

KITTERY TOWN COUNCIL Approved Minutes

September 14, 2020

Remote Meeting

6:00 PM

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call

Councilors present: Charles Denault, Jeffrey Pelletier, Jeffrey Thomson, Kenneth Lemont, Cyrus Clark, Vice Chair Matt Brock, and Chair Judith Spiller.

5. Agenda Amendment and Adoption

Move Item 8. Kittery Town Council moves to receive a presentation from Alexandra Duprey regarding the Flood Resiliency Plan for Kittery, after Item 5. Agenda Amendment and Adoption.

Add under 12. New Business, Item e. The Kittery Town Council moves to schedule a Public Hearing for an Emergency ordinance on Title - 10 relative to Love Lane.

Councilor Thomson moved to approve the amendments discussed and adopt the agenda, seconded by Councilor Denault.

Motion Carried 7-0-0

6. Town Manager's Report

The Town Manager Reporter on: Temporary signs/political signs, COVID-19 hazard pay, Taylor Building proposals, EV charging station, and Board, Commissions, and Committees.

Upcoming Dates: Absentee Ballot Applications Available – Town Clerk, Candidate Forum – October 7, 6PM (broadcast on Channel 22), Town Hall Closed – Indigenous Peoples Day – October 12, and Presidential/State/Local Election – November 3, 8AM to 8PM, Kittery Community Center

7. Acceptance of Previous Minutes

March 9, 2020 (Revised) – Amend line 128 to say the Council was withdrawing the letter for the Kittery Water District bill.

April 6, 2020 - Amend line 13 to reflect merit pay for teachers.

April 13, 2020 - Approved as written.

April 27, 2020 - Amend lines 30-31 to include more verbiage in the response.

Councilor Thomson moved to approve the minutes of March 9, April 6, April 13, and April 27, 2020 as amended, seconded by Councilor Pelletier.

Motion Carried 7-0-0

8. All items involving the town attorney, town engineers, town employees or other town consultants or requested offices.

a. (090120-1) The Kittery Town Council moves to receive a presentation from Alexandra Duprey regarding the Flood Resiliency Plan for Kittery.

Cameron Wake, Chair of the Climate Adaptation Committee, introduced Alexandra Duprey.

Alexandra Duprey presented the Flood Resiliency Plan which included a flood vulnerability assessment for Kittery, coastal hazards, climate resilience and risks such as sea level rise, and storm surge.

Councilor Thomson asked if this study should be on the Town's website.

Cameron Wake responded by saying once the report was finalized it would be on the Town's website on the Climate Adaptation Committee page.

9. PUBLIC HEARINGS - None

10. DISCUSSION

a. The public may submit public comments in writing or via the Q&A feature of the webinar for the DISCUSSION agenda. - None

b. Chairperson will read written comments into the record. - None

c. Chairperson's response to public comments. - None

11. UNFINISHED BUSINESS –

a. (090120-2) The Kittery Town Council moves to discuss the postponed Title – 6 public hearing.

Chair Spiller stated that there are two choices: 1. Postpone indefinitely or 2. Remove the contentious conditions and move it to public hearing. Chair Spiller gave a list of items in this ordinance that are beneficial. Chair Spiller also gave a list of items that should be removed from the ordinance at this time.

Councilor Clark, and Councilor Thomson agreed with Chair Spiller's opinion.

Councilor Thomson suggested the Town Manager create a Dog Working Group and he stated this would take residents from both sides working together to find solutions.

All of the Councilors were in favor with the idea of the Dog Working Group.

The Town Manager asked the Council if they wanted to see the scheduling of a Public Hearing for Title-6 with the contentious items removed, on the next agenda.

All of the Councilors were in favor.

12. NEW BUSINESS

a. Donations/gifts received for Council disposition - None

b. (090120-3) The Kittery Town Council moves to establish an overlay amount of \$_____, resulting in a mil rate of per mils, and to charge an interest rate of 7% per annum on past due accounts and an interest rate of 3% on overpayment of property taxes, and confirms the dates of October 31, 2020, February 15, 2021 and May 31, 2021, as the due dates for property and personal property taxes.

The Town Manager gave an overview.

The Town Assessor, Paul McKenney presented the FY21 Tax Rate Calculation report.

Councilor Denault stated the mil rate decreased by 33%, and the evaluation increased. Councilor Denault wanted to know, on average, how much the evaluation had increased.

Paul McKenney stated the mil rate decreased by 25.86%, but the evaluation increased on average, 40%. Mr. McKenney explained that after the approval of the tax rate, the abatement process would begin.

Councilor Thomson moved to establish an overlay amount of \$214712.00, resulting in a mil rate of .01290 per mils, and to charge an interest rate of 7% per annum on past due accounts and an interest rate of 3% on overpayment of property taxes, and confirms the dates of November 02, 2020, February 16, 2021 and June 01, 2021, as the due dates for property and personal property taxes, seconded by Councilor Pelletier.

Motion Carried 7-0-0

c. (090120-4) The Kittery Town Council moves to accept the resignation of John Duffy of the Climate Adaptation Committee.

Moved by Chair Spiller, seconded by Councilor Pelletier.

Motion Carried 7-0-0

d. (090120-5) The Kittery Town Council moves to accept the resignation of Jean Lincoln of the Kittery Community Center Board of Directors.

Moved by Chair Spiller, seconded by Councilor Clark.

Motion Carried 7-0-0

Councilor Thomson stated that Jean was one of the original members of the Kittery Community Center Board of Directors when it was created in 2012. Councilor Thomson commented that Jean was a fantastic member. He also expressed that Jean and her husband David's involvement in our community should set the standard.

e. The Kittery Town Council moves to schedule a Public Hearing on September 28, 2020 for an Emergency ordinance on Title 10 relative to Love Lane.

Moved by Councilor Clark, seconded by Councilor Thomson.

Motion Carried 7-0-0

Councilor Thomson asked the Town Manager if another public hearing would be needed if the temporary ordinance became an ordinary ordinance.

The Town Manager responded by referring to the Emergency ordinance section of the Town Charter - 2.15.

13. COUNCILOR ISSUES OR COMMENTS

Councilor Thomson – Councilor Thomson stated that in the Council packet there was a blank copy of the Town Manager's annual evaluation to be completed and asked Chair Spiller for the due date and how the Council should get those evaluations back to her.

Chair Spiller's response was to email the evaluations to her, before the September 28, 2020 meeting and the Council could then schedule an Executive Session to review the evaluations for the first meeting in October.

Chair Spiller – Chair Spiller commented that last Saturday the Conservation Commission did a clean-up on Seapoint Beach. Chair Spiller said there were Girl Scouts, Cub Scouts, Boy Scouts and families, stating it was a very lovely morning cleaning up the beach.

14. EXECUTIVE SESSION

a. (090120-6) The Kittery Town Council moves to go into Executive Session with the Town Manager in accordance with M.R.S Title 1 §405 (6) (D) to discuss labor contracts.

Councilor Thomson moved to go into Executive session at 7:16 p.m., seconded by Councilor Denault.

Motion Carried 7-0-0

Councilor Thomson moved to come out of Executive session at 7:27 p.m., seconded by Councilor Pelletier.

Motion Carried 7-0-0

15. ADJOURNMENT

Moved by Councilor Thomson to adjourn at 7:27 p.m., seconded by Councilor Pelletier.

Motion Carried 7-0-0

Submitted by Kim Tackett

Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and actions that took place. For complete details, please refer to the video of the meeting on the Town of Kittery website.