

KITTERY TOWN COUNCIL

08/21/2023

6:00PM

DRAFT

1. Call to Order

Chair Spiller called the meeting to order at 6 PM.

2. Introductory

3. Pledge of Allegiance

4. Roll Call- Councilor's present- Councilor Bragg, Councilor Dow, Councilor Clark, Councilor Hamm, Councilor Stevens, Vice Chair McGuire, Chair Spiller

5. Agenda Amendment and Adoption

Chair Spiller amended New Business item f. to say 8 acres not 14 acres.

Chair Spiller cast one vote in favor of adoption as amended.

6. Town Manager's Report

Town Manager reported on Pop Up Game Pods, Fort Foster Off Season Operations Starting Early, Freebie Barn Fall Program, November 7 Election and Annual Goals Q2 Report.

Upcoming Dates:

Applications for Absentee Ballots Available – Beginning August 21, 2023

Town Offices Closed in Observance of Labor Day – September 4, 2023

Town Council & School Committee Nomination Papers Due –September 8, 2023

Shellfish License Issuance Day – September 23

Proposed Climate Actions Open House –September 23

3rd Annual Taste of Kittery – September 23

Route 1 Corridor Feasibility Study Info Session – September 27

Councilor Clark stated that a self-sustained gate system might be something to consider for Fort foster in the future.

Town Manager responded.

Chair Spiller asked about the rules around dogs and grills in the off season. She also inquired about the revenue impact of closing early.

Town Manager responded.

Councilor Dow stated that he liked the idea of the charging station Councilor Clark mentioned.

7. Acceptance of Previous Minutes

- May, 22 2023
- June 12, 2023
- June 26, 2023

All were in favor of accepting 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. (080123-01) The Kittery Town Council moves to receive a presentation on the Joint Land Use Study.

Town Manager introduced Steph Carver, and Laura Machala who was remote.

Steph Carver and Laura Machala gave a presentation on the Joint Land Use Study.

Councilor Stevens asked when the micro transit report will start and when it was implemented if they would continue tracking data.

Steph Carver responded.

Councilor Hamm thanked the presenters for the detailed presentation. He asked if it would be considered or if it would be possible to convert the prison on the naval base to housing for the military, which would then free up some housing here in town for residents.

Both Steph Carver and Laura Machala responded.

Councilor Hamm also asked for clarification on the ADU information in the presentation. Laura Machala and the Town Manager responded.

Councilor Dow asked if it would be effective to use a transit system. Steph Carver responded.

Vice Chair McGuire thanked the presenters for their informative presentation. He asked if there was anything residents can do to help this project. Steph Carver responded.

Councilor Clark asked the Town Manager about the State laws on ADU's. He also asked how much our cost for the Coast bus is and how long we have the contract for.

Town Manager responded.

Councilor Clark stated that there is a worker driver program currently in place on the shipyard and he feels as though the micro transit will be difficult because it is up to the workers as to whether or not they use it. He stated that there is a way already for those people to get into work and they are still choosing to drive themselves so he feels it may not be beneficial.

Councilor Bragg stated that the prison on the shipyard that Councilor Hamm mentioned, is considered a historical site and that is where the issue lies when talking about tearing it down and rebuilding.

Chair Spiller asked if they have surveyed navy workers in the outer districts.
Steph Carver responded.

Chair Spiller stated that the number one complaint in the Town is the Navy Yard traffic. From what she is told from people on the yard, it is a loss of productivity getting on and off the base due to the traffic. She believes there is some sort of solution but it does not involve building a parking garage at the water district.

10. PUBLIC HEARINGS

- a. (080123-02) Kittery Town Council moves to hold a public hearing to approve Fiscal Year 2023-year end transfers. **Notice sent out on August 14, 2023.**

Town manager gave an overview.

Emily Flinkstrom, Executive Director of Fair Tide, thanked Council for considering an allocation of the surplus funds to Mainspring. She mentioned how much this would benefit the community, specifically, one of the major benefits would be the transition of General Assistance to Mainspring.

Councilor Dow asked for clarification on the amount of money that was available to distribute.
Town Manager responded.

Councilor Clark wanted to remind everyone that both the Police Department and the Fire Department have requested more money in order to staff their departments.

Chair Spiller informed Councilor Clark that what he is saying falls under the discussion after the motion has been moved.

