

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, September 5, 2023**

5:40 p.m. Committee Interviews

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.

Public Hearing #1

Pursuant to Belfast Victualer License ordinance a public hearing will held on September 5, 2023, 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, 2024.

Must Be Nice Lobster, LLC	d/b/a	Must Be Nice Lobster, LLC
Chase's Daily	d/b/a	Chase's Daily

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

Regular Council Meeting No. 5

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 Deputy City Manager Manda Cushman.

3) Pledge of Allegiance

4) Adoption of the agenda

Councilor Hurley requested item **10) Q #1** Request to authorize the City Manager to submit a letter to the University of Maine on behalf of the City Council in support of the efforts of the Future of the Hutchinson Center Steering Committee, be added to the agenda.

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

5) Acceptance of the minutes

Regular Council Meeting of August 15, 2023.

Councilor Dean, seconded by Councilor Harkness, made a motion to accept the minutes from the Regular Council Meeting of August 15, 2023. This motion was approved, 5-0.

6) A. Open to the public

City Manager Erin Herbig noted that the Council received no emails and no postal mail, prior to noon before the start of the Council meeting to be included as part of the Open to the Public.

1. Dorothy Havey of Belfast provided an update from the Belfast Area Chamber of Commerce and the Belfast Rotary.
2. Clare Olson of Belfast discussed her film Rockweed, which she will be filming in Belfast, and noted that they are looking for locals to play extras, production assistants, and food donations.
3. Mike Mercer of Belfast discussed concerns with Public Comment rules.
4. Walter Ash of Belfast thanked the Council for their service to the community and discussed land purchases to be discussed during tonight's meeting, urging Council to think of the long-term impacts.

B. Organization and Department Reports

City Manager Erin Herbig noted that City facilities would be closing at 2:00 p.m. on Thursday, September 14th for a staff celebration/recognition event, she acknowledged that under the Consent Agenda tonight the Council would be confirming Gabrielle Currier as an on-call Firefighter for the Belfast Fire Department, and noted that the Climate, Energy and Utilities Committee has requested a Work Session with the City Council and suggested 6:00 p.m. on Tuesday, September 19th or Tuesday, October 3rd prior to the start of the Regular City Council Meeting. Councilors unanimously agreed to 6:00 p.m. on Tuesday, October 3rd.

7) Communications

Councilor Bonneville discussed a recent meeting regarding the future of the Hutchinson Center.

Councilor Dean reminded the public that school is back in session and to be mindful while driving.

Councilor Harkness discussed the relocation of Mid-Coast Transportation to the former Robertson School building.

Councilor Hurley informed the Council that former City employee Steve Mathieson's bench has been installed along the Rail Trail and that he is reviewing trees to be recommended for pruning.

8) Old Business and City Committee Reports

- Consideration of Committee Appointments

Councilor Bonneville, seconded by Councilor Mortier, made a motion to appoint Patrick Walsh to the Climate, Energy and Utilities Committee, Sharon Jones to the Library Board of Trustees, Ethan Merrifield and Abby Curtis to the Pedestrian, Transportation and Accessibility Committee, Richard Declan O'Connor to the Zoning Board of Appeals, and Dorothy Odell to the Intown Design Review Committee. This motion was approved, 5-0.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to appoint Jack Naron to the Harbor Advisory Committee. This motion was approved, 4-0 (Councilor Harkness abstained).

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request from the Fire Chief to confirm Gabrielle Currier as an on-call Firefighter for the Belfast Fire Department.
- B. Request to approve a Facility Use Request Application by the Belfast Chamber of Commerce to utilize Heritage Park for the Annual Passy Pete event on Monday, September 4, 2023, from 9:30 a.m. to 10:30 a.m.
- C. Request to approve a Facility Use Request Application by Ananda Yoga to utilize Steamboat Landing Park and Gazebo for Ananda Yoga Gong Bath sound healing event on Saturday, September 16, 2023, from 1:00 p.m. to 3:30 p.m.
- D. Request to approve a New Victualer License, due to expire May 31, 2024, on the following applications:

Must Be Nice Lobster, LLC	d/b/a	Must Be Nice Lobster, LLC
Chase's Daily	d/b/a	Chase's Daily

