

## KITTERY TOWN COUNCIL Approved Minutes

September 27, 2021, Council Chambers

6:00PM

### 1. Call to Order

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

Chair Thomson mentioned the passing of Maureen Pelletier, the mother of Councilor Pelletier and asked for a moment of silence.

### 2. Introductory

### 3. Pledge of Allegiance

### 4. Roll Call

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

### 5. Agenda Amendment and Adoption

Chair Thomson cast one vote for the agenda as presented.

### 6. Town Manager's Report

The Town Manager reported on: COVID - 19 Update, Joint Land Use Study, Upcoming Dates: Absentee Ballot applications are available now at the Town Clerk's office and online at [www.kitteryme.gov](http://www.kitteryme.gov), Kittery Corn Maze Nights is on October 7, and 17, 2021 please visit Kittery Community Center website for details, Taste of Kittery is on October 9, 2021 1PM to 4PM, please visit [www.kittery375th.com](http://www.kittery375th.com), for more information, Town Hall will be closed for Indigenous Peoples Day is on October 11, 2021, Candidate Night is on October 20, 2021 6PM, at the Town Hall and Marijuana Retail Business pre-application deadline is October 21, 2021 at the Town Hall.

### 7. Acceptance of Previous Minutes

- September 13, 2021 – Regular Meeting

Chair Thomson cast one vote to approve the September 13, 2021, 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. – None

## 10. PUBLIC HEARINGS

a. (090221-1) The Kittery Town Council moves to hold a public hearing on Title 10 Foreside Parking.

The Town Manager gave an overview of Title 10 – Foreside Parking.

Rajesh Mandekar, of Tulsi Indian restaurant, 20 Walker Street, Kittery, Maine requested 15-minute parking in front of the restaurant.

CiCi Neilsen, 19 Traip Avenue, Kittery, Maine suggested the Town implement permit parking.

Councilor Dow moved in accordance with Titles 30-A MRS §3001 and Town Charter §2.14, the Town of Kittery hereby ordains amendment to Title 10 of the Town code as presented, seconded by Vice Chair Spiller.

Vice Chair Spiller moved to strike lines 20, and 21, the 4-hour maximum parking, seconded by Councilor Clark.

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

Motion Carried 5-1-0

The Council voted on the main motion as amended.

Motion Carried 6-0-0

b. (090221-2) The Kittery Town Council moves to approve a new Victualer's License application from New England Fishmongers, located at 57 State Road, Kittery.

Moved by Councilor Dow, seconded by Vice Chair Spiller.

Motion Carried 6-0-0

c. (090221-3) The Kittery Town Council moves to approve a new Liquor License application from New England Fishmongers, located at 57 State Road, Kittery.

Moved by Councilor Dow, seconded by Vice Chair Spiller.

Motion Carried 6-0-0

d. (090221-4) The Kittery Town Council moves to approve a new Victualer's License application from Siam Mellow Tasty, located at 182 State Road, Kittery.

Moved by Councilor Stevens, seconded by Councilor Dow.

Motion Carried 6-0-0

## 11. DISCUSSION

a. Discussion by members of the public (three minutes per person).

Sheila Chapman, 114 Brave Boat Harbor Road, Kittery Point, Maine representing Wreaths Cross America wanted permission to lay wreaths in the Kittery Point First Baptist Church cemetery.

b. Chairperson may read written comments into the record.

c. Chairperson's response to public comments.

## 12. UNFINISHED BUSINESS – None

## 13. NEW BUSINESS – None

a. Donations/gifts received for Council disposition – None

b. (090221-5) The Kittery Town Council moves to approve the surplus of 42-44 Old Post through a Request for Proposal process in accordance with Town Code §3.2.10. D.

The Town Manager gave an overview of the surplus of 42-44 Old Post through a Request for Proposal process in accordance with Town Code §3.2.10. D.

Councilor Dow moved to approve the surplus of 42-44 Old Post through a Request for Proposal process in accordance with Town Code §3.2.10, seconded by Vice Chair Spiller.

