

KITTERY TOWN COUNCIL Approved Minutes

Remote Meeting

February 14, 2022, 6:00PM

1. Call to Order

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

2. Introductory

3. Pledge of Allegiance

4. Roll Call

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

5. Agenda Amendment and Adoption

Chair Spiller cast one vote for the agenda as presented.

6. Town Manager's Report

The Town Manager reported on: COVID Update, KEEP and Senior Tax Credit Programs, PFAS update, Stevenson Sidewalk Project, Whipple Road Sidewalk Project, Calling for Volunteers, and Kittery Citizen of the Year. Upcoming Dates: Mooring Renewals are open at www.kitteryme.gov/online_mooring, Frisbee on Ice is open daily (conditions permitting) for updates visit Kittery Community Center's website and on Facebook, AARP Tax Aide by appointment, on Wednesdays & Thursdays, from February 2, 2022 – April 14, 2022 at Kittery Community Center, Tax bills are due February 15, 2022, the Town Hall will be closed, Presidents Day, Monday, February 21, 2022, and Shamrockin' Shindig Drive Thru on March 10, 2022 at 11AM, at the Kittery Community Center.

7. Acceptance of Previous Minutes

- January 24, 2022 – Regular Meeting

The Council approved the January 24, 2022 minutes as written.

8. Interviews for the Board of Appeals and Planning Board.

a. (020122-1) The Kittery Town Council moves to interview the following candidates for one (1) vacancy on the Board of Appeals for a three-year term to expire 12/31/2025.

- Roland Scott (interview conducted on January 24, 2022)
- Douglas Basnett

Chair Spiller asked Douglas Basnett what kind of relevant experience or education he had to become a member of the Board of Appeals.

Mr. Basnett said he had a degree in Architectural engineering, he also stated he had been in the housing and construction industry since 1973, among other qualifications that he thought would make him a good candidate for the Board of Appeals.

Mr. Basnett also stated he wanted to give back to the community.

Chair Spiller, Vice Chair Dow, Councilor Pelletier, Councilor McGuire, and Councilor Hamm voted for Douglas Basnett.

Councilor Stevens voted for Roland Scott.

Douglas Basnett was selected to become a member of the Board of Appeals.

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

a. (020122-2) The Kittery Town Council moves to receive a presentation from the Town Manager on the 2023-2027 Capital Improvement Plan.

The Town Manager gave the presentation on the 2023-2027 Capital Improvement Plan, and answered any questions the Council may have had.

Chair Spiller moved for the Kittery Town Council to adopt the 2023-2027 Capital Improvement Plan, seconded by Councilor McGuire.

Motion Carried 6-0-0

10. PUBLIC HEARINGS

a. (020122-3) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from Pepper's Landing Mobile Food Unit, located at 340 US Route 1, Kittery.

Moved by Chair Spiller, seconded by Councilor Stevens.

Motion Carried 6-0-0

b. (020122-4) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from Roots Food Shack Mobile Food Unit, located at 340 US Route 1, Kittery.

Moved by Vice Chair Dow, seconded by Councilor Stevens.

Motion Carried 6-0-0

c. (020122-5) The Kittery Town Council moves to hold a public hearing on Title – 16, Marijuana Amendment.

No action was taken.

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person).
- b. Chairperson may read written comments into the record.

Barbara Jenny wrote in objecting to the way retail Marijuana lottery was conducted.

Shaye Robbins, 24 Heron Point Lane, Kittery Point, ME asked the Town Council to vote NOT to allow recreational marijuana until and at which time the US Federal law changes regarding the classification and legality. Ms. Robbins also expressed concerns regarding Councilor Clark participating in conversations, planning, and advocating for or against the recreational marijuana policy and planning in the community. Councilor Clark is also in the business of marijuana sales and cultivation.

Shaye Robbins, 24 Heron Point Lane, Kittery Point, ME suggested when the Town Council meets with the Taylor disposition team on 1/24/22, she would like them to ask that retaining the property, removing the building and moving the parking from the lot adjacent to Lil's, in equal measure of spaces, to the area of the property which is currently the Taylor building. The area adjacent to Lil's then becomes an urban park. Putting the Square back in Wallingford Square.