- E. Request to approve an application by Must Be Nice Lobster, LLC d/b/a Must Be Nice Lobster located at 2 Cross Street, Belfast, Maine for a renewal Malt and Vinous Restaurant (Class I, II, III, IV) liquor license.
- F. Request to approve an application by Chase's Daily, LLC d/b/a Chase's Daily located at 96 Main Street, Belfast, Maine for a renewal Malt and Vinous Restaurant (Class III, IV) liquor license.
- G. Request to approve a Special Amusement Permit for Penelle Chase d/b/a Chase's Daily for live music, DJ, Karaoke, dancing, and all live entertainment located at 96 Main Street, Belfast, Maine, indoor and outdoor.
- H. Request to approve a catering permit for Bell the Cat Inc. d/b/a Bell the Cat Inc. for the Business After Hours event on September 20, 2023, from 5:30 p.m. to 7:00 p.m. located at 7 Belmont Ave., Belfast, Maine.
- I. Request to approve a catering permit for The Otis Group Incorporated d/b/a Rollie's for a private celebration of life on August 26, 2023, from 4:00 p.m. to 9:00 p.m. located at 15 Front Street, Belfast, Maine.
- J. Request to approve a catering permit for Crusty Crab LLC d/b/a Front Street Pub for a private wedding rehearsal dinner on September 1, 2023, from 6:00 p.m. to 10:00 p.m. located at 37 Front Street, Belfast, Maine.
- K. Request to approve a catering permit for The Otis Group Incorporated d/b/a Rollie's for a mural dedication event on August 16, 2023, from 5:00 p.m. to 9:00 p.m. located at 15 Front Street, Belfast, Maine.
- L. Request to approve a catering permit for The Otis Group Incorporated d/b/a Rollie's for the Business After Hours event on August 16, 2023, from 4:00 p.m. to 8:00 p.m. located at 106 High Street, Belfast, Maine.
- M. Request to approve an Incorporated Civic Organization License for The Belfast Maskers for the Festival of One-Act Plays located at 17 Court Street, Belfast, Maine on October 6, 7, 13 & 14, 2023 from 6:30 p.m. to 9:30 p.m.
- N. Request to approve an Incorporated Civic Organization License for Habitat for Humanity of Waldo County for the Art Works for Humanity fundraiser located at 34 Commercial Street, Belfast, Maine on October 1, 2023, from 4:00 p.m. to 10:00 p.m.

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

10) Business

A) Request to authorize the City Manager to negotiate a contract for the purchase of the former Waldo County Superior Court Building from the County of Waldo.

City Manager Erin Herbig briefly reviewed the request to negotiate a contract for the purchase of the former Waldo County Superior Court Building from the County of Waldo.

Councilors discussed their support and reason for approval of the request.

Councilor Harkness, seconded by Councilor Mortier, made a motion to authorize the City Manager to negotiate a contract for the purchase of the former Waldo County Superior Court Building from the County of Waldo. This motion was approved, 5-0.

B) Request to authorize the City Manager to sign a Memorandum of Agreement and the Purchase and Sale Agreement with Angela Hill for property located at Map 19, Lot 5.

City Manager Erin Herbig briefly reviewed the request to sign a Memorandum of Agreement and the Purchase and Sale Agreement with Angela Hill for property located at Map 19, Lot 5.

Councilor Dean inquired about the specifics of the property regarding zoning and potential development.

Director of Code and Planning Bub Fournier answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to authorize the City Manager to sign a Memorandum of Agreement and the Purchase and Sale Agreement with Angela Hill for property located at Map 19, Lot 5. This motion was approved, 4-1 (Councilor Dean opposed).

C) Request to adopt the Commitment of Property Taxes and set the Mil Rate for the 2023 – 2024 Fiscal Year.

Interim Assessor Avis Winchester, Assessing Assistant Shelia Fountain and Assessing Assistant Brooks Taber-Grotton reviewed the three calculated scenarios that are all below the current rate at .0201, .0202, and .0203 for Council consideration and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to adopt the Commitment of Property Taxes and set the 2023-2024 Mil Rate at .0201. This motion was approved, 3-2 (Councilors Bonneville and Dean opposed).

D) Request from the Harbor Master to hire a consultant to assist with the Bridge and River Harbor Management Plan.

Harbor Master Kathy Given reviewed the request to hire a consultant to assist with the Bridge and River Harbor Management Plan and answered Council questions.

Joanne Moesswilde, Harbor Advisory Committee Chair discussed the committee's support.

Councilor Dean, seconded by Councilor Bonneville, made a motion to authorize up to \$45,000.00 to hire Musson Group to assist the City of Belfast with a Bridge and River Harbor Management Plan with funding to come from the Harbor Department Enk Fund. This motion was approved, 5-0.

E) Request to approve a new Facility Use Request Application by Kate Mikkelsen for use of the City Park Pickleball Courts to conduct Pickleball Fit twice a week through the end of October.

Parks and Recreation Director Zach Dozier reviewed the Facility Use Request Application by Kate Mikkelsen for use of the City Park Pickleball Courts to conduct Pickleball Fit twice a week through the end of October and answered Council questions regarding what other communities have implemented.

No Council action taken.

F) Presentation on Proposed Ordinance Amendments regarding a Short-term Rental Registry.

City Planner Jon Boynton gave a presentation on Proposed Ordinance Amendments regarding a Short-term Rental Registry.

G) Public Hearing on Proposed Ordinance Amendments regarding a Short-term Rental Registry.

Mayor Sanders asked for proponents and opponents.

1. Genn Montgomery of Belfast encouraged the Council to start the clock as soon as ordinance is adopted as he feels this requires a sense of urgency.

Mayor Sanders declared the hearing closed.

H) Discussion and Council Action on Proposed Ordinance Amendments regarding a Short-term Rental Registry.

Councilors discussed the proposed ordinance, noting that this is a first step to gather information.