Motion Carried 6-0-0

c. (090221-6) The Kittery Town Council moves to approve a Release Deed for 119 Whipple Road, Kittery.

The Town Manager gave an overview of the Release Deed for 119 Whipple Road, Kittery.

Vice Chair Spiller moved to approve the Release Deed for 119 Whipple Road, Kittery as presented, seconded by Councilor Clark.

Motion Carried 6-0-0

d. (090221-7) The Kittery Town Council moves to approve rules for placement of political signs in memorials.

The Town Manager gave an overview on placement of political signs in memorials.

Chair Thomson, Councilor Dow, Vice Chair Spiller, Councilor Clark, and Councilor Stevens stated they would like a new ordinance concerning the placement of political signs in memorials, Councilor Pelletier stated he would like a policy change.

Councilor Dow moved to schedule a Public Hearing on October 13, 2021 to consider adopting a new ordinance, to go into effect November 12, 2021 for a new ordinance to prohibit political signs at certain locations in the Town, seconded by Councilor Clark.

Motion Carried 6-0-0

e. (090221-8) The Kittery Town Council moves to approve a renewal Liquor License application from Anneke Jans, located at 60 Wallingford Square, Kittery.

Moved by Councilor Dow, seconded by Councilor Stevens.

Motion Carried 6-0-0

f. (090221-9) The Kittery Town Council moves to approve a renewal Liquor License application from When Pigs Fly Pizzeria, located at 460 US Route 1, Kittery.

Moved by Councilor Dow, seconded by Councilor Clark.

Motion Carried 6-0-0

g. (090221-10) The Kittery Town Council moves to approve a request for wreath placement at the former Baptist Church cemetery.

The Town Manager gave an overview for wreath placement at the former Baptist Church cemetery.

Moved by Councilor Stevens, seconded by Vice Chair Spiller.

Motion Carried 6-0-0

h. (090221-11) The Kittery Town Council moves to declare the following Committee seats vacant, Conservation Commission and Climate Adaption Committee.

Chair Thomson recognized the passing of Stephen Hall.

Chair Thomson moved to declare the seats on the Conservation Commission and the Climate Adaption Committee were vacant due to the untimely death of Stephen Hall, seconded by Councilor Stevens.

All were in flavor.

i. (090221-12) The Kittery Town Council moves to approve a sign request from the Traip Academy Football team to hang posters for their Homecoming football game on October 1, 2021.

Moved by Councilor Dow, seconded by Councilor Clark.

Motion Carried 6-0-0

#### 14. COUNCILOR ISSUES OR COMMENTS

Councilor Pelletier thanked the Town Council for their condolences for the passing of his mother.

Councilor Dow asked individuals that are going east on Haley Road heading down towards Mitchell school as people are coming to that intersection, he asked them to slow down.

Councilor Stevens spoke about Ziggy.

Councilor Clark spoke about Colin McGuire.

Vice Chair Spiller inquired if there was any information about LD1638 which would go into effect on October 18, 2021.

Chair Thomson commented on Maine DOT maintaining their signs.

#### 15. COMMITTEE AND OTHER REPORTS

##### a. Communications from the Chairperson

Chair Thomson also reminded the Council of the next Town Council meeting would on Wednesday, October 13, 2021.

##### b. Committee Reports – None

#### 16. EXECUTIVE SESSION

a. (090221-10) The Kittery Town Council moves to go into executive session in accordance with 1 M.R.S., §405 (6) (A) to conduct the Town Manager's annual evaluation.

Chair Thomson moved to go into Executive session at 7:20 p.m., seconded by Vice Chair Spiller.

Motion Carried 6-0-0

Chair Thomson moved to come out of Executive session at 8:00 p.m., seconded by Councilor Pelletier.

Motion Carried 6-0-0

## 17. ADJOURNMENT

Councilor Dow moved to adjourn at 8:01 p.m., seconded by Councilor Pelletier.

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.