

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, December 7, 2021**

5:00 p.m.

1. 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 5:00 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to adjourn the Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 6:00 p.m. This motion was approved, 5-0.

2. 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 M.R.S.A. 405 (6) A at 6:01 p.m. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to adjourn the Executive Session on a Personnel matter pursuant to 1 M.R.S.A. 405 (6) A at 6:40 p.m. This motion was approved, 5-0.

6:45 p.m. Committee Interview

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.

Public Hearing #1

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on Tuesday, December 7, 2021 at 7:00 p.m. or as soon as possible thereafter via Zoom to hear a new application by Michael D’Amico d/b/a Buon Vivente at 132 High Street, Belfast, Maine for a Malt, Vinous and Spirituous Restaurant/Lounge (Class XI) license, interior only.

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

Public Hearing #2

Pursuant to Belfast Victualer License ordinance a public hearing will be held on December 7th, 2021 at 7:00 p.m. or as soon as possible thereafter via Zoom on the following application for a new Victualer License, due to expire May 31, 2022.

Danny Costa d/b/a DMCP Group LLC (Dunkin Donuts)

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

Regular Council Meeting No. 11

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

Councilor Bonneville, 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 November 16, 2021.

Councilor Dean, seconded by Councilor Hurley, made a motion to accept the minutes from Regular Council Meeting of November 16, 2021. This was approved, 5-0.

6) A. Open to the public

City Manager Erin Herbig noted that Council received 1 email and 0 postal mail, prior to the start of the Council meeting to be included as part of the Open to the Public.

1. Garrett Eisele provided update on request, agenda item 10) E, and invited Council and public to the Open House on December 18th from Noon to 4pm.
2. Amber Riggings discussed concerns with speeding on the Doak Road.

B. Organization and Department Reports

No communications.

7) Communications

Councilor Bonneville thanked all that helped with the Christmas Tree Lighting.

Councilor Harkness passed message from Santa and thanked residents of Doak Road for coming forward with concerns.

Councilor Hurley thanked all who assisted with the tree lighting.

Councilor Mortier thanked Councilor Hurley for all he does to assist with Christmas Tree Lighting.

Councilor Sanders thanked Santa for coming to tree lighting.

8) Old Business and Council Committee Reports

- Consideration of an appointment to the In-Town Design and Review Committee.

Councilor Mortier, seconded by Councilor Harkness, made a motion to appoint Mike White to the In-Town Design and Review Committee as a regular member. This was approved, 5-0.

- Committee Chair Jon Beal provided an update from the Climate Crisis Committee. Councilors discussed bringing storm water issues back to Council for further discussion on Tuesday, December 21, 2021.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a new application by Michael D'Amico d/b/a Buon Vivente located at 132 High Street, Belfast, Maine for a Malt, Vinous and Spirituous Restaurant/Lounge (Class XI) license, interior only.

- B. Request to approve a new application for a Victualer License for Danny Costa d/b/a DMCP Group LLC (Dunkin Donuts) located at 22 Belmont Ave., Belfast, Maine due to expire on May 31, 2022.
- C. Request to approve a twelve-month Blanket Letter of Approval for Game of Chance (Bingo) for Tarratine Tribe #13 I.O.R.M & AUX located at 153 Main Street, Belfast, Maine. This approval is granted from January 1, 2022 through December 31, 2022.
- D. Request to approve a new Facility Use Request by Samantha Maheu on behalf of the Troy Howard Middle School art class to install a holiday art display in the windows of Belfast City Hall of the month of December.
- E. Request to approve a Facility Use application by the Parks and Recreation Department for the 2021 Holiday on the Harbor event in Steamboat Landing Park on Saturday, December 11, 2021, from 11:00 a.m. to 1:30 p.m.

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

10) Business

A) First Reading on proposed amendments to Chapter 82 Shoreland and Chapter 102 Zoning regarding the regulation of Adult Use Marijuana Facilities.

City Planner Jon Boynton reviewed the proposed amendments and answered Council questions.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the First Reading on proposed amendments to Chapter 82 Shoreland and Chapter 102 Zoning regarding the regulation of Adult Use Marijuana Facilities, as presented, and to schedule the Public Hearing and Second Reading for December 21, 2021. This was approved, 5-0.

B) Further discussion regarding recent inquiries involving retail marijuana.

Director of Code and Planning Bub Fournier and City Planner Jon Boynton reviewed the recent inquiries and requested Council direction.

Councilors unanimously agreed that they were not interested in having staff peruse retail marijuana at this time but acknowledged that further discussions will be needed.

C) Update from Project Planner on the status of the Outside Rural Zoning Ordinance amendments now being considered by the Belfast Planning Board.

