

KITTERY TOWN COUNCIL Approved Minutes

October 26, 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

Chair Spiller wanted to move item 13. b. The Kittery Town Council moves to accept a report on the Kittery Climate Adaptation Committee, after the Town Managers report.

Moved the change of the agenda as amended by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 7-0-0

6. Town Manager's Report- The Town Manager reported on: Election November 3, 2020, vaccination planning, safe Halloween event, Kittery Housing Committee, and Fiscal Year 2021, Quarter 1 Financial Report. Upcoming Dates: National Drug Take Back Day – October 24, 2020 10AM to 2PM, Police Department, Pepperrell Cove Float Out – October 28, 2020, Voter Registration Night – October 28, 2020 6PM – 8PM, Town Hall, Halloween Movie Night – October 30, 2020 6:30PM, KCC, Animal Control Working Group Application Deadline – October 31, 2020 Town Clerk's Office, Property Taxes Due – November 2, 2020, Presidential/State/Local Election – November 3, 2020 8AM to 8PM, Kittery Community Center, Town Hall Customer Service Center Closed – November 3, 2020, and Town Offices Closed for Veterans Day – November 11, 2020.

b. (100220-3) The Kittery Town Council moves to accept a report on the Kittery Climate Adaptation Committee.

Cameron Wake presented a report on the Kittery Climate Adaptation Committee.

Councilor Lemont asked Mr. Wake to speak about the rising water temperatures that are affecting the fishing and lobstering.

Mr. Wake responded by stating that he was not an expert, but as the water temperature gets warmer, the fish and the lobster will be moving to the cooler water which will affect the fishing and lobstering in this area.

7. Acceptance of Previous Minutes – None

8. Interviews for Planning Board and Board of Appeals

Planning Board – One Position

a. Russell White – Re-Appointment

Chair Spiller asked Russell White to explain why he would like to continue to be a member of the Planning Board.

Russell White stated his reasons for wanting to continue being a member of the Planning Board.

Councilor Thomson moved to re-appoint Russell White to the Planning Board for a 3-year term to expire 12/31/2023, seconded by Councilor Pelletier.

Motion Carried 7-0-0

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

10. PUBLIC HEARINGS - None

11. PUBLIC DISCUSSION

a. The public may submit public comments in writing or raise their hand in the webinar for the DISCUSSION agenda.

b. Chairperson will read written comments into the record.

Shaye Robbins, 24 Heron Point Lane, Kittery Point, ME – Ms. Robbins inquired about why her comments regarding Title - 6 were not read at the September 3, 2020 meeting and had questions about the new changes to the dog ordinance.

Kristi Mathieson, 26 Haley Road, Kittery, ME – Ms. Mathieson spoke in favor of Title – 16 Affordable Housing.

Emily Flinkstrom, Executive Director, Fair Tide, 15 State Road, Kittery, ME – Ms. Flinkstrom wanted to express her appreciation for Councilor Brock's years of service on the Kittery Town Council.

Suzanne Johnson, 13 Cromwell Street, Kittery, ME - Ms. Johnson expressed her concerns in reference to dogs and Seapoint Beach.

c. Chairperson's response to public comments.

Chair Spiller responded to Ms. Robbins and stated that the Town Manager was working to put together an Animal Control Working Group.

Chair Spiller responded to Ms. Mathieson and thanked her for her comments about Title – 16. Chair Spiller responded to Ms. Flinkstrom and thanked her for her comments about Vice Chair Brock.

Chair Spiller responded to Ms. Johnson and addressed her concerns in reference to dogs and Seapoint Beach.

12. UNFINISHED BUSINESS

a. (100220-1) The Kittery Town Council moves to approve amendments to Title - 16 Affordable Housing.

The Town Manager gave an overview of the edits made to the amendments to Title - 16 Affordable Housing.

Councilor Thomson moved to approve Title – 16 Land Use and Development code Affordable Housing amendments of the Town code as it was publicly heard on October 14, 2020, seconded by Councilor Lemont.

Motion Carried 7-0-0

Councilor Thomson moved to add the following amendments: line 390 to read “properties abutting Ox Point Drive, in which case a minimum of 40 feet is required”, lines 565 and 566 to read “mixed-use buildings with dwelling units and which abut a street, an existing single-family use, or a residential zone”, seconded by Councilor Lemont.

Motion Carried 7-0-0

13. NEW BUSINESS

a. Donations/gifts received for Council disposition

(100220-2) The Kittery Town Council moves to accept a donation from Edward and Heather Whitesell in the amount of \$50.00, to be deposited into the Thresher Memorial Account Fund.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 7-0-0

c. (100220-4) The Kittery Town Council moves to approve a Pole Permit from Central Maine Power.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 7-0-0

d. (100220-5) The Kittery Town Council moves to appoint Erin Kempster to the Kittery Climate Adaptation Committee for a 3-year term to expire 12/31/2023.

Moved by Chair Spiller, seconded by Councilor Pelletier

Motion Carried 7-0-0

e. (100220-6) The Kittery Town Council moves to approve the Warrant for the November 3, 2020 Election.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 7-0-0

f. (100220-7) The Kittery Town Council moves to accept the resignation of Barry Fitzpatrick from the Board of Appeals effective 10/20/2020.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 7-0-0

g. (100220-8) The Kittery Town Council moves to extend the waiver of enforcement of certain provisions of Title 5.7 Sidewalk Sales to December 31, 2020.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Moved Carried 7-0-0

h. (100220-9) The Kittery Town Council moves to discuss the draft response to Seacoast Black Lives Matter.

Chair Spiller read the draft response letter she had written to Seacoast Black Lives Matter.

All of Councilors approved the draft response.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 7-0-0

i. (100220-10) The Kittery Town Council moves to discuss the Town Manager's annual merit compensation.

Chair Spiller read some of the highlights written by the Council about the Town Manager.

Councilor Thomson moved to approve the Town Manager's annual compensation adjusted upwards by 2% cost of living and a .75 merit adjustment, effective October 26, 2020, seconded by Councilor Pelletier.

Motion Carried 7-0-0

14. COUNCILOR ISSUES OR COMMENT

Councilor Denault wanted to recognized the citizens that have passed: Nancy Matthews, Edith Niles, Randy Cyr, Leona Pelkey, Audrey Rust, Garrison Valentine, and Eliot resident Trooper Alan Redden.

Councilor Lemont commented on an email from Kristi Mathieson that stated the average rent costs for a 2-bedroom apartment were \$2450.00. He also stated that he has 7, 2-bedrooms rental properties and he charges nowhere near that. Councilor Lemont said the IRS fair market rent for a 2-bedroom in York County in the Town of Kittery is \$1468.00, and that was what most landlords in the area go by. He stated he didn't want the wrong message out there.

Councilor Lemont stated it had been a pleasure working with Vice Chair Brock and wished him well in his future endeavors.

Councilor Thomson wanted to thank Councilor Clark her helping him when he was having difficulties with his scooter. He also wanted to thank Chair Spiller for her leadership through a difficult year. Finally, he wanted to thank Vice Chair Brock for his presence over the last 3 years on the Council and wished Vice Chair Brock well.

Vice Chair Brock thanked the Council members, and also thanked the Council for passing the Affordable Housing package on behalf of the entire Housing Committee.

Chair Spiller thanked Vice Chair Brock for his role on the Council.

15. EXECUTIVE SESSION - None

16. 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