

KITTERY TOWN COUNCIL Approved Minutes

September 13, 2021 Council Chambers

6:00PM

1. Call to Order

Chair Thomson called meeting to order at 6:00 p.m.

2. Introductory

3. Pledge of Allegiance

4. Roll Call

Councilors present: Chair Jeffrey Thomson, Jeffrey Pelletier, George Dow, Vice Chair Judith Spiller, Cyrus Clark, Cameron Hamm, and Mary Gibbons Stevens.

5. Agenda Amendment and Adoption

Chair Thomson cast one vote to accept the agenda as presented.

6. Town Manager's Report

The Town Manager report on: COVID Update, November 2, 2021 Town and State Election, Kittery 375th Celebration, Kittery Kitchen Compost Campaign, Town Website Update, Kittery Water District Survey, Bike/Ped Master Plan, Marijuana Licenses, and Welcome Officer Bouchard.

Upcoming Dates: Absentee ballot applications are available now at the Town Clerks Office and at www.kitteryme.gov, Kittery Water District Trustee Election is on September 16, 2021 7AM to 7PM, at the Kittery Community Center, Kittery Corn Maze Nights is on October 7 and 17, 2021 visit Kittery Community Center website for the details, the Town Hall is closed for Indigenous Peoples Day on Monday, October 11, 2021, Candidate Night is on Monday, October 20, 2021 at 6PM, at the Town Hall, and the Marijuana Retail Business Pre-Application Deadline is on Thursday, October 21, 2021 at the Town Hall.

7. Acceptance of Previous Minutes

- August 9, 2021 – Regular Meeting
- August 23, 2021 – Special Meeting

Chair Thomson cast one vote for the acceptance of the August 9, 2021 regular meeting and August 23, 2021 special meeting minutes as presented.

8. Interviews for the Board of Appeals and Planning Board - None

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

a. (090121-1) The Kittery Town Council moves to establish an overlay amount of \$_____, resulting in a mil rate of per mil, and to charge an interest rate of 6% per annum on past due accounts and an interest rate of 2% on overpayment of property taxes, and confirms the dates of November 1, 2021, February 15, 2022 and May 31, 2022, as the due dates for property and personal taxes.

Tax Assessor, Paul McKenney gave an overview of the FY22 Tax Rate Calculation and answered any questions the Council might have had.

Chair Thomson moved to establish an overlay amount of \$157, 292, resulting in a mil rate of \$13.00 per mil, and to charge an interest rate of 6% per annum on past due accounts and an interest rate of 2% on overpayment of property taxes and confirms the dates of November 1, 2021, February 15, 2022 and May 31, 2022, as the due dates for property and personal taxes, seconded by Councilor Dow.

Chair Thomson commented on the remarks that were made regarding property and personal taxes.

Motion Carried 7-0-0

10. PUBLIC HEARINGS

a. (090121-2) The Kittery Town Council moves to hold a public hearing on Title 2 – Firefighters.

The Town Manager gave an overview on Title 2 – Firefighters.

Colin McGuire, 26 Whipple Road, Kittery, Maine spoke in support of Title 2.

Councilor Dow moved in accordance with Titles 30-A MRS §3001 and Town Charter §2.14, the Town of Kittery hereby ordains amendment to Tile 2 of the Town code as presented, seconded by Vice Chair Spiller.

Motion Carried 7-0-0

b. (090121-3) The Kittery Town Council moves to hold a public hearing to adopt a Remote Meeting Policy for Council, Boards, Commissions and Committees.

The Town Manager gave an overview on the Remote Meeting Policy.

Colin McGuire, 26 Whipple Road, Kittery, Maine was in support of the Remote Meeting Policy.

Chair Thomson moved to approve in accordance with MRS §403-B, the recently approved policy for remote meeting participation that policy be approved for the of Town of Kittery, seconded by Councilor Dow.

Motion Carried 7-0-0

c. (090121-4) The Kittery Town Council moves to hold a public hearing on a Zoning Amendment application, Title 16 – Gas Station Buffer.

The Director of Planning and Development, Adam Causey gave an overview on the Zoning Amendment application, Title 16 – Gas Buffer and answered any questions the Council might have had.

Sandra Guay an attorney at Archipelago Law, Portland, Maine representing Cumberland Farms spoke on their behalf and answered any questions the Council might have had.

Chair Thomson moved to hold a public hearing on a Zoning Amendment application, Title 16 – Gas Station buffer, seconded by Councilor Hamm.