Councilor Dow moved that in accordance with Title 30A MRS § 3001 in the Town Charter § 6.094 and the approved warrant article 8 that the Town of Kittery hereby ordains the fiscal year 2023 funds as presented, seconded by Chair Spiller.

Councilor Clark stated that a lot of the committees that we are suggesting the surplus funds be distributed are not as vital as our staffing needs for public safety although he supports the other committees.

Councilor Clark moves to remove the KCC equipment reserve, housing reserve and the Community Agencies, not seconded.

Councilor Stevens stated that this is not the process to staff those departments, but she does support what he is saying.

Councilor Stevens asked to amend the motion to remove \$25,000 from the KCC Equipment Reserve and add that money to Mainspring raising their donation to \$100,000, seconded by Councilor Bragg.

Chair Spiller asked the Town Manager about the budget for the KCC Equipment Fund. Town Manager responded.

Councilor Bragg stated that she would like to see the \$25,000 added to Mainspring as it will help to aide so much of the community's needs.

Motion passes
5-2-0

Councilor Dow moves to take \$20,000 from the affordable housing and move it to Mainspring and taking the remaining \$30,000 to the KCC Equipment Fund, seconded by Councilor Bragg.

Councilor Hamm stated that he wishes to see the money in the Affordable Housing stay where it is.

Councilor Stevens asked the Town Manager if there was an estimate on the build out of the teen lounge. Town Manager responded.

Vice Chair McGuire stated that he believes a lot of effort has gone into the proposed transfers and he feels as though we have a good balance of allocating the funds and in the future maybe to do a better job communicating the desires on these funds ahead of time. He also stated that he believes Mainspring is very important to the community and fully supports them but believes they will continue to raise funds in order to meet their goal.

Councilor Dow asked the Town Manager if we continue to put money into the Housing Reserve Fund. Town Manager responded.

Vice Chair McGuire stated that we had 2 grants for the ADUs last year and wanted clarification from the Town was going to try to do this annually. Town Manger responded.

Chair Spiller stated that she supports Councilor Hamm's statements about how important the

Affordable Housing Reserve Fund is and strongly disagrees with this amendment.

Motion fails
1-6-0

Chair Spiller asks for a roll call on the original motion to move \$25,000 from the KCC Equipment to Mainspring.

Motion passes
6-1-0

- b. (080123-03) The Kittery Town Council moves to hold a public hearing on a new Victualers License for Sunday Supper, 21 Litchfield Road, Kittery. **Notice sent out on August 14, 2023.**

Vice Chair McGuire moves to accept the license as presented, seconded by Councilor Hamm.

Motion passes
7-0-0

- c. (080123-04) The Kittery Town Council moves to hold a public hearing on a new Victualers License for Better Management Solutions LLC dba Subway, 290 US Route 1, Kittery. **Notice sent out on August 14, 2023.**

Councilor Hamm moves to approve license as presented, seconded by Councilor Stevens.

Motion passes
7-0-0

11. DISCUSSION

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

Scott Mason, stated that he is running for the Town Council in the upcoming election and would love to hear from people on their thoughts on how to move forward on the various issues the Town faces.

Chair Spiller read an email from Tim Norrad, 5 MacDougal Street, where he inquired on the Emery Field Renovation Playground completion.

Chair Spiller read an email from Dana Rickeridge, thanking the Town and the Council for giving a free pass to Kittery teachers for Fort Foster and how nice it feels as a teacher to be recognized in this way by the town.

- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

Chair Spiller asked the Town Manager to answer the timeline on Emery Field question.

Town Manager responded.

Chair Spiller also asked about the work around for the Pickle Ball noise.

Town Manager responded.

Chair Spiller stated that she was happy to see teachers enjoying Fort Foster for the gem that it is.

12. UNFINISHED BUSINESS - None

13. NEW BUSINESS

a. Donations/gifts received for Council disposition. - None

b. (080123-05) The Kittery Town Council moves to schedule a public hearing on September 11, 2023 on Title 16 – Septic System amendment.

Chair Spiller asked for this to be moved to September 25, 2023 as she will be away for the upcoming meeting.

Councilor Dow moved to change the public hearing to September 25, 2023, seconded by Vice Chair McGuire.

All were in favor.

c. (080123-06) The Kittery Town Council moves to appoint MaryAlice LaPointe to the Conservation Commission for a three-year term to expire December 31, 2026.

