a work session on tax bills to provide clarity to Council and citizens. Council scheduled a Tax Assessment Work Session on October 19th at 6:00 p.m.

City Manager Erin Herbig discussed moving the November 2nd, which is Election Day, to Monday, November 1st. Council unanimously agreed.

Councilor Dean encouraged the public to check their smoke detectors as we move into needing to heat our homes.

Councilor Mortier thanked all those, including Councilor Harkness, for their work on the Community Radio station over the years.

8) Old Business and Council Committee Reports

No comments.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a renewal application by Satori Belfast LLC d/b/a Satori Belfast located at 108 Main Street, Belfast, Maine for a Malt, Spirituous and Vinous Restaurant (Class I-IV) license, interior only.
- B. Request to approve an application by Bowen's Tavern LLC d/b/a Bowen's Tavern, located at 181 Waterville Road, Belfast, Maine for a renewal Malt, Spirituous and Vinous Class A Restaurant/Lounge (Class XI) liquor license.
- C. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for the public Nordic Thank You Party event on September 23, 2021 from 4:00 p.m. to 8:00 p.m. located at the Wentworth Event Center, 139 Searsport Ave., Belfast, Maine.

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

10) Business

- A) Presentation of the 2020-2021 City of Belfast Annual Report.

City Manager Erin Herbig and City Communications Assistant Mackenzie Barnhart reviewed the 2020-2021 City of Belfast Annual Report with Council.

Mayor and Council thanked Communications Assistant and Department Heads for their work on this year's Annual Report.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to accept the 2020-2021 City of Belfast Annual Report. This motion was approved, 5-0.

B) Presentation regarding the proposed issuance of a general obligation bond to be issued by the City of Belfast to a lender in a principal amount not to exceed \$410,000 (the “Bond”), the proceeds to be used for the purpose of paying all or a portion of the costs associated with the design and construction of the Jet A fuel component of the fuel farm at the Airport owned by the City and facilities, equipment or both functionally related and subordinate to the foregoing (the “Project”).

Airport Manager Kenn Ortmann reviewed the request for the proposed issuance of a general obligation bond and the purpose for the borrowing of these funds.

City Manager Erin Herbig thanked Airport Manager Kenn Ortmann, Finance Director Theresa Butler and Economic Development Director for their work on this project.

B) #1 First Reading on the proposed issuance of a general obligation bond to be issued by the City of Belfast to a lender in a principal amount not to exceed \$410,000 (the “Bond”), the proceeds to be used for the purpose of paying all or a portion of the costs associated with the design and construction of the Jet A fuel component of the fuel farm at the Airport owned by the City and facilities, equipment or both functionally related and subordinate to the foregoing (the “Project”).

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the First Reading on the proposed issuance of a general obligation bond to be issued by the City of Belfast to a lender in a principal amount not to exceed \$410,000 (the “Bond”), the proceeds to be used for the purpose of paying all or a portion of the costs associated with the design and construction of the Jet A fuel component of the fuel farm at the Airport owned by the City and facilities, equipment or both functionally related and subordinate to the foregoing (the “Project”). This motion was approved, 5-0.

C) Public Hearing regarding the proposed issuance of a general obligation bond to be issued by the City of Belfast to a lender in a principal amount not to exceed \$410,000 (the “Bond”), the proceeds to be used for the purpose of paying all or a portion of the costs associated with the design and construction of the Jet A fuel component of the fuel farm at the Airport owned by the City and facilities, equipment or both functionally related and subordinate to the foregoing (the “Project”).

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

C) #1 Second Reading on the proposed issuance of a general obligation bond to be issued by the City of Belfast to a lender in a principal amount not to exceed \$410,000 (the “Bond”), the proceeds to be used for the purpose of paying all or a portion of the costs associated with the design and construction of the Jet A fuel component of the fuel farm at the Airport owned by the City and facilities, equipment or both functionally related and subordinate to the foregoing (the “Project”).