Motion Failed 0-6-1

Chair Thomson, Councilor Pelletier, Councilor Dow, Vice Chair Spiller, Councilor Hamm, and Councilor Stevens voted no; Councilor Clark abstained.

d. (090121-5) The Kittery Town Council moves to hold a public hearing on new Victualer's License application for Toast, located at 7 Shapleigh Road, Kittery.

Moved by Vice Chair Spiller, seconded by Councilor Dow.

Motion Carried 7-0-0

e. (090121-6) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application for Ed's French Fries, Mobile Food Unit located at 724 Sanford Road, Wells, Maine.

Moved by Vice Chair Spiller, seconded by Councilor Dow.

Motion Carried 7-0-0

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person). - None
- b. Chairperson may read written comments into the record. - None
- c. Chairperson's response to public comments. - None

12. UNFINISHED BUSINESS - None

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition.
(090121-7) The Kittery Town Council moves to accept a donation from York Hospital in the amount of \$10,000 to be deposited in account #5003-43600.

Moved by Councilor Dow, seconded by Vice Chair Spiller.

All were in favor

- b. (090121-8) Kittery Town Council moves to donate the rights of certain Town owned parcels to Maine DOT for Right of Way, drainage and construction easements for the Whipple Road Sidewalk Project.

The Town Manager gave an overview of the donation of the rights of certain Town owned parcels to Maine DOT for Right of Way, drainage and construction easements for the Whipple Road Sidewalk Project.

Moved by Councilor Stevens, seconded by Councilor Hamm.

Motion Carried 7-0-0

- c. (090121-9) The Kittery Town Council moves to approve a renewal Liquor License application from Navy Yard Bar and Billiard, located at 182 State Road, Kittery.

Moved by Councilor Dow, seconded by Councilor Hamm.

Motion Carried 7-0-0

- d. (090121-10) The Kittery Town Council moves to approve a Special Activity Amusement Permit application from Navy Yard Bar and Billiard, located at 182 State Road, Kittery.

Moved by Councilor Dow, seconded by Councilor Hamm.

Moved Carried 7-0-0

e. (090121-11) The Kittery Town Council moves to approve a renewal Liquor License application from Tulsi located at 20 Walker Street, Kittery.

Moved by Councilor Hamm, seconded by Councilor Clark.

Motion Carried 7-0-0

f. (090121-12) The Kittery Town Council moves to appoint a Councilor along with the Chair of the Parks Commission, to interview Tara Price for the Parks Commission for a three-year term to expire 12/31/2024.

Chair Thomson moved to appoint Councilor Hamm, seconded by Vice Chair Spiller.

All were in favor.

g. (090121-13) The Kittery Town Council moves to schedule a public hearing on September 27, 2021 on Title 10 – Foreside Parking.

Moved by Councilor Dow, seconded by Councilor Stevens.

All were in favor.

h. (090121-14) The Kittery Town Council moves to approve the repair of headstones and gravesites in Orchard Grove Cemetery as proposed by the Orchard Grove Sexton, in accordance with 13 MRS §1371.

Moved by Councilor Stevens, seconded by Councilor Clark.

Motion Carried 7-0-0

i. (090121-15) The Kittery Town Council moves to approve a request from the Kiwanis Club of The Seacoast to sponsor the annual Kittery Holiday Parade on Saturday, December 4, 2021.

The Council agreed to delay the approval until the second Council meeting in October.

j. (090121-16) The Kittery Town Council moves to approve the Annual General Assistance Appendices A-D and Appendix H for 2021-2022 year.

Moved by Chair Thomson, seconded by Councilor Hamm.

Motion Carried 7-0-0

14. COUNCILOR ISSUES OR COMMENTS

Councilor Hamm thanked the Chair for his comments about the budget.

Councilor Clark commented on wearing a mask and vaccinations.

Vice Chair Spiller asked if there was a way the residents could contact Public Works directly via the website.

Chair Thomson asked the Council their thoughts on limiting or eliminating political signs in John Paul Jones Park and other Memorials in the town.

15. COMMITTEE AND OTHER REPORTS - None

a. Communications from the Chairperson - None

b. Committee Reports – None

16. EXECUTIVE SESSION - None

17. ADJOURNMENT

Councilor Dow moved to adjourn at 7:26 p.m., seconded by Councilor Hamm.

All were in favor.

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.