

Town of Kennebunkport
Board of Selectmen Meeting VIA Zoom
May 13, 2021
6:00 PM

MINUTES

Selectmen attending via Zoom: Allen Daggett, Patrick Briggs, Sheila Matthews-Bull, and D. Michael Weston.

Others attending via Zoom: Laurie Smith, David Powell, Tracey O'Roak, Jamie Mitchell, Jennifer Lord, Werner Gilliam, Christopher Mayo, Breese Regal, John Everett, Jon Dykstra, John Martin, Bill Walsh, Nina Pearlmutter, John Harcourt, Charles Simmons, Kate Burke, Sarah O'Sullivan and others.

1. Call to Order

Selectman Daggett called the meeting to order at 6:00 PM. He took roll call of Selectmen present: Allen Daggett, Patrick Briggs, Sheila Matthews-Bull and D. Michael Weston. Edward Hutchins was absent.

2. Approve the April 22, 2021 selectmen meeting minutes.

Motion by Selectman Matthews-Bull, seconded by Selectman Weston to approve the April 22, 2021 selectmen meeting minutes. **Roll Call Vote:** Briggs, Weston, Matthews-Bull and Daggett. **Voted:** 4-0. **Motion passed.**

3. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.)

There were no public comments.

4. Joint public hearing with the Planning Board on the proposed amendments to the Land Use Ordinance on the June 8th municipal ballot.

Motion by Selectman Matthews-Bull seconded by Selectman Briggs to open the public hearing on the proposed amendments to the Land Use Ordinance on the June 8th municipal ballot. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

Chair Daggett opened the public hearing at 6:06 pm.

The Planning Board opened their public hearing.

Werner Gilliam, Director of Planning and Development, gave an overview of the proposed amendments to the Land Use Ordinance.

Public Comment made by Robin Phillips.

Motion by Selectman Briggs seconded by Selectman Matthews-Bull to close the public hearing. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

Chair Daggett closed the public hearing at 6:13 pm.

Planning Board closed their public hearing and adjourned at 6:13 pm

5. Public hearing on the following ordinance questions on the June 8th municipal ballot.

- a. Proposed amendments to the Animal Control Ordinance. (Dogs on the Beach)
- b. Proposed Short Term Rental Ordinance. (STR Regulation)
- c. Proposed amendments to the Administrative Code. (Assessor as an appointed position)

Motion by Selectman Weston seconded by Selectman Briggs to open the public hearing on the proposed amendments on the June 8th municipal ballot. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

Chair Daggett opened the public hearing at 6:14 pm.

- a. Kate Burke gave a brief overview of the proposed changes to the Animal Control Ordinance.

Public comments were made by Lisa Miller, Nina Pearlmutter, Richard Driver

- b. Werner Gilliam gave an overview of the Short Term Rental Ordinance.

Public comments were made by Sharon McCabe, Lisa Miller, Bill Starr, Lauren, Richard Smith.

- c. Werner Gilliam gave an overview of the amendments to the Administrative Code regarding the position of Assessor.

There were no public comments.

Chair Daggett closed the public hearing at 7:08 pm.

5.1 Unveiling of the Annual Town Report dedication.

Selectman Daggett announced that the Annual Report has been dedicated in the memory of Wayne T. Adams. He read the dedication. Sarah O'Sullivan spoke on behalf of the Adams family and expressed how much her father would have enjoyed being part of the town report.

6. Consider renewal liquor license application submitted by Arundel Wharf Restaurant located at 43 Ocean Avenue.

Motion by Selectman Matthews-Bull, seconded by Selectman Briggs to approve the liquor license submitted by Arundel Wharf Restaurant, 43 Ocean Avenue. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

7. Consider renewal liquor licenses application submitted by Musette LLC located at 2 Pier Road.

Motion by Selectman Matthews-Bull, seconded by Selectman Weston to approve the liquor license submitted by Musette LLC located at 2 Pier Road. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

8. Presentation of award to Addie Redmond.

Fire Chief, John Everett, recognized the efforts of Addie Redmond a young resident who lives off Wildes District Road.

