

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, April 5, 2022**

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. 19

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

Mayor Sanders requested to add the following items:

1. **9. L** Request to close off a portion of the sidewalk and 6-7 spaces along High Street for construction from April 4th through April 6th.
2. **9. M** Appoint Justin VanDongen as the Addressing Officer for the City of Belfast.

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

5) Acceptance of the minutes

Regular Council Meeting of March 15, 2022.

Councilor Dean, seconded by Councilor Hurley, made a motion to accept the minutes from Regular Council Meeting of March 15, 2022. This motion was approved, 5-0.

- F. Request to approve a Facility Use request from the Parks and Recreation Department and the Chamber of Commerce to utilize Steamboat Landing Park on June 25th – 26th, 2022 from 10:00AM to 4:00PM each day for the 2022 Belfast Arts in the Park event.
- G. Request to approve a Facility Use request from the Belfast Rotary to utilize Steamboat Landing Park, Heritage Park and roads for a 5K road race on August 19th-21st, 2022 for the 2022 Belfast Harbor Fest event.
- H. Request to approve confirm Benjamin Kolko as a part-time Police Officer for the Belfast Police Department.
- I. Request to approve confirm Merl Reed as a part-time Police Officer for the Belfast Police Department.
- J. Request to approve confirm Jacob Roberts as a part-time Transfer Station Attendant for the Belfast Transfer Station.
- K. Request to approve a Special Event Noise Permit for Marshall Wharf Brewing Company for their opening (May 20th) and closing parties (May 21st) for the All Roads Music Festival from 9:30 a.m. to Midnight.
- L. Request to close off a portion of the sidewalk and 6-7 spaces along High Street for construction from April 4th through April 6th.
- M. Appoint Justin VanDongen as the Addressing Officer for the City of Belfast.

Councilor Hurley, seconded by Councilor Mortier, made a motion to approve the Consent Agenda, as amended. This motion was approved, 5-0.

10) Business

A) Request to accept \$7,043 from the Patterson Hill Housing Association/BayHead.

Councilor Hurley thanked the Patterson Hill Housing Association/BayHead.

Councilor Mortier, seconded by Councilor Hurley, made a motion to accept the \$7,043 from Patterson Hill Housing Association/BayHead with funding to be placed into the Misc. Revenue Account #110-3250. This motion was approved, 5-0.

B) Request from the VFW for a contribution to their flag fundraising efforts.

No comments.

Councilor Dean, seconded by Councilor Mortier, made a motion to authorize up to \$250 as a contribution to the VFW flag fundraising efforts with funding from the Misc. City Promotional account #650-726. This motion was approved, 5-0.

C) Request from Public Works Director to accept and award the City Street Paving Bids.

Public Works Director Bob Richards briefly reviewed the request.

Councilor Harkness, seconded by Councilor Bonneville, made a motion to accept all six bids and to award the bid to Hopkins Paving bid of \$98.50 per ton for paving and \$1.75 for milling the streets, with funding to come from account # 450-577 Road Construction and Paving. This motion was approved, 5-0.

D) Discussion regarding emergency response of the fire at Penobscot McCrum.

Fire Chief Patrick Richards, Waldo County Emergency Medical Management Agency Director Dale Rowley and City Manager Erin Herbig debriefed the Council on the incident; discuss the emergency response and answered questions.

E) Request to accept Keep the Faith donations and to utilize those funds for employees of Penobscot McCrum.

City Manager Erin Herbig briefly reviewed the request.

Councilors thanked all who stepped up and donated.

Councilor Hurley, seconded by Councilor Harkness, made a motion accept all donations to the Keep the Faith Fund and authorize the City Manager and City staff to work with Penobscot McCrum to appropriately distribute these funds to the 138 employees including \$13,800 in Hannaford gift cards and up to \$69,000 in cashier's check and to authorize the City

Manager to execute and/or accept any and all necessary funds donated to the Keep the Faith Fund and distribute funding to McCrum employees as timely requests may occur. This motion was approved, 5-0.