Councilor Stevens moves to appoint MaryAlice Lapointe to the Conservation Commission for a three-year term expiring on December 31, 2026, seconded by Councilor Bragg.

Councilor Stevens stated that it was really great to meet and interview Mrs. LaPointe.

Motion passes

7-0-0

d. (080123-07) The Kittery Town Council moves to appoint Susan Foster to the Parks Commission for a three-year term to expire December 31, 2026.

Vice Chair McGuire moves to appoint Susan Foster to the Parks Commission for a three-year term expiring December 31, 2026, seconded by Councilor Clark.

Vice Chair McGuire stated that he believes Susan will be an excellent addition to the Parks Commission.

Motion passes
7-0-0

- e.(080123-08) The Kittery Town Council moves to accept a request from Maine Senior Guide to place signage around Town from October 20, 2023 to November 3, 2023 for their Successful Aging Expo.

Councilor Clark moves to accept request, seconded by Councilor Dow.

Motion passes
7-0-0

- f. (080123-09) The Kittery Town Council moves to approve a letter of support for the Kittery Land Trust application for a Maine Natural Resources Conservation Program grant to help acquire and preserve 87 acres of land in Kittery and Eliot owned by the Wollerscheid family.

Chair Spiller moves to approve, seconded by Councilor Stevens.

Chair Spiller gave a background on the property.

Motion passes
7-0-0

- g. (080123-10) The Kittery Town Council moves to pledge \$12,000, from the Open Space Reserve fund (2057), for the Kittery Land Trust acquisition of the Wellerscheid property for the purposes of preservation and protection. **Open Space Reserve fund has a balance of \$25,000.**

Chair Spiller moves to approve, seconded by Vice Chair McGuire.

Vice Chair McGuire stated that this is the exact use of this fund that they envisioned and is in full support.

Motion passes
7-0-0

- h.(080123-11) The Kittery Town Council moves to establish an ad-hoc committee for traffic and parking.

Councilor Dow moves the establishment of the ad-hoc committee for traffic and parking,

seconded by Councilor Stevens.

Councilor Clark stated that he plans to participate.

Vice Chair McGuire stated that he thinks this committee is appropriate.

Councilor Hamm stated that he would like to be on this committee as well.

Motion passes

7-0-0

- i. (080123-12) The Kittery Town Council moves to accept a request from American Cribbage Congress to hold a cribbage tournament on September 24, 2023 at the Kittery Lions Club. **State application and introductory email in your packet.**

Councilor Dow moved the request, seconded by Councilor Clark

Motion passes

7-0-0

14. COUNCILOR ISSUES OR COMMENTS

Councilor Bragg stated that she had nothing to add as the Town Manager already went over what is happening in the DEI & Ad Hoc Committees so she had nothing new to add.

Councilor Dow stated that he believes that the Council consider property assessments be done yearly to avoid large increases for the tax payers avoiding the shock level.

Councilor Stevens had nothing to add at this time.

Councilor Hamm stated that he just finished a biography of J Robert Oppenheimer and his take away was the importance of speaking up even when it is against the opposition.

Councilor Clark thanked Judy and Julie Dow for the letters that they wrote to the Maine Delegation and that he thinks that we are not given the money we need from the Federal Government.

Vice Chair McGuire stated that as of the 14th we no longer have a Chief of Naval Operations and that we are up to 300 nominations that are being blocked in the Senate for military officers.

Chair Spiller stated that Hydrological Study was really well done and that the Library Committee has almost finished their outreach to residents. The results are showing is that people really care about the Town and that many want affordable housing but not near them.

She stated that as a Council they needed to figure out how to address that issue.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

Chair Spiller stated that the Town Managers evaluation is coming up and asked that the Town Manager include the form needed in the next packet and to schedule an executive session on September 25 with a goal of having the evaluation ready early October.

Chair Spiller also stated that the Chair of the school committee, Julie Dow, sent a letter to Maine Delegation in regards to Federal impact aide for schools. They received a reply from senator King and Pamela Buck, Senator Collins representative locally. Chair Spiller stated that the response was not addressing the issue at all and it is a long-standing issue and she agrees with Councilor Clark that they do need to continue to try to obtain these funds every year.

b. Committee Reports

16. EXECUTIVE SESSION

17. ADJOURNMENT

Motion to adjourn by Councilor Bragg, seconded by Councilor Hamm.

All were in favor.

Submitted by Jennifer Wheeler

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.