

\*These are “Action Only” minutes. Video of comments may be found on recorded discs at City Hall or at [www.cityofbelfast.org](http://www.cityofbelfast.org).\*

**City of Belfast  
Council Chambers-Belfast City Hall  
Tuesday, January 4, 2022**

**6:15 p.m.** Request to go into Executive Session to discuss a Legal matter with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E.

Councilor Harkness, seconded by Councilor Mortier, made a motion to go into Executive Session on a Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 6:15 p.m. This motion was approved, 5-0.

Councilor Mortier, 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 7:07 p.m. This motion was approved, 5-0.

**6:45 p.m.** Request to go into Executive Session to discuss a Poverty Abatement pursuant to Title 36 M.R.S.A. 841.

\*Item removed from agenda.

**7:10 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](http://www.cityofbelfast.org), watch live on BEL TV channel 7 or channel 1303.**

**Regular Council Meeting No. 13**

- 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 requested the following amendments:

- Requested to remove the 6:45 p.m. Executive Session to discuss a Poverty Abatement pursuant to Title 36 M.R.S.A. 841.
- Requested to move item **10) A** To ratify the City Manager’s signing of an interlocal agreement with the Town of Searsport for processing of vehicle registrations during the period when the tax office was closed during the week of December 27, 2021 to **10) A #1**
- Requested to add item **10) A** To consider placement of a conservation easement on the property located at Map 29, Lot 36 related to use of the property as a public recreational area.

Councilor Hurley noted a typo that needed to be corrected regarding the date of the event on item **10) I** which should read: Saturday, May 21, 2022, from 9:00AM to 9:00PM.

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

#### **5) Acceptance of the minutes**

Regular Council Meeting of December 21, 2021.

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

#### **6) A. Open to the public**

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

#### **B. Organization and Department Reports**

Public Health Nurse Susan Dupler and Dr. Heather Ward provided an update on where citizens can get vaccinated and answered Council questions.

#### **7) Communications**

Councilor Harkness congratulated Waterfall Arts on receiving a \$100,000 grant.

Councilor Hurley thanked the Police Department and Fire Department for assistance with the New Year’s bonfire and requested that a discussion on budget priorities be added to the January 18<sup>th</sup> Council Meeting.

## 8) Old Business and Council Committee Reports

Jon Beal, Climate Crisis Committee Chair, provided a Committee update.

## 9) Permits, Petitions and Licenses - Consent Agenda

No items.

## 10) Business

A) To consider placement of a conservation easement on the property located at Map 29, Lot 36 related to use of the property as a public recreational area.

Mayor Sanders read the following statement on behalf of the City Council:

The City acquired this property by grant and intends to use it as a public park with oceanfront access, connected to the larger Little River Trail system. This property was the subject of an action – filed before the City’s acquisition – to determine its ownership and boundaries. The Superior Court has ruled that the parcel acquired by the City owns the shorefront area and that a conservation easement claimed by opponents does not exist. The Attorney General’s office has statutory oversight of changes to conservation easements, and is participating in separate litigation regarding the City’s use of eminent domain to clear the title to this area. In the unlikely event the Superior Court’s decision is overturned and the conservation easement is found to have existed, the Attorney General’s role is to ensure the conservation values of the property will be protected under the City’s ownership. The Council has always intended this property to be used as a public park with all the normal conservation protections. With that in mind, the Council is hopeful that the Attorney General will work with the City on terms of a replacement conservation easement to ensure that the purposes of the statutes are satisfied, to the extent they are relevant.

City Attorney Kristin Collins explained the requested action for authorization to work with the AG’s Office.

Councilors discussed their support for the request and the importance of this conservation.

Councilor Bonneville, seconded by Councilor Dean, made a motion to authorize the City Manager and the City Attorney to work with the AG’s Office regarding a conservation easement on the property located at Map 29, Lot 36 related to use of the property as a public recreational area. This was approved, 5-0.

**A) #1** To ratify the City Manager’s signing of an interlocal agreement with the Town of Searsport for processing of vehicle registrations during the period when the tax office was closed during the week of December 27, 2021.