Project Planner Wayne Marshall reviewed the status of the Outside Rural Zoning Ordinance amendments now being considered by the Belfast Planning Board and answered Council questions.

D) First Reading on proposed amendments to City Code of Ordinances Chapter 82 Shoreland Zoning, Section 392 Timber Harvesting following recommendation by Belfast Planning Board.

Director of Code and Planning Bub Fournier reviewed the proposed amendments and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the First Reading on proposed amendments to City Code of Ordinances Chapter 82 Shoreland Zoning, Section 392 Timber Harvesting following recommendation by Belfast Planning Board, as presented, and to schedule the Public Hearing and Second Reading for Tuesday, December 21, 2021. This was approved, 5-0.

E) Request by Planning and Codes Department Director to consider additional lease area for Clark & Eisele boat builders for material storage and laydown at Belfast Yards, 45 Front Street.

Director of Code and Planning reviewed the request for additional lease area for Clark & Eisele boat builders for material storage and laydown at Belfast Yards, 45 Front Street.

Councilor Dean, seconded by Councilor Harkness, made a motion to accept the request for additional lease area for Clark & Eisele boat builders for material storage and laydown at Belfast Yards, 45 Front Street, as presented. This was approved, 5-0.

F) Request by Planning and Codes Department Director to consider a request to allow contractors to occupy (4) parking spaces in front of 126 Church Street, the former Embee Cleaners, during demolition.

Director of Code and Planning reviewed the request to allow contractors to occupy (4) parking spaces in front of 126 Church Street, the former Embee Cleaners and noted that they are asking for an additional (2) floating parking passes for contractor use, during demolition.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the request to allow contractors to occupy (4) parking spaces in front of 126 Church Street, the former Embee Cleaners as well as (2) floating parking passes for contractor use, during demolition. This was approved, 5-0.

G) Consideration of the removal of two City street trees.

City Manager Erin Herbig briefly reviewed the request for removal of two City street trees with the Council.

Councilor Hurley, seconded by Councilor Dean, made a motion to accept the request to remove two City street trees located at Bridge Street. This was approved, 5-0.

H) Consideration and possible sale of one tax foreclosed property.

City Manager Erin Herbig discussed the tax foreclosed property at Marsh Road, seeking Council direction on how they would like to proceed with the bids that were opened on November 16th.

Councilor Hurley, seconded by Councilor Mortier, made a motion to reject all the bids. This was approved, 5-0.

Councilors discussed waiting until new zoning is in place, which may open up new housing options.

I) Request from the Chief of Police to purchase a new radar speed board and trailer for the Belfast Police Department.

Chief of Police reviewed the quotes and requested authorization to purchase a new radar speed board and trailer for the Department.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to accept all the bids as presented. This was approved, 5-0.

Councilor Dean, seconded by Councilor Harkness, made a motion to accept the request to purchase a new radar speed board and trailer for the Belfast Police Department from All Traffic Solutions for \$9,590.00 with funds be taken from the Capital Project line of 720-907 (\$8,000)

and the remaining balance from the Police Supply & Expenditure line of 220-504 (\$1590). This was approved, 5-0.

J) Request from the Chief of Police to accept the reimbursement of funds for our K-9.

Chief of Police requested Council accept the reimbursement of funds for our K-9.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the reimbursement of \$24,500.00 and that these reimbursement funds be placed into budget line 220-843, Police Department K-9, to utilize for rebuilding the K-9 program here at the Belfast Police Department. This was approved, 5-0.

K) Request from the Harbor Master for approval of the 2022 Harbor Usage Fees.

Harbor Master Kathy Given reviewed the proposed 2022 Harbor Usage Fees and answered Council questions.

Councilor Harkness, seconded by Councilor Hurley, made a motion to accept the 2022 Harbor Usage Fees, as presented, with the exception of the hoist fee, Thompson's Wharf winter dockage fee and shore power fee until a later date. This was approved, 5-0.

L) Request from the Harbor Master to approve Charter Vessel and Commercial Contracts for the 2022 season.

Harbor Master Kathy Given reviewed the proposed Charter Vessel and Commercial Contracts for the 2022 season and answered Council questions.

Councilor Hurley, seconded by Councilor Bonneville, made a motion to accept the Charter Vessel and Commercial Contracts for the 2022 season, as presented. This was approved, 5-0.

M) Request from the Belfast Fire Chief to appoint Kenneth Larrabee as volunteer Firefighter and EMT for the Belfast Fire and Ambulance Department.

Fire Chief Patrick Richards reviewed the request to appoint Kenneth Larrabee as volunteer Firefighter and EMT for the Belfast Fire and Ambulance Department.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to appoint Kenneth Larrabee as volunteer Firefighter and EMT for the Belfast Fire and Ambulance Department. This was approved, 5-0.

