

Kittery Town Council Approved Minutes
July 8, 2019
Regular Meeting
Town Hall – Council Chambers

1. Call to Order

2. Introductory

3. Pledge of Allegiance

4. Roll Call

Councilor(s) present: Charles Denault, Jeffery Pelletier, Jeffrey Thomson, Kenneth Lemont, Cyrus Clark, Chair Judith Spiller. Councilor(s) absent: Vice Chair Matt Brock.

5. Agenda Amendment and Adoption

Chair Spiller cast one vote for agenda adoption.

6. Town Manager's Report

The Town Manager reported on: Accessory dwelling units, Thresher Memorial Circle bushes, stop sign at Chauncey Creek Rd/Gerrish Island Lane, pedestrian alert signage at Walker/State Road, mosquito and tick treatment, and public hearings on zoning amendments. Upcoming Dates: Free School Nutrition Summer Lunch – M-F through Aug 23, 12PM, Kittery Community Center National Night Out – August 6, Kittery Community Center Nomination Papers Due – August 19, Town Hall.

Chair Spiller and the Town Manager discussed stop signs at Chauncey Creek Rd/Gerrish Island Lane.

Chair Spiller and the Town Manager discussed pedestrian alert signage at Walker/State Road.

Councilor Denault and the Town Manager discussed a water main break on Oak Terrace and Bridge Street.

Councilor Thomson discussed public hearings on zoning amendments, crosswalks on Walker/State Road, and accessory dwelling units.

7. Acceptance of Previous Minutes - None

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 office.
 - a. (070119-1) The Kittery Town Council moved to receive a presentation from the Library Building Committee on the Rice Public Library Renovation and Expansion.

Jim Anderson gave a presentation. Scott Simon and Ryan Kanteres presented the building design for the Library and the Town Manager presented the funding presentation for the Library Project.

10. PUBLIC HEARINGS

- a. (070119-2) The Kittery Town Council moves to hold a public hearing for a New Victualer's License application for James Day, 527 Beech Hill Road, Auburn, Maine 04210. Doing business as Street Eats Mobile Food Truck, located at 230 US Route 1, Kittery, Maine 03904.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried.

6-0-0

- b. (070119-3) The Kittery Town Council moves to hold a public hearing for a New Victualer's License application for Rose Van Nickell, 50 Woodlawn Avenue, Kittery ME 03904. Doing business as Rose's Spring Rolls Mobile Food Truck located at 230 US Route 1, Kittery, ME 03905.

Moved by Councilor Clark, seconded by Councilor Denault.

Councilor Thomson had a question in regards to the truck not being ready to inspect at that time.

Councilor Lemont had a question in regards to the business address.

Councilor Denault, Councilor Pelletier, Councilor Lemont, Councilor Clark, and Chair Spiller voted yes.

Councilor Thomson voted no.

Motion Carried.

5-1-0

- a. (070119-4) The Kittery Town Council moves to hold a public hearing for a New Victualer's License application for Petrogas Group New England Inc., 200 Brickstone Square, Suite 404, Andover, MA 01810. Doing business as 7-Eleven @ The Kittery Outlets, located at 286 US Rte 1, Kittery, ME 03904.

Moved by Councilor Denault, seconded by Councilor Pelletier.

Motion Carried.

6-0-0

11. DISCUSSION

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

Julia O'Connell, 9 Busdick Drive – Ms. O'Connell discussed submitting a non-binding referendum for consideration, along with submitting materials, and a video link for the Council to review. Ms. O'Connell spoke about chloramines in the water, the Kittery Water District, scheduling a public hearing on August 12th, 2019, and having a 450-signature petition.

Garvin McCurdy, Doug Green, Justin Thayer, Jen Thayer, and Juliet Nelson discussed Chloramines and Kittery Water District.

Janette Dearborne, Karen Mayer discussed stray cats on Pocahontas Road.

Tiana Denola discussed a non-binding referendum regarding leash laws and dog park.

- b. Response to public comment directed to a particular Councilor.

- c. Chairperson's responded to public comments.

Chair Spiller stated that the Kittery Town Council has no authority over Kittery Water District and responded to the issues of the stray cats on Pocahontas Road.

12. UNFINISHED BUSINESS

13. NEW BUSINESS

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

- b. (070109-5) The Kittery Town Council moves to approve the disbursement warrants.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried.

6-0-0

- c. (070119-6) The Kittery Town Council moved to approve a request from St. Raphael's Church in Kittery to hang a banner in front of the Kittery Community Center for their Annual Holiday Bazaar event.

Moved by Chair Spiller, seconded by Councilor Pelletier.

Motion Carried.

6-0-0

- d. (070119-7) The Kittery Town Council moves to schedule a public hearing on August 12, 2019 on placing a proposed referendum question on the November 5, 2019 Ballot – to authorize the Town of Kittery Council to issue bonds in a total amount not to exceed \$5,000,000 to expand, renovate and improve the Rice Public Library.

Moved by Councilor Pelletier, seconded by Councilor Denault.

Motion Carried.

6-0-0

- e. (070119-8) The Kittery Town Council moves to schedule a public hearing on August 12, 2019 for an Ordinance to Authorize the Issuance of General Obligation Bonds in Principal Amount of Up To \$5,000,000 to Expand, Renovate and Improve the Rice Public Library.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried.

6-0-0

- f. (070119-9) The Kittery Town Council moves to schedule a public hearing on September 9, 2019 for Title 6 - Animal Control.

Moved by Councilor Denault, seconded by Councilor Thomson.

The Town Manager gave overview of Title 6 – Animal Control.

Councilor Thomson suggested a workshop.

Motion Carried.

6-0-0

- g. (070119-10) The Kittery Town Council moves to schedule a public hearing on August 12, 2019 on placing a non-binding referendum on the November 5th, 2019 Ballot – Leash Law and Dog Park.

Councilor Denault moved for a discussion, seconded by Councilor Clark.

The Town Council had a discussion.

Councilor Denault voted yes.

Councilor Thomson, Councilor Pelletier, Councilor Lemont, Councilor Clark, and Chair Spiller voted no.

Motion Failed.

1-5-0

- h. (070119-11) The Kittery Town Council moves to schedule a public hearing on August 12, 2019 on placing a non-binding referendum on the November 5, 2019 Ballot – Kittery Water District Chloramine and Ammonia.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

The Town Council and Town Manager had a discussion.

Councilor Clark, Councilor Denault, and Councilor Pelletier voted yes.

Chair Spiller, Councilor Lemont, and Councilor Thomson voted no.

Motion Failed.

3-3-0

- i. (070119-12) The Kittery Town Council moved to appoint Finance Director, Brenda Fox-Howard as Acting Town Manager from July 15th through July 19th.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried.

6-0-0

14. COUNCILOR ISSUES OR COMMENTS

Councilor Lemont discussed stray cats on Pocahontas Road.

Councilor Clark thanked Mike Rogers and everyone at the Kittery Water District.

Councilor Thomson discussed summer traffic, and the passing of Charlie Rodas.

Councilor Denault discussed railroad tracks on State Rd and Walker St, signs, and panhandling.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson - None

b. Committee Reports - None

16. EXECUTIVE SESSION - None

17. ADJOURNMENT

Moved by Councilor Thomson, 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 at <http://www.townhallstreams.com/locations/kittery-maine>.