Councilor Hurley, seconded by Councilor Mortier, made a motion to approve the Second Reading and adopt the proposed ordinance amendments to Chapter 14, Business, Chapter 66 General Provisions, and the creation of Chapter 72, Housing, and Lodging, regarding a Short-term Rental Registry as presented. This motion was approved, 5-0.

I) Presentation on Proposed Ordinance Amendments regarding Airport Overlay Zoning.

Director of Code and Planning Bub Fournier gave a presentation on Proposed Ordinance Amendments regarding Airport Overlay Zoning.

J) Public Hearing on Proposed Ordinance Amendments regarding Airport Overlay Zoning.

Mayor Sanders asked for proponents and opponents.

1. Joanne Moesswilde of Belfast discussed the importance of the preservation of green space.
2. Hough Townsend of Belfast discussed support of the ordinance amendments and briefly explained the intent of the amendments.

Mayor Sanders declared the hearing closed.

K) Discussion and Council Action on Proposed Ordinance Amendments regarding Airport Overlay Zoning.

Councilors discussed with the Director of Code and Planning Bub Fournier the citizen concern brought forward during the Public Hearing.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to approve the Second Reading and adopt the proposed ordinance amendments to Chapter 102 Zoning, Article VII, Division 2, Airport Overlay District as presented. This motion was approved, 5-0.

L) Presentation on Proposed Ordinance Amendments to Chapter 58 Traffic and Vehicles.

City Planner Jon Boynton gave a presentation on Proposed Ordinance Amendments to Chapter 58 Traffic and Vehicles.

M) Public Hearing on Proposed Ordinance Amendments to Chapter 58 Traffic and Vehicles.

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

N) Discussion and Council Action on the Proposed Ordinance Amendments to Chapter 58 Traffic and Vehicles.

No Council discussion.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to approve the Second Reading and adopt the proposed ordinance amendments to Chapter 58, Traffic and Vehicles, Article II, Stopping, Standing as presented. This motion was approved, 4-0 (Councilor Dean stepped out of the room).

O) Discussion regarding parking along Front Street between Commercial and Miller Streets.

Councilor Hurley discussed concerns with parking along Front Street between Commercial and Miller Streets during high traffic events noting that now even Commercial, Bayview and Union Streets are becoming impacted.

City Manager Erin Herbig recommended that Council direct staff to come up with ideas on how to address this issue and bring them back at a future Council meeting. The Council unanimously agreed.

P) Request to approve a CMP pole permit for one new pole located on Pitcher Road.

No Council discussion.

Councilor Harkness, seconded by Councilor Mortier, made a motion to approve a CMP pole permit for one new pole located on Pitcher Road. This motion was approved, 5-0.

Q) Request to approve a CMP pole permit for one new pole located on Tufts Road.

No Council discussion.

Councilor Dean, seconded by Councilor Harkness, made a motion to approve a CMP pole permit for one new pole located on Tufts Road. This motion was approved, 5-0.

Q) #1 Request to authorize the City Manager to submit a letter to the University of Maine on behalf of the City Council in support of the efforts of the Future of the Hutchinson Center Steering Committee.

Councilor Hurley briefly reviewed the request to authorize the City Manager to submit a letter to the University of Maine on behalf of the City Council in support of the efforts of the Future of the Hutchinson Center Steering Committee.

Councilors discussed support and made suggested amendments.

Councilor Bonneville, seconded by Councilor Harkness, made a motion to authorize the City Manager to submit a letter to the University of Maine on behalf of the City Council in support of the efforts of the Future of the Hutchinson Center Steering Committee. This motion was approved, 5-0.

R) 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 Mortier, made a motion to go into Executive Session on a Legal matter with City Attorney pursuant to 1 M.R.S.A. 405 (6) E at 9:44 p.m. This motion was approved, 5-0.

Councilor Bonneville, seconded by Councilor Dean, made a motion to adjourn the Executive Session on a Legal matter with the City Attorney pursuant to 1 M.R.S.A. 405 (6) E at 10:19 p.m. This motion was approved, 5-0.

S) Signing of Council Orders and housekeeping items.

Council Order #88 Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$4,000 to replace the CAT 2000 chemical controller for the City Park Pool. Funding is to come from Account #720-916 USCG Parking Lot Project. (Approved June 20, 2023)

Council Order #16 Signed by Councilor Dean Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$45,000.00 to hire Musson Group to assist the City of Belfast with a Bridge and River Harbor Management Plan. Funding is to come from the Harbor Department Enk Fund. (Approved September 5, 2023)

11) Open to the Public

No public comments.

12) Communications

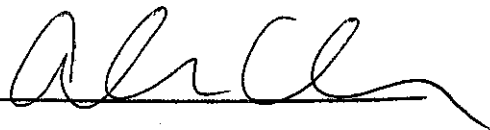
No Council comments.

13) Adjourn

Councilor Harkness, seconded by Councilor Dean, made a motion to adjourn at 10:20 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

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

AMANDA CUSHMAN, BELFAST MAINE