

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, February 21, 2023**

6:00 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 Hurley, made a motion to go into 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, 4-0 (Councilor Harkness absent).

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 7:00 p.m. This motion was approved, 4-0 (Councilor Harkness absent).

7:00 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.

Regular Council Meeting No. 16

1) Call to order

2) Present: Mayor Eric Sanders, Councilors Mary Mortier, Brenda Bonneville, Michael Hurley, and Paul Dean; City Manager Erin Herbig and Assistant to the City Manager Manda Cushman.

Absent: Councilor Neal Harkness.

3) Pledge of Allegiance

4) Adoption of the agenda

A. Mayor Sanders noted a request to amend the Consent Agenda to include item **9) C** Request to approve an extension of liquor license for Delvino LLC d/b/a Delvino’s Grill and Pasta House located at 52 Main Street, Belfast, ME to provide outside seating during the Ice Festival event February 24, 2023, through February 26, 2023.

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

5) Acceptance of the minutes

Regular Council Meeting of February 7, 2023, and Special City Council Meeting of February 9, 2023.

Councilor Dean, seconded by Councilor Bonneville, made a motion to accept the minutes from the Regular Council Meeting of February 7, 2023, and Special City Council Meeting of February 9, 2023. This motion was approved, 4-0.

6) A. Open to the public

City Manager Erin Herbig noted that Council received 10 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.

1. Amanda Cunningham, Executive Director of Our Town Belfast informed the public of the upcoming Ice Festival and answered Council questions.
2. Keith Pooler, Superintendent of the Water District discussed Water District staff reaching out to citizens soon to examine their water pipes and answered Council questions.

B. Organization and Department Reports

No comments.

7) Communications

Councilor Bonneville wished everyone a happy Mardi Gras.

Councilor Dean encouraged the public to come out and enjoy this weekend's Ice Festival and all that Belfast has to offer.

Councilor Hurley discussed reaching out to local organizations in hopes that an organization will step up to organize the celebration of the 250 Anniversary of Belfast and discussed citizens coming forward and offering to help the City address housing needs by serving on a housing committee.

8) Old Business and Council Committee Reports

No comments.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve an extension of liquor license for Darby's Inc. d/b/a Darby's Restaurant and Pub located at 155 High Street, Belfast, ME to provide outside seating during the Ice Festival event February 24, 2023, through February 26, 2023.
- B. Request to approve a Facility Use Application by Launchpad for use of Steamboat Landing and City Hall parking lot (High Street) for the Annual All Roads Music Festival on Saturday, May 20th from 10:00 a.m. to 9:00 p.m.
- C. Request to approve an extension of liquor license for Delvino LLC d/b/a Delvino's Grill and Pasta House located at 52 Main Street, Belfast, ME to provide outside seating during the Ice Festival event February 24, 2023, through February 26, 2023.

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

10) Business

A) Proclamation honoring Keith Pooler as the 2023 Belfast Spirit of America recipient.

Mayor Eric Sanders read the proclamation honoring Keith Pooler as the 2023 Belfast Spirit of America recipient.

Councilors thanked Mr. Pooler for his service to the City of Belfast.

B) Request to appoint members to the Belfast Poet Laureate Committee.

Thomas Moore of Belfast reviewed the request to appoint the following members of the Belfast Poet Laureate Selection Committee: Thomas R. Moore (non-serving previous Poet Laureate), Brenda Harrington (member of the library), Linda Buckmaster (member of the arts and literature community), and Councilor Mary Mortier (representative from the City Council). Additionally, he reviewed the process for appointing a new Belfast Poet Laureate and answered Council questions.

Councilor Hurley, seconded by Councilor Dean, made a motion to appoint the following members of the Belfast Poet Laureate Selection Committee: Thomas R. Moore (non-serving previous Poet Laureate), Brenda Harrington (member of the library), Linda Buckmaster (member of the arts and literature community), and Councilor Mary Mortier (representative from the City Council). This motion was approved, 4-0.

C) Update and presentation from the Website Resign Working Group on the redesign of the City of Belfast website.

Communications Assistant Mackenzie Barnhart and City Clerk Amy Bradford provided an update on the redesign of the City of Belfast website and answered Council questions.

Councilor Hurley and Bonneville provided additional feedback on the process and what the group is hoping to accomplish with this redesign.

D) Presentation on the Wight Street Reconstruction Project.

Economic Development Director Thomas Kittredge provided a status update on the Wight Street Reconstruction Project and answered Council questions.