- c. Chairperson's response to public comments.

Chair Spiller responded to Barbara Jenny and stated the Town Council approved, what they believed was a fair process concerning the retail marijuana lottery.

Chair Spiller responded to Shaye Robbins and stated Councilor Clark has abstained and removed himself during Council meetings so there would be no conflict of interest.

Chair Spiller responded to Shaye Robbins second letter and stated it would not have been appropriate to consider it during the executive session. Chair Spiller commented that during the 1/25/2021 Council meeting, the Council received a recommendation from the Taylor building committee that the Town should move ahead with the sale or long-term leasing to a nonprofit and the Council agreed to that.

12. UNFINISHED BUSINESS - None

13. NEW BUSINESS

- a. Donations/gifts received for Council dispositions

(020122-6) The Kittery Town Council moves to approve the following sponsored spaces for the Rice Public Library.

Multimedia Technology: given by the Davis Foundation, Gallery: given in honor of Guy Petty, Young Adult Non-Fiction: given by Janet and Terry Gagner, Young Adult Study Room: given by Sarah and Edward Brewer, Young Adult Game Room: given by Rich, Kristina and Christian DeMarco, Bookcases: given by Altus Engineering, given in honor of Kimberly Green, and given by Karen Saltus in memory of Loring, Gayle and Elsie Saltus.

Moved by Vice Chair Dow, seconded by Councilor Hamm.

Motion Carried 6-0-0

b. (020122-7) The Kittery Town Council moves to enact a Climate Action Proclamation to secure eligibility for grant opportunities through the Maine Community Partnership.

The Town Manager gave an overview on the Climate Action Proclamation.

Chair Spiller read the Proclamation.

Moved by Councilor Stevens, seconded by Councilor McGuire.

Motion Carried 6-0-0

c. (020122-8) The Kittery Town Council moves to schedule a public hearing on March 14, 2022 to amend Title 12.4.9, Seapoint and Crescent Beach Fires.

The Town Manager gave an overview on Title 12.4.9 Seapoint and Crescent Beach Fires.

Moved by Councilor Stevens, seconded by Councilor Hamm.

All were in favor.

d. (020122-9) The Kittery Town Council moves to schedule a public hearing on February 28, 2022 to authorize execution of the Purchase and Sale Agreement with the Kittery Art Association for the Taylor Building.

The Town Manager gave an overview on the authorization and execution of the Purchase and Sale Agreement with the Kittery Art Association for the Taylor Building.

Moved by Vice Chair Dow, seconded by Councilor Hamm.

All were in favor.

e. (020122-10) The Kittery Town Council moves to approve a request from the Kittery Rotary After Hours Club to place signs about town advertising their St. Patrick's Day dinner.

Moved by Vice Chair Dow, seconded by Councilor McGuire.

Motion Carried 6-0-0

14. COUNCILOR ISSUES OR COMMENTS

Councilor Hamm spoke about a good Samaritan, Don Gagnon, who assisted him with his vehicle that was stuck in the snow.

Chair Spiller mentioned an article in the publication Maine Town and City about the work Cameron Wake, the Chair of the Climate Adaptation Committee and the Town of Kittery is doing regarding climate change.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson - None

b. Committee Reports - None

16. EXECUTIVE SESSION –

Vice Chair Dow moved to go into executive session at 7:38 p.m., seconded by Councilor Hamm.

All were in favor

a. (020122-11) The Kittery Town Council motions to go into Executive Session with the Town Manager, pursuant to 1 MRS §405 (6) (D) to Discuss; Labor negotiations.

Vice Chair Dow moved to come out of executive session at 7:46 p.m., seconded by Councilor Stevens.

All were in favor.

17. ADJOURNMENT

Vice Chair Dow moved to adjourn at 7:46 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 refer to the video of the meeting on the Town of Kittery website.