

\*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, June 7, 2022**

**6:30 PM** Request to go into Executive Session to discuss an Legal matter pursuant to 1 M.R.S.A. 405 (6) E.

Councilor Harkness, seconded by Councilor Hurley, made a motion to go into Executive Session on an Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 6:44 p.m. This motion was approved, 4-0 (Councilor Bonneville was absent).

Councilor Harkness, seconded by Councilor Hurley, made a motion to adjourn the Executive Session on an Legal matter pursuant to 1 M.R.S.A. 405 (6) E at 7:04 p.m. This motion was approved, 4-0 (Councilor Bonneville was absent).

**7:05 p.m.** Regular Council Meeting

**All City Council Meetings and City Committee Meetings will be conducted in-person at Belfast City Hall, effective May 3, 2022.**

**Public Hearing #1**

Pursuant to Belfast Victualer License ordinance a public hearing will held on June 7th, 2022 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers at Belfast City Hall on the following applications for a New Victualer License, due to expire May 31, 2022.

Must Be Nice Lobster, LLC d/b/a

Must Be Nice Lobster, LLC

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 held on June 7th, 2022 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers at Belfast City Hall on the following applications for a New Victualer License, due to expire May 31, 2022.

Wind Tracy

d/b/a

Satori Belfast

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

**Public Hearing #3**

Pursuant to Belfast Victualer License ordinance a public hearing will held on June 7th, 2022 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers at Belfast City Hall on the following applications for a New Victualer License, due to expire May 31, 2022.

Bell The Cat, Inc.

d/b/a

Bell The Cat, Inc.

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

**Regular Council Meeting No. 23**

**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.

**Absent:** Brenda Bonneville

**3) Pledge of Allegiance**

**4) Adoption of the agenda**

Mayor Sanders noted that City Clerk has requested the Consent Agenda be amended to include item **9) L** Request to approve a Lunch Wagon License permit application by Jennifer Stewart d/b/a JC's On-A-Roll located at 15 Front Street, Belfast, Maine, license to expire on December 31, 2022.

Councilor Hurley requested that item **10) M** Consideration of a Proclamation recognizing the recent devastating shooting at Robb Elementary School in the City of Uvalde, Texas to honor and remember all of the victims and survivors of school violence, be moved to item **10) A #1** and **10) A** Request from the Fire Chief to accept a \$200.00 donation to the Belfast Ambulance Department, be moved to **10) A #2**.

Councilor Hurley also requested that Council additionally discuss speed during item **10) L**.

Councilor Hurley, seconded by Councilor Dean, made a motion to adopt the agenda, as amended. This motion was approved, 4-0.

**5) Acceptance of the minutes**

Regular Council Meeting of May 17, 2022 and Budget Hearing and Special City Council Meeting of May 26, 2022.

Councilor Dean, seconded by Councilor Harkness, made a motion to accept the minutes from Regular Council Meeting of May 17, 2022 and Budget Hearing and Special City Council Meeting of May 26, 2022. This motion was approved, 4-0.

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

City Manager Erin Herbig noted that Council received 5 emails and 0 postal mail, prior to noon today which were shared with Council before the start of the Council meeting to be included as part of the Open to the Public.

No members of the public were present.

**B. Organization and Department Reports**

- Update from the Director of Code and Planning regarding the State Housing Bill passed in late April and answered Council questions.
- City Manager Erin Herbig reminded Council of the upcoming FY 22-23 Budget Public Hearing on June 21, 2022 at 7:00 p.m. and notified the public of City Facility closures on June 20<sup>th</sup> in observance of Juneteenth.

**7) Communications**

Councilor Harkness requested an update on Art in Council Chambers, City Manager Erin Herbig noted that Councilor Bonneville was working on that and would ask her to provide an update at the next Council Meeting.

Councilor Hurley inquired about the Work Session on June 14<sup>th</sup>, City Manager offered to look into rescheduling the Work Session to June 13<sup>th</sup> and would let Council know if that was able to be switched as soon as possible.

Mayor Sanders discussed the recent Pride Parade and thanked organizers for bringing it back to Belfast.

**8) Old Business and Council Committee Reports**

- Update from Communications Assistant regarding Committee Vacancies.

Councilor Harkness, seconded by Councilor Hurley, made a motion to reappoint Duke Tomlin and William Ryan to the Airport Advisory Committee. This motion was approved, 4-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to reappoint Megan Pinette to the Cemetery Board of Trustees. This motion was approved, 4-0.

Councilor Harkness, seconded by Councilor Mortier, made a motion to reappoint Catherine Gleeson, Larry Theye and Rafe Blood to the Parks and Recreation Commission. This motion was approved, 4-0.

Councilor Hurley, seconded by Councilor Mortier, made a motion to reappoint Bill Durkin, Bruce Snider, Christopher Gardner and Glenn Montgomery to the Pedestrian, Biking and Hiking Committee. This motion was approved, 4-0.