E) Request to authorize the City Manager to sign on behalf of the City of Belfast a permanent easement with the Belfast Shrine Club as part of the Wight Street Reconstruction Project.

City Manager Erin Herbig reviewed the request to sign on behalf of the City of Belfast a permanent easement with the Belfast Shrine Club as part of the Wight Street Reconstruction Project.

Councilors thanked the Shrine Club for their collaboration on this project.

Councilor Dean, seconded by Councilor Hurley, made a motion to authorize the City Manager to sign on behalf of the City of Belfast a permanent easement with the Belfast Shrine Club as part of the Wight Street Reconstruction Project. This motion was approved, 4-0.

F) Request to authorize the City Manager to sign on behalf of the City of Belfast a permanent easement with the Belfast Water District as part of the Wight Street Reconstruction Project.

City Manager Erin Herbig reviewed the request to sign on behalf of the City of Belfast a permanent easement with the Belfast Water District as part of the Wight Street Reconstruction Project.

Councilors thanked the Water District for their collaboration on this project.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to authorize the City Manager to sign on behalf of the City of Belfast a permanent easement with the Belfast Water District as part of the Wight Street Reconstruction Project. This motion was approved, 4-0.

G) Request by the Economic Development Director to approve an extension of the Option Agreement for the sale of the City-owned property at 115 Congress Street to Developers Collaborative from March 1st, 2023, to June 1st, 2023.

Economic Development Director Thomas Kittredge reviewed the request to approve an extension of the Option Agreement for the sale of the City-owned property at 115 Congress Street to Developers Collaborative from March 1st, 2023, to June 1st, 2023.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to authorize an extension of the Option Agreement, with its expiration going from midnight eastern time, March 1st, 2023, to midnight eastern time, June 1st, 2023; and to authorize the City Manager to sign any and all documents necessary for the execution of extension to the Option Agreement. This motion was approved, 4-0.

H) Request by the Airport Manager to enter into a ground lease with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless for the installation, maintenance, and operation of communications equipment at the Belfast Municipal Airport.

Airport Manager Kenn Ortmann reviewed the request to enter into a ground lease with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless for the installation, maintenance, and operation of communications equipment at the Belfast Municipal Airport and answered Council questions.

Councilor Mortier, seconded by Councilor Hurley, made a motion to authorize the City Manager to sign a ground lease with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless to allow for the installation, maintenance and operation of communications equipment upon Belfast Municipal Airport property with rental payments beginning on the commencement date and in the annual amount of \$24,000 for the first year and the annual rental for the second and each subsequent year during the Term of this Agreement shall be equal to 102.2655% of the annual rental payable during the immediately preceding year and that this revenue be deposited in Account G 1-2160-00, the General Fund/Sale/Ind Pk. This motion was approved, 4-0.

I) Discussion on the recent Housing Work Session.

Councilor Hurley reviewed his request for a follow up discussion on the housing Work Session and next steps for addressing the housing issues.

Councilors discussed creating a housing committee and having another Work Session with current owners of mobile home parks.

City Manager Erin Herbig noted that staff are looking at committees as a whole and expects to have a proposal for Council, that would include a housing committee, in March.

J) Signing of Council Orders and housekeeping items.

Council Order #55 Signed by Councilor Mortier Ordered That:

**AMENDMENTS TO
CITY CODE OF ORDINANCE
CHAPTER 102, ZONING
ARTICLE V, DISTRICT REGULATIONS**

Editor’s Note: The City has used the following format to identify the proposed amendments to Chapter 102, Zoning, Article V, District Regulations, said amendments to take effect on February 15, 2023: Amendments to revise Division 1, Generally, including adoption of the updated Official Zoning Map; Amendments to revise Division 16, Outside Rural Districts, and to establish such as Division 16, Northwesterly of Bypass and Outside Rural Districts; and Amendments to revise Division 7, Residential II District, and to establish such as the Residential 15 District. All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 102 Zoning.

All text shown in red font is new language that is proposed to be added. All text shown with blue strike through is to be removed. (See attached text of adopted amendments).

The City has used the following format to identify the proposed amendments to Chapter 102, Zoning, Article V, District Regulations, said amendments to take effect on February 15, 2023: Amendments to establish Division 11, Eastside Districts, and Amendments to establish Division 14, Southerly Districts. Said amendments are new Divisions in Chapter 102, Zoning, thus, all text is new language and is shown in black font. (See attached text of adopted amendments).