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the Second Reading on the proposed issuance of a general obligation bond to be issued by the City of Belfast to a lender in a principal amount not to exceed \$410,000 (the “Bond”), the proceeds to be used for the purpose of paying all or a portion of the costs associated with the design and construction of the Jet A fuel component of the fuel farm at the Airport owned by the City and facilities, equipment or both functionally related and subordinate to the foregoing (the “Project”). This motion was approved, 5-0.

D) Discussion and possible action regarding the proposed issuance of a general obligation bond to be issued by the City of Belfast to a lender in a principal amount not to exceed \$410,000 (the “Bond”), the proceeds to be used for the purpose of paying all or a portion of the costs associated with the design and construction of the Jet A fuel component of the fuel farm at the Airport owned by the City and facilities, equipment or both functionally related and subordinate to the foregoing (the “Project”).

Councilor Mortier, seconded by Councilor Dean, made a motion to accept the three bids received and award the RFB to First National Bank of 102 Main Street, Bar Harbor, ME, with an interest rate of 1.86% and an approximate interest cost of \$30,859.19 to pay for the costs associated with the Jet A fuel component of the Fuel Farm project, to authorize the payment of annual installments of \$5,000 and quarterly interest payments from account G 1-2160-00, the General Fund/Sale/Ind Pk., and to authorize a tax levy for each year of an amount necessary to meet the payment of the annual installment of principal and interest, and such amounts shall be included in the tax levy for each year until the debt is extinguished. This motion was approved, 5-0.

E) Further discussion on pedestrian access at Congress Street and Wales Park.

City Manager Erin Herbig reviewed the recommendation from Engineer Mandy Olver of Olver Associates Inc. and answered questions brought forward by Parks & Recreation Commission member Larry Theye.

Councilors discussed the recommendations and unanimously agreed to hold off on further discussion of paving of the parking lot until the spring.

F) Request from the Harbor Master to expend up to \$3,100.00 to replace the gas and diesel fuel hoses at the harbor.

Harbor Master Kathy Given reviewed the request to expend up to \$3,100.00 to replace the gas and diesel fuel hoses at the harbor.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request to expend up to \$3,100.00 to replace the gas and diesel fuel hoses at the harbor, with funding to come from the Harbor Diesel Account # 1-2200-00. This motion was approved, 5-0.

G) Request from the Harbor Master to expend up to \$9,160.00 to replace windows, insulate, and install a heat pump in the Trap Shack Office for the Deputy Harbor Master, Brian Friel to use as an office space this winter.

Harbor Master Kathy Given reviewed the request to expend up to \$9,160.00 to replace windows, insulate, and install a heat pump in the Trap Shack Office for the Deputy Harbor Master, Brian Friel to use as an office space this winter.

Councilor Mortier inquired about where the windows are coming from, requesting that they come from Matthews Brothers.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to the request to expend up to \$9,160.00 to replace windows, insulate, and install a heat pump in the Trap Shack Office for the Deputy Harbor Master, Brian Friel to use as an office space this winter, with funding to come from the Waterfront Heritage Park Account # 1-2300-00. This motion was approved, 5-0.

H) Request from the Police Chief to accept and award the bid for a new Police Cruiser.

Chief of Police Gerry Lincoln reviewed the request to accept and award the bid for a new Police Cruiser.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the one bid for a new Police Cruiser and award the bid to the only bidder Quirk Auto Group of Augusta for \$40,020.00 with a trade in of \$6,406.00 for the Department's 2014 Ford Explorer Police Interceptor, bringing the total to \$33,614.00, with funding to come from the Purchase of Equipment account #220-535. This motion was approved, 5-0.

D) Request by the Fire Chief to increase the Belfast Ambulance Advanced Life Support (ALS) intercept fee.

Fire Chief Patrick Richards reviewed the request to increase the Belfast Ambulance Advanced Life Support (ALS) intercept fee.

Councilor Mortier, seconded by Councilor Hurley, made a motion to accept to increase the Belfast Ambulance Advanced Life Support (ALS) intercept fee to \$200. This motion was approved, 5-0.

J) Request from Coastal Mountains Land Trust to have Planning Board reviewed permit fees and associated advertising fees waived.