Councilor Harkness, seconded by Councilor Hurley, made a motion to reappoint Geoffrey Gilchrist to the Planning Board This motion was approved, 4-0.

Councilor Mortier, seconded by Councilor Harkness, made a motion to reappoint Dana Keene, Doug Smith and Roger Pickering to the Zoning Board of Appeals. This motion was approved, 4-0.

Councilor Harkness, seconded by Councilor Dean, made a motion to reappoint Elizabeth Sterner and Jonathan Beal to the Climate Crisis Committee. This motion was approved, 4-0.

Councilor Harkness, seconded by Councilor Mortier, made a motion to appoint Jonathan Beal to the Comprehensive Planning Committee. This motion was approved, 4-0.

Councilors requested that interviews be scheduled at 6:00 p.m. on June 21, 2022 or July 5, 2022 prior to the start of the Regular Council Meeting.

- Update from the Pedestrian, Biking and Hiking Committee.
- Update from the Climate Crisis Committee.

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

**A.** Request to approve the following applications for a Victualer License renewal, due to expire May 31, 2023.

Must Be Nice Lobster, LLC      d/b/a      Must Be Nice Lobster, LLC

**B.** Request to approve the following applications for a Victualer License renewal, due to expire May 31, 2023.

Wind Tracy                      d/b/a                      Satori Belfast

- C. Request to approve the following applications for a Victualer License renewal, due to expire May 31, 2023.

Bell The Cat, Inc.              d/b/a                      Bell The Cat, Inc.

- D. Request to approve an off premises catering permit for Bell the Cat, Inc for the Annual Realtor event on May 26, 2022 from 4:30 p.m. to 7:30 p.m. located at the Belfast Boathouse, 34 Commercial Street, Belfast, Maine.
- E. Request to approve an application by All Play Bowling Center located at 49 Searsport Ave., Belfast, Maine for a Malt & Vinous liquor license (interior only).
- F. Request to approve an application for a Special Amusement Permit by All Play Bowling Center for live entertainment, music, vocals – Karaoke, DJ and dancing located at 49 Searsport Ave., Belfast, Maine, interior only.
- G. Request to approve a Lunch Wagon License permit application by Sadie Samuels d/b/a Must Be Nice Lobster located at 2 Cross Street, Belfast, Maine, license to expire on December 31, 2022.
- H. Request to approve a Lunch Wagon License permit application by Bruce Chamberlain d/b/a Stone Fox Farm Creamery located at 15 Front Street, Belfast, Maine, license to expire on December 31, 2022.
- I. Request to approve an application by Nautilus Seafood & Grill LLC d/b/a Nautilus Seafood & Grill located at 3 Main Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant (Class I, II, III, IV) liquor license.
- J. Request to approve the Election Warrant from the City Clerk for the June 7, 2022 Regional School Unit #71 Budget Referendum Election.
- K. Request to approve a Facility Use request from Belfast Flying Shoes to utilize the Belfast Footbridge for the “Dancing 2 by 2: Take Two on the Footbridge” event on Friday, June 3, 2022 from 6:00 p.m. to 9:00 p.m.
- L. Request to approve a Lunch Wagon License permit application by Jennifer Stewart d/b/a JC’s On-A-Roll located at 15 Front Street, Belfast, Maine, license to expire on December 31, 2022.

Councilor Dean, seconded by Councilor Harkness, made a motion to approve the Consent Agenda, as amended. This motion was approved, 4-0.

**10) Business**

A) #1 Consideration of a Proclamation recognizing the recent devastating shooting at Robb Elementary School in the City of Uvalde, Texas to honor and remember all of the victims and survivors of school violence. Councilors discussed the two draft Proclamations and unanimously agreed to have Councilors Harkness and Bonneville draft a letter for consideration at the Regular Council Meeting of June 21, 2022.

A) #2 Request from the Fire Chief to accept a \$200.00 donation to the Belfast Ambulance Department.

No Council discussion.

Councilor Harkness, seconded by Councilor Dean, made a motion to accept the \$200.00 donation to the Belfast Ambulance Department, with funds to be placed into account # 270-504 Fire Supplies and Expenses. This motion was approved, 4-0.

B) Request from the Finance Director to transfer income earned from the Carolyn Crosby Trust Fund to the Belfast Area High School.

Councilor Dean briefly reviewed the request.

Councilor Mortier, seconded by Councilor Harkness, made a motion to release the income earned from the Carolyn Crosby Trust Fund in the amount of \$2,352.00 to the Belfast Area High School. This motion was approved, 4-0.

C) Request to accept and award the bid for #2 Fuel Oil for the City of Belfast.

City Manager Erin Herbig briefly reviewed the bids.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept and award the bid for #2 Fuel Oil for the City of Belfast to RH Foster at a Searsport rack rate plus a fixed \$.239 per gallon delivery cost. This motion was approved, 4-0.

D) Request to authorize an earned carryover vacation time payout for City of Belfast First Responders for FY2021-22.