City Manager Erin Herbig briefly explained the request and thanked the town of Searsport.

Councilor Harkness, seconded by Councilor Mortier, made a motion to ratify the City Manager’s signing of an interlocal agreement with the Town of Searsport for processing of vehicle registrations during the period when the tax office was closed during the week of December 27, 2021. This was approved, 5-0.

**B)** Discussion on the draft City of Belfast employee COVID-19 response policy.

City Manager Erin Herbig and City Attorney Kristin Collins reviewed the proposed draft City of Belfast employee COVID-19 response policy with Councilors.

Councilors scheduled a Special City Council Meeting for Wednesday, January 5<sup>th</sup> at 7:30 p.m. to review the proposed changes of the policy.

**C)** Request from the Fire Chief to confirm Christopher Kulbe as Deputy Fire Chief for the Belfast Fire and Ambulance Department.

Fire Chief Patrick Richards reviewed his recommendation confirm Christopher Kulbe as Deputy Fire Chief for the Belfast Fire and Ambulance Department.

Councilor Harkness, seconded by Councilor Dean, made a motion to confirm Christopher Kulbe as Deputy Fire Chief for the Belfast Fire and Ambulance Department This was approved, 5-0.

**D)** Request from the Police Chief to confirm Matthew Cook as Patrol Sergeant for the Belfast Police Department.

Police Chief Gerry Lincoln reviewed his recommendation.

Councilor Mortier, seconded by Councilor Harkness, made a motion to confirm Matthew Cook as Patrol Sergeant for the Belfast Police Department. This was approved, 5-0.

**E)** Request from the Police Chief to confirm Daniel Fitzpatrick as Detective Sergeant for the Belfast Police Department.

Police Chief Gerry Lincoln reviewed his recommendation.

Councilor Dean, seconded by Councilor Hurley, made a motion to confirm Daniel Fitzpatrick as Detective Sergeant for the Belfast Police Department. This was approved, 5-0.

**F)** Presentation by the Director of Code and Planning on the new online permitting portal.

Director of Code and Planning Bub Fournier did a presentation on the new online permitting portal and answered Council questions.

**G)** Request by the Economic Development Director to have the City Council authorize the submission of a Letter of Intent to the Community Development Block Grant Public Infrastructure Grant Program.

Economic Development Director Thomas Kittredge reviewed the request to have the City Council authorize the submission of a Letter of Intent to the Community Development Block Grant Public Infrastructure Grant Program.

Councilors discussed Congress Street versus Wight Street.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to authorize the submission of a Letter of Intent to the Community Development Block Grant Public Infrastructure Grant Program; and authorize the City Manager to sign any documents related and necessary to the submission of the Letter of Intent. This was approved, 5-0.

**H)** Request to approve a Facility Use application by MLK Day Committee for the Martin Luther King Day Celebration in front of the First Church on Monday, January 17, 2022, from 4:30PM to 5:30PM.

Parks and Recreation Director Norm Poirier reviewed the request to approve a Facility Use application by MLK Day Committee for the Martin Luther King Day Celebration in front of the First Church on Monday, January 17, 2022, from 4:30PM to 5:30PM.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to approve a Facility Use application by MLK Day Committee for the Martin Luther King Day Celebration in front of the First Church on Monday, January 17, 2022, from 4:30PM to 5:30PM. This was approved, 5-0.

**D)** Request to approve a Facility Use application by Launchpad for the All Roads Music Festival for use of the parking area in front of City Hall on the High Street side on Saturday, May 21, 2022, from 9:00AM to 9:00PM.

Parks and Recreation Director Norm Poirier reviewed the request to approve a Facility Use application by Launchpad for the All Roads Music Festival on Saturday, May 21, 2022, from 9:00AM to 9:00PM.

Councilor Mortier, seconded by Councilor Hurley, made a motion to approve a Facility Use application by Launchpad for the All Roads Music Festival for use of the parking area in front of City Hall on the High Street side on Saturday, May 21, 2022, from 9:00AM to 9:00PM. This was approved, 5-0.