During the day on March 29, 2021 there had been a severe windstorm in our area. That evening Addie discovered a very hazardous situation as she walked to get the mail. The wind had started to uproot a large pine tree and caused the tree to touch the electrical wires that ran next to the tree. The tree was smoldering, and a small ground fire had started at the base of the tree as well. Addie recognized the seriousness of the situation and took steps to immediately notify the Kennebunkport Fire Department. Her actions prevented serious injury to anyone in the area. Addie is in the fifth grade at Consolidated School. GREAT JOB ADDIE.

The Board of Selectmen recognized Addie's heroism and expressed their thanks with a round of applause.

9. Presentation by Colony Hotel.

Bill Walsh, Walsh Engineering presented a revised plan for the Colony Hotel right-of-way request.

Motion by Selectman Matthews-Bull seconded by Selectman Weston to approve the revised plan and to work with the Colony to formulate a formal agreement. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

10. Consider Government Wharf budget.

Cape Porpoise Pier Harbormaster and Treasurer, Jennifer Lord, explained that the Government Wharf budget is an enterprise fund, and the revenues are paid through a fee system by the users. The fees will remain the same for FY 22.

Motion by Selectman Weston seconded by Selectman Matthews-Bull to approve the FY22 Government Wharf budget. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

11. Consider Cape Porpoise Pier budget.

Cape Porpoise Pier Harbormaster and Treasurer, Jennifer Lord explained that the Cape Porpoise Pier Budget is an enterprise fund, and the revenues are paid through a fee system by the users. In order to balance the budget, the Pier Committee wishes to increase pier dues by CPI (1.6%) and increase the fuel surcharge by \$0.10 per gallon.

Motion by Selectman Weston, seconded by Selectman Matthews-Bull to approve the FY22 Cape Porpoise Pier budget. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

12. Consider Dock Square budget.

Laurie Smith, Town Manager, explained that the Dock Square budget is an enterprise fund, and the revenues are paid through user fees at the parking lot. Wages increased in FY 21 as we now pay for Dock Square community safety officers through this account. In FY 22 We also plan to use \$40,000 for the paving of Main Street near Dock Square.

The revenues decreased in FY 21 due to the pandemic and the use of the parking lot for outside dining. We are in hopes that revenues will increase in FY 22 with the easing of the pandemic, although Hurricanes will still be using some spots for dining.

Motion by Selectman Matthews-Bull seconded by Selectman Weston to approve the FY22 Dock Square budget. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

13. Consider Recreation Special Revenue budget.

Breese Regal, the acting Parks & Recreation Director, reviewed the recreation special revenue budget that complements the general fund budget. The revenues for all programming are received in the special revenue account and then a portion (\$60,000 in FY 22) will be transferred to the general fund revenues. This funding model gives the department flexibility in programming throughout the year. We are in hopes that FY 22 will be a "normal" programming year.

Motion by Selectman Matthews-Bull seconded by Selectman Briggs to approve the FY22 Recreation Special Revenue budget. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

14. Award bid for SCBA Bottles.

John Everett, Fire Chief, advised that it is time for us to replace ten SCBA bottles and two valves that have reached the end of their life cycle. The Fire Department received two quotes as follows:

Fire Tech Safety: \$11,014
IPS: \$11,834.

Motion by Selectman Weston seconded by Selectman Matthews-Bull to award the bid to Fire Tech Safety in the amount of \$11,014. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

15. Other Business.

There was no other business.

16. Approve the May 13, 2021, Treasurer's Warrant.

Motion by Selectman Matthews-Bull seconded by Selectman Briggs to approve the May 13, 2021 Treasurer's warrant. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, and Daggett. **Voted:** 4-0. **Motion passed.**

17. Executive Session per (MRSA 1, §405-6D) for discussion of union negotiations.

18. Executive Session per (MRSA 1, §405-6E) for discussion of a real estate matter.

19. Executive Session per (MRSA 1, §405-6E) for consultation between the Board of Selectmen and its attorney concerning the legal rights and duties for pending or contemplated litigation.

20. Adjournment.

Motion to adjourn was made, seconded and approved after discussion in Executive Session.

Submitted by,
Tracey O'Roak, Administrative Assistant