F) Request to waive the Demolition Permit and Shoreland Permit fees for McCrum cleanup.

No comments.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to waive the \$250 Demolition Permit and Shoreland Permit fees for Penobscot McCrum cleanup. This motion was approved, 5-0.

G) Consideration of a proposed sign-on bonus and retention incentive program for the Belfast Police Department.

City Manager Erin Herbig and Interim Police Chief Dean Jackson reviewed the request and answered Council questions.

Councilor Hurley, seconded by Councilor Harkness, made a motion to authorize the City Manager and City Treasure to expend up to \$54,000 in this fiscal year to pay for this sign-on bonus and retention incentive program for the Belfast Police Department, with funding to be comprised of a transfer of \$24,000 from account# 220-537 Police Equipment Capital Reserve into account #220-501 Police Salary and Wages, and with the acceptance of \$32,480 in funding from the City of Brewer with funding to be placed in account #220-501 Police Salary and Wages. This motion was approved, 5-0.

H) Request by the Economic Development Director to have the City Council finalize a ranked list of Fiscal Year 2023 Congressional Earmark Requests and authorize applications for them to be submitted.

Economic Development Director Thomas Kittredge reviewed the proposed projects with Councilors.

Councilors unanimously agreed to submit earmark request ranked in the following order:

1) street improvements (curbing, sewer extension, storm drainage, sidewalks) for a portion of Congress Street and the entirety of Salmond Street (most recent estimated total project cost of \$2,371,500;

- 2) street improvements (extension of shoulder, sidewalk) for a portion of Swan Lake Avenue;
- 3) construction of a new City of Belfast Public Safety Building; and
- 4) wastewater system improvements (wastewater treatment plant influent pump rotating assembly - influent pump no. 3, wastewater treatment plant computer upgrades, pump station improvements - Little River Drive no. 2, pump station generator improvements - Passagassawaukeag Pump Station, return sludge pump improvements - return activated sludge pump no. 1, and wastewater treatment plant and pump station supervisory control and data acquisition improvements) (most recent estimated total project cost of \$758,500)

Councilor Dean, seconded by Councilor Mortier, made a motion to approve the finalized ranked list of fiscal year 2023 earmark requests as determined at the meeting, for which the City of Belfast will submit applications to the offices of Senator Susan Collins, Senator Angus King, and Representative Jared Golden; and to authorize City the Manager to sign any and all paperwork related to and necessary for the submission of these requests. This motion was approved, 5-0.

D) Presentation on proposed amendments to the City Code of Ordinances regarding the “Outside Rural Area.”

City Project Planner Wayne Marshall and Director of Code and Planning Bub Fournier reviewed the proposed amendments with Council.

J) Public Hearing on proposed amendments to the City Code of Ordinances regarding the “Outside Rural Area.”

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

City Project Planner Wayne Marshall noted that the Department had not received any comment via email or by letter regarding this hearing and that no one has contacted the Department (other than the press) to ask any questions regarding the proposed zoning.

K) Second Reading on proposed amendments to the City Code of Ordinances regarding the “Outside Rural Area.”

City Project Planner Wayne Marshall answered Council questions.

Councilor Dean recommended that amendments be made to motion 1, which would include reducing the minimum lot acreage from 2 to 1.5, to reduce street frontage from 200 feet to 150 and to have the setbacks at 30 feet for frontage, and 15 feet for side and back as they are now.