Director of Code and Planning Bub Fournier reviewed the request from Coastal Mountains Land Trust to have Planning Board reviewed permit fees and associated advertising fees waived.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to waive up to \$550 in Planning Board reviewed permit fees and associated advertising fees for Coastal Mountains Land Trust. This motion was approved, 5-0.

K) Request to approve a Sewer Abatement for 16 Penobscot Terrace for \$1,734.52.

Wastewater Superintendent Brad Moore reviewed the request to approve a Sewer Abatement for 16 Penobscot Terrace for \$1,734.52.

Councilors discussed the process and thanked Wastewater Superintendent Brad Moore for the detailed report and his recommendation.

Councilor Harkness, seconded by Councilor Mortier, made a motion to approve a Sewer Abatement for 16 Penobscot Terrace for \$1,734.52. This motion was approved, 5-0.

L) Request to install a wall within the Finance Office.

City Manager Erin Herbig and Finance Director Theresa Butler reviewed the request to install a wall within the Finance Office and answered Council questions.

Councilors discussed the options.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request to install a wall with a door and sliding window within Conference Room A and convert the current

Finance Office into the new location of Conference Room A for \$1,552.00, with funding to come from the Municipal Building Capital Account. This motion was approved, 5-0.

M) Request by Public Works Director to appoint Brandon Waterman as a full-time truck driver/laborer for the Public Works Department.

City Manager Erin Herbig reviewed the request on behalf of the Public Works Director to appoint Brandon Waterman as a full-time truck driver/laborer for the Public Works Department.

Councilor Mortier, seconded by Councilor Harkness, made a motion to appoint Brandon Waterman as a full-time truck driver/laborer for the Public Works Department. This motion was approved, 5-0.

N) Request to adopt the provisions of M.R.S. § 18252-C (PL 2021, Chapter 286) as allowed by MainePERS Rule Chapter 803.

City Manager Erin Herbig reviewed the request to adopt the provisions of M.R.S. § 18252-C (PL 2021, Chapter 286) as allowed by MainePERS Rule Chapter 803.

Councilor Mortier, seconded by Councilor Harkness, made a motion to adopt the provisions of M.R.S. § 18252-C (PL 2021, Chapter 286) as allowed by MainePERS Rule Chapter 803. This motion was approved, 5-0.

O) Request to go into Executive Session on a Legal matter with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E.

Councilor Harkness, seconded by Councilor Dean, made a motion to go into Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 9:35 p.m. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Dean, made a motion to adjourn the Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 10:39 p.m. This motion was approved, 5-0.

P) Signing of Council Orders and housekeeping items.

Council Order #34 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$3,100.00 to replace the gas and diesel fuel hoses at the harbor. Funding is to come from the Harbor Diesel Account # 1-2200-00. (Approved October 5, 2021)

Council Order #35 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$9,160.00 to replace windows, insulate, and install a heat pump in the Trap Shack Office for the Deputy Harbor Master, Brian Friel to use as an office space this winter. Funding is to come from the Waterfront Heritage Park Account # 1-2300-00. (Approved October 5, 2021)

Council Order #36 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$40,020.00 with a trade in of \$6,406.00 for the Department's 2014 Ford Explorer Police Interceptor, bringing the total to \$33,614.00 for a new Police Cruiser from Quirk Auto Group of Augusta. Funding is to come from the Purchase of Equipment account #220-535. (Approved October 5, 2021)

Council Order #37 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to waive up to \$550.00 in Planning Board reviewed permit fees and associated advertising fees for Coastal Mountains Land Trust. (Approved October 5, 2021)

Council Order #38 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to abate up to \$1,734.52 for a Sewer Abatement for 16 Penobscot Terrace. (Approved October 5, 2021)

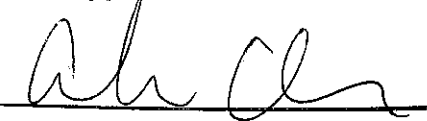
11) Communications

Councilor Hurley reminded the community of the Planning Board meeting tomorrow regarding changes to the zoning amendments and provided an update on the 2021 City of Belfast Christmas Tree.

12) Adjourn

Councilor Mortier, seconded by Councilor Dean, made a motion to adjourn the meeting at 10:39 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