First Reading: January 17, 2023

Second Reading: February 7, 2023

(Approved February 7, 2023)

Council Order #56 Signed by Councilor Mortier Ordered That:

**AMENDMENTS TO
CITY CODE OF ORDINANCE
CHAPTER 102, ZONING
ARTICLE V, DISTRICT REGULATIONS**

Editor's Note: The City has used the following format to identify the proposed amendments to Chapter 102, Zoning, Article V, District Regulations, to repeal the Divisions, said amendments to take effect on February 15, 2023. All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 102 Zoning. All text shown in red font is new language that is proposed to be added. All text shown in black strike through font is to be removed. (See attached text of adopted amendments).

First Reading: January 17, 2023

Second Reading: February 7, 2023

(Approved February 7, 2023)

Council Order #57 Signed by Councilor Mortier Ordered That:

AMENDMENTS TO

**CITY CODE OF ORDINANCE
CHAPTER 102, ZONING
ARTICLE I, IV, VI, X**

Editor’s Note: The City has used the following format to identify the proposed amendments to Chapter 102, Zoning, said amendments to take effect on February 15, 2023: Amendments to revise Article I, Districts; Amendments to revise Article IV, District Descriptions; Amendments to revise Article VI, Planned Unit Development, Division 1, Residential Planned Unit Development, and Division 2, Rural Affordable Housing Planned Unit Development; Amendments to revise Article X, Contract Rezoning, Division 2, Route 3 Commercial, Searsport Avenue Commercial, and Office Park Districts; and Amendments to revise Article X, Contract Rezoning, Division 4, Waterfront Mixed Use-1 and Waterfront Mixed Use-2, and the Waterfront Development Shoreland District. All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 102 Zoning. All text shown in red font is new language that is proposed to be added. All text shown with blue strike through is to be removed. (See attached text of adopted amendments).

First Reading: January 17, 2023

Second Reading: February 7, 2023

(Approved February 7, 2023)

Council Order #58 Signed by Councilor Mortier Ordered That:

**AMENDMENTS TO
CITY CODE OF ORDINANCE
CHAPTER 102, ZONING
ARTICLE VIII**

Editor’s Note: The City has used the following format to identify the proposed amendments to Chapter 102, Zoning, Article VIII, Supplementary District Regulations, said amendments to take effect on February 15, 2023: Amendments to establish Division 2.5, Adult Use Marijuana, which was previously identified as Division 10; and Amendments to revise Division 9, Solar Energy Systems. All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 102 Zoning. All text shown in red font is new language that is proposed to be added. All text shown with blue strike through is to be removed. (See attached text of adopted amendments).

The City has used the following format to identify the proposed amendments to Chapter 102, Zoning, Article VIII, Supplementary District Regulations, Division 1.5, Home Occupations, including two amendments introduced at the February 7 Second Reading, said amendments to

take effect on February 15, 2023. Said amendment is a new Divisions in Chapter 102, Zoning, thus, all text is new language and is shown in black font. (See attached text of adopted amendments).

First Reading: January 17, 2023

Second Reading: February 7, 2023

(Approved February 7, 2023)

Council Order #59 Signed by Councilor Mortier Ordered That:

**AMENDMENTS TO
CITY CODE OF ORDINANCE
CHAPTER 66, Chapter 86, and Chapter 30**

Editor’s Note: The City has used the following format to identify the proposed amendments to the following Chapters, said amendments to take effect on February 15, 2023: Amendments to revise Chapter 66, General Provisions; Amendments to revise Chapter 86, Signs; and Amendments to revise Chapter 30, Marine Activities. All text shown in black font is current text in the adopted City Code of Ordinances, Chapter 66, Chapter 86, and Chapter 30. All text shown in red font is new language that is proposed to be added. ~~All text shown with blue strike through~~ is to be removed. (See attached text of adopted amendments).

First Reading: January 17, 2023

Second Reading: February 7, 2023

(Approved February 7, 2023)

11) Communications

Councilor Hurley noted that although Browntail Moths don’t seem to be as bad this year, he hopes that the Parks and Recreation is still planning on addressing any areas of concern.

12) Open to the Public

No comments.

13) Adjourn

Councilor Bonneville, seconded by Councilor Mortier, made a motion to adjourn at 9:07 p.m. This motion was approved, 4-0.

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 black ink, appearing to read 'Amanda Cushman', written over a horizontal line.

AMANDA CUSHMAN, BELFAST MAINE