City Manager Erin Herbig reviewed the request to authorize an earned carryover vacation time payout for City of Belfast First Responders for FY2021-22 and answered Council questions.

Councilor Dean, seconded by Councilor Mortier, made a motion to authorize the payout of up to 80 hours of earned carryover vacation time for each City of Belfast first responder, and that these buyouts be designated from FY2021-22 funds in account# 220-501 Police Salary and Wages and account# 270-501 Ambulance Salary and Wages. This motion was approved, 4-0.

**E) Consideration of a Proclamation honoring Public Health Nurse Susan Dupler as the 2022 Belfast Spirit of America recipient.**

Councilors thanked Public Health Nurse Susan Dupler for all she has done for the community.

Public Health Nurse Susan Dupler thanked the City Council.

Councilor Dean, seconded by Councilor Mortier, made a motion to recognize Public Health Nurse Susan Dupler as the 2022 Belfast Spirit of America recipient. This motion was approved, 4-0.

**F) Request from the Fire Chief to create a Junior Firefighter Program for the City of Belfast Fire and Ambulance Department.**

Fire Chief Patrick Richards reviewed the request to implement a Jr. Firefighter Program for the City of Belfast Fire and Ambulance Department and answered Council questions.

Councilor Dean, seconded by Councilor Harkness, made a motion to create a Junior Firefighter Program for the City of Belfast Fire and Ambulance Department. This motion was approved, 4-0.

**G) Request to move all Fire and Ambulance employees to the MainePERS C3 retirement plan.**

City Manager Erin Herbig and Fire Chief Patrick Richards reviewed the request to move all Fire and Ambulance employees to the MainePERS C3 retirement plan and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to move all Fire and Ambulance employees to the MainePERS C3 retirement plan, effective July 1, 2022 and to authorize the City Manager to sign the agreement with MainePERS on behalf of the City of Belfast. This motion was approved, 3-0 (Councilor Hurley stepped out of the room).

**H) Presentation on proposed Amendments to Chapter 58 Traffic and Vehicles.**

Planner Boynton and Director of Code and Planning Bub Fournier will be at the meeting to present the proposed Amendments to Chapter 58 Traffic and Vehicles.

**I) Public Hearing on proposed Amendments to Chapter 58 Traffic and Vehicles**

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

**J) Second Reading on proposed Amendments to Chapter 58 Traffic and Vehicles.**

Planner Boynton and Director of Code and Planning Bub Fournier answered Council questions.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the Second Reading of the proposed ordinance amendments to Chapter 58 Traffic and Vehicles and approve its adoption into the City Ordinance. This motion was approved, 4-0.

**K) Discussion on City owned parcel located on Marsh Road.**

City Manager Erin Herbig and Director of Code and Planning Bub Fournier reviewed the quote to have City owned parcel located on Marsh Road surveyed.

Councilor Hurley, seconded by Councilor Harkness, made a motion to authorize City staff to hire Gartley & Dorsky for \$3,350.00 to survey the City owned parcel located on Marsh Road with funding to come from account #680-604. This motion was approved, 4-0.

**L) Discussion regarding the Intersection of Route 1 and Route 52.**



City Manager Erin Herbig and Director of Code and Planning Bub Fournier answered Council questions.

Councilors unanimously agreed to invite MDOT to a Council Meeting to discuss concerns and requested that the Belfast Police Department put up their speed board in the area.

**M)** Consideration of a Proclamation recognizing the recent devastating shooting at Robb Elementary School in the City of Uvalde, Texas to honor and remember all of the victims and survivors of school violence.

Item moved to **10) A #1.**

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

**Council Order #93** Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$500.00 from the Belfast Keep the Faith Fund to cover Curbside Belfast fees for The Mood Dog and The Game Loft. (Approved May 17, 2022)

**Council Order #94** Signed by Councilor Harkness Ordered That:

The City Manager and the City Treasurer are authorized to accept the \$200.00 donation to the Belfast Ambulance Department, with funds to be placed into account # 270-504 Fire Supplies and Expenses. (Approved June 7, 2022)

**Council Order #95** Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to release the income earned from the Carolyn Crosby Trust Fund in the amount of \$2,352.00 to the Belfast Area High School. (Approved June 7, 2022)

**Council Order #96** Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to accept the bid for #2 Fuel Oil for the City of Belfast to RH Foster at a Searsport rack rate plus a fixed \$.239 per gallon delivery cost for FY 22-23. (Approved June 7, 2022)

**Council Order #97** Signed by Councilor Dean Ordered That:

The City Manager and the City Treasurer are authorized to payout up to 80 hours of earned carryover vacation time for each City of Belfast first responder, and that these buyouts be designated from FY2021-22 funds in account# 220-501 Police Salary and Wages and account# 270-501 Ambulance Salary and Wages. (Approved June 7, 2022)

**11) Communications**

Councilor Hurley discussed handicap accessibility at curb by Colonial Theatre.

**12) Adjourn**

Councilor Harkness, seconded by Councilor Mortier, made a motion to adjourn at 9:33 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