N) Request by the Economic Development Director to have the City Council Authorize the Submission of Applications to the Assistance to Firefighters Grant Program.

Economic Development Director Thomas Kittredge and Fire Chief Patrick Richards reviewed the request to have the City Council Authorize the Submission of Applications to the Assistance to Firefighters Grant Program and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to authorize the submission of two grant applications (one for operations and safety, one for vehicle acquisition) to the Assistance to Firefighters Grant Program; authorize matching funds of \$50,000, moving them from the Fire Equipment Capital Reserve Account to the Fire Purchase of Equipment Account (210-535); and authorize the City Manager to sign any and all documents necessary for the submission of these two grant applications. This was approved, 5-0.

O) Update by the Economic Development Director Regarding Future Redesign of the City of Belfast's Website.

Economic Development Director Thomas Kittredge reviewed the future redesign of the City of Belfast's Website with Councilors.

P) Discussion on improving City communication with those who do not have access to the internet.

Councilors discussed with City Manager Erin Herbig and staff ways in which the City could improve communication outside of digital communication.

Q) Request by the Library Director to appoint Kelly Lange as the full-time Library Assistant for the Belfast Free Library.

City Manager Erin Herbig briefly reviewed the request and discussed how vaccination factors into hiring.

Councilor Hurley, seconded by Councilor Bonneville, made a motion to appoint Kelly Lange as the full-time Library Assistant for the Belfast Free Library. This was approved, 5-0.

R) Request from the Airport Manager Kenn Ortmann for the City Council to grant authority to the City Manager to execute the CARES, CRRSA and ARPA grants and authorize the deposit of Grant funds into account G 1-2160-00, the General Fund/Sale/Ind Pk.

City Manager Erin Herbig briefly reviewed the request.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to authorize the City Manager authority to execute the CARES, CRRSA and ARPA grants and authorize the deposit of \$20,000 of CARES, \$9,000 of CRRSA, and \$22,000 of American Rescue Plan Grant funds into account G 1-2160-00, the General Fund/Sale/Ind Pk., to reimburse the City of Belfast for Airport payroll expenses incurred on or after January 20, 2020. This was approved, 5-0.

S) Request to abate personal property taxes for the business of Zelia's Designs Arts, in the amount of \$101.20.

No Council discussion.

Councilor Hurley, seconded by Councilor Mortier, made a motion to abate personal property taxes for the business of Zelia's Designs Arts, in the amount of \$101.20. This was approved, 5-0.

T) Request to approve a CMP pole permit for one new pole on Delemos Street.

No Council discussion.

Councilor Mortier, seconded by Councilor Hurley, made a motion to approve a CMP pole permit for one new pole on Delemos Street. This was approved, 5-0.

U) Signing of Council Orders and housekeeping items.

Council Order #44 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$9,590.00 to purchase a new radar speed board and trailer for the Belfast Police Department from All Traffic Solutions. Funding is to be taken from the Capital Project line of 720-907 (\$8,000) and the remaining balance from the Police Supply & Expenditure line of 220-504 (\$1590). (Approved December 7, 2021)

Council Order #45 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to accept the reimbursement of \$24,500.00 for the City's K-9. These reimbursement funds will be placed into budget line 220-843, Police Department K-9, to utilize for rebuilding the K-9 program here at the Belfast Police Department. (Approved December 7, 2021)

Council Order #46 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to move \$50,000 as matching funds for the City's two grant applications (one for operations and safety, one for vehicle acquisition) to the Assistance to Firefighters Grant Program. Funds will be moved from the Fire Equipment Capital Reserve Account to the Fire Purchase of Equipment Account (210-535). (Approved December 7, 2021)

Council Order #47 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to deposit \$20,000 of CARES, \$9,000 of CRRSA, and \$22,000 of American Rescue Plan Grant funds into account G 1-2160-00, the General Fund/Sale/Ind Pk., to reimburse the City of Belfast for Airport payroll expenses incurred on or after January 20, 2020. (Approved December 7, 2021)

Council Order #48 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to abate personal property taxes for the business of Zelia's Designs Arts, in the amount of \$101.20. (Approved December 7, 2021)

11) Communications

Councilor Hurley discussed passing of former Councilor Charlotte Peters.

Mayor Sanders requested discussion of meeting in person again to be placed on the next City Council Meeting.

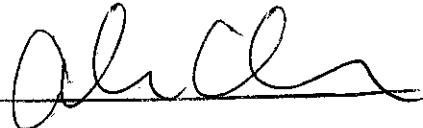
Councilor Dean reminded the public to reach out to your neighbors and be mindful of others.

12) Adjourn

Councilor Mortier, seconded by Councilor Harkness, made a motion to adjourn at 10:15 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