Councilor Dean, seconded by Councilor Hurley, made a motion to 1) accept amendments to Chapter 102, Zoning, Article V, District Regulations, Division 16, Outside Rural districts, including recommended changes that include reducing acreage from 200 to 1.5, to reduce street frontage from 200 feet to 150, and to have the frontage setbacks at 30 feet for frontage and the side and back setbacks to 15 feet; 2) accept amendments to Chapter 102, Zoning, Article V, District Regulations, Division 1 Official Zoning Map; 3) accept amendments to Chapter 102, Zoning, Article IX, Performance Standards, Division 7, Supplemental Performance Standards for a Multi-Family Housing or Flex Housing Project; 4) accept amendments to Chapter 90, Site Plan, and Chapter 94, Subdivisions; 5) accept amendments to Chapter 102, Zoning, Article I, In General; 6) accept amendments to Chapter 102, Zoning, Article V, District Regulations, regarding the repeal of certain existing districts; and 7) accept amendments to Chapter 66, General Provisions. This motion failed, 1-4 (Councilors Mortier, Harkness, Bonneville and Hurley opposed).

Councilor Mortier discussed being supportive of changes regarding the setbacks as discussed by Councilor Dean, and discussed keeping the minimum lot acreage at 2 and to keep the street frontage at 200 feet as recommended by the Planning Board and Planning staff.

Councilor Mortier, seconded by Councilor Harkness, made a motion to 1) accept amendments to Chapter 102, Zoning, Article V, District Regulations, Division 16, Outside Rural districts, including the recommend change that includes retaining the frontage, side and back setbacks since they have been since 1997; 2) accept amendments to Chapter 102, Zoning, Article V, District Regulations, Division 1 Official Zoning Map; 3) accept amendments to Chapter 102, Zoning, Article IX, Performance Standards, Division 7, Supplemental Performance Standards for a Multi-Family Housing or Flex Housing Project; 4) accept amendments to Chapter 90, Site Plan, and Chapter 94, Subdivisions; 5) accept amendments to Chapter 102, Zoning, Article I, In General; 6) accept amendments to Chapter 102, Zoning, Article V, District Regulations, regarding the repeal of certain existing districts; and 7) accept amendments to Chapter 66, General Provisions. This motion was approved, 5-0.

L) Signing of Council Orders and housekeeping items.

Council Order #73 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized accept the \$7,043 from Patterson Hill Housing Association/BayHead. These funds are to be placed into the Misc. Revenue Account #110-3250. (Approved April 5, 2022)

Council Order #74 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$250 as a contribution to the VFW flag fundraising efforts. Funding is to come from the Misc. City Promotional account #650-726. (Approved April 5, 2022)

Council Order #75 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to \$98.50 per ton for paving and \$1.75 for milling the streets, from Hopkins Paving. Funding is to come from account # 450-577 Road Construction and Paving. (Approved April 5, 2022)

Council Order #76 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to accept all donations to the Keep the Faith Fund and authorize the City Manager and City staff to work with Penobscot McCrum to appropriately distribute these funds to the 138 employees including the authorization of \$13,800 in Hannaford gift cards and up to \$69,000 in cashier's check and to authorize the City Manager to execute and/or accept any and all necessary funds donated to the Keep the Faith Fund and distribute funding to McCrum employees as timely requests may occur. (Approved April 5, 2022)

Council Order #77 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to waive the \$250 Demolition Permit and Shoreland Permit fees for Penobscot McCrum cleanup. (Approved April 5, 2022)

Council Order #78 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$54,000 in this fiscal year to pay for this sign-on bonus and retention incentive program for the Belfast Police Department. Funding is to come from of a transfer of \$24,000 from account# 220-537 Police Equipment Capital Reserve into account #220-501 Police Salary and Wages, and the acceptance of \$32,480 in funding from the City of Brewer to be placed in account #220-501 Police Salary and Wages. (Approved April 5, 2022)

11) Communications

Councilor Hurley requested that all Council members spread the word on the upcoming job fair.

12) Adjourn

Councilor Mortier, seconded by Councilor Hurley, made a motion to adjourn at 10:30 p.m. This motion was approved, 5-0.

HEREBY CERTIFY THAT THE ABOVE
IS A TRUE COPY OF INFORMATION
ON THE RECORD WHICH IS IN MY
OFFICIAL CUSTODY

ATTEST

A handwritten signature in cursive script, appearing to read 'Amanda Cushman', written over a horizontal line.

AMANDA CUSHMAN, BELFAST MAINE