**J)** Request to approve the Fiscal Year 2022-23 City of Belfast Employee Pay Scale.

City Manager Erin Herbig reviewed the Fiscal Year 2022-23 City of Belfast Employee Pay Scale.

Councilor Mortier, seconded by Councilor Dean, made a motion to approve the Fiscal Year 2022-23 City of Belfast Employee Pay Scale. This was approved, 5-0.

**K)** Request to approve the Calendar Year 2022 City of Belfast Observed Holiday Schedule.

City Manager Erin Herbig reviewed the Calendar Year 2022 City of Belfast Observed Holiday Schedule.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to approve the Calendar Year 2022 City of Belfast Observed Holiday Schedule. This was approved, 5-0.

**L)** Request from the Harbor Master to transfer \$1,254.33 from the Footbridge Capital Reserve Account to the Footbridge Maintenance Account to pay for repairs to lights on the Belfast Footbridge.

City Manager Erin Herbig reviewed the request to transfer \$1,254.33 from the Footbridge Capital Reserve Account to the Footbridge Maintenance Account to pay for repairs to lights on the Belfast Footbridge on behalf of the Harbor Master.

Councilor Mortier, seconded by Councilor Hurley, made a motion to accept the request to transfer \$1,254.33 from the Footbridge Capital Reserve Account to the Footbridge Maintenance Account to pay for repairs to lights on the Belfast Footbridge. This was approved, 5-0.

**M)** Request from the Finance Director to accept funds from HHS Stimulus and Provider Relief Funding in the amount of \$44,011.57.

City Manager Erin Herbig reviewed the request to accept funds from HHS Stimulus and Provider Relief Funding in the amount of \$44,011.57 on behalf of the Finance Director.

Councilor Bonneville, seconded by Councilor Dean, made a motion to accept the funds from HHS Stimulus and Provider Relief Funding of \$44,011.57 and to place these funds into the Ambulance Receivable budget line #1-1260-00 to offset loss of revenues during the pandemic. This was approved, 5-0.

**N)** Request from the Finance Director to waive a tax lien located at 12 Piper Stream Lane #11.

City Manager Erin Herbig reviewed the request to waive a tax lien located at 12 Piper Stream Lane #11.

Councilor Harkness, seconded by Councilor Hurley, made a motion to authorize the City Manager and City Treasurer to grant a waiver of foreclosure of Tax Lien filed 7/16/2020, BK 4517 P345 for Map 001 Lot 015-011. This was approved, 5-0.

**O)** Signing of Council Orders and housekeeping items.

**Council Order #55** Signed by Councilor Hurley Ordered That:

The City Manager and the City Treasurer are authorized to transfer \$1,254.33 from the Footbridge Capital Reserve Account to the Footbridge Maintenance Account to pay for repairs to lights on the Belfast Footbridge. (Approved January 4, 2022)

**Council Order #56** Signed by Councilor Hurley Ordered That:

The City Manager and the City Treasurer are authorized to accept the funds from HHS Stimulus and Provider Relief Funding of \$44,011.57 and to place these funds into the Ambulance Receivable budget line #1-1260-00 to offset loss of revenues during the pandemic. (Approved January 4, 2022)

**Council Order #57** Signed by Councilor Hurley Ordered That:

The City Manager and the City Treasurer are authorized to grant a waiver of foreclosure of Tax Lien filed 7/16/2020, BK 4517 P345 for Map 001 Lot 015-011. (Approved January 4, 2022)

**11) Communications**

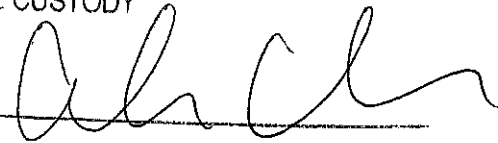
Councilor Dean discussed the passing of Belfast citizen Bert Skinner.

**12) Adjourn**

Councilor Harkness, seconded by Councilor Mortier, made a motion to adjourn at 10:46 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