

KENNEBUNK SELECT BOARD MEETING MINUTES
TUESDAY, MAY 9, 2023 – 6:30PM
IN-PERSON AND TELECONFERENCE MEETING VIA “ZOOM”

This meeting was recorded for future viewing and is available in the Agenda section of the Town’s website under the media icon at www.kennebunkmaine.us/selectboardagendas.

1. Call to Order

The meeting was called to order at 6:38pm by the Chair and presiding officer Shiloh Schulte, who then led attendees in the Pledge of Allegiance. Those participating were:

Present: Select Board Members Shiloh A. Schulte [Chair]; Kortney E. Nedeau [Vice Chair] (via Zoom), Lisa J. Pratt [Secretary], Sally Carpenter, William Ward, Jr., and Miriam J. Whitehouse;

Absent: Leslie G. Trentalange;

Also Present: Heather Balsler [Town Manager], Merton Brown [Town Clerk], Christopher Osterrieder [Director, Community Development], Karen Winton [Deputy Director, Community Development], Bryan Laverriere [Director, Public Services], Lt. Christopher Russell [Police Department], and Michelle Connors [Director Kennebunk Free Library].

The meeting was held in person at Town Hall as well as via “Zoom”, the Internet teleconferencing platform. The meeting was broadcast live on Cable TV Channel 5 and is available for public viewing at any time at *TownHallStreams.com*.

2. Review of Prior Minutes

The Board next reviewed the minutes of its Regular Meeting of April 25, 2023.

Motion: To approve the minutes of the Regular Meeting of April 25, 2023.

Moved: L. Pratt

Seconded: M. Whitehouse

Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent [Trentalange]; the motion passed.

3. Items To Be Signed

There were none.

4. Public Hearings

a. Victualer and Liquor Licenses for Rococo Ice Cream LLC d/b/a Rococo Ice Cream

S. Schulte opened a Public Hearing and introduced the application of Rococo Ice Cream LLC for a Victualer License and Liquor License to do business at 8 Western Avenue as “Rococo Ice Cream”. The location was formerly occupied by Mead Wine. The applicant was not in attendance. However, Town Clerk M. Brown briefly described the new venture and the location changes of different vendors in the Lower Village.

S. Schulte solicited Board and public comments or questions, but there were none.

Motion: To approve the Victualer and Liquor Licenses for Rococo Ice Cream LLC d/b/a Rococo Ice Cream contingent upon final approval from Code Enforcement.

Moved: L. Pratt

Seconded: M. Whitehouse

Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent [Trentalange]; the motion passed.

b. Other Items for Public Hearing

There were none.

5. Public Comments

S. Schulte then invited public questions or comments of a general nature, but there were none.

6. Acknowledgements and Announcements

There were none.

7. Time Sensitive Business & Staff Presentations

a. Donations

S. Schulte next reported that the Town had received the following donations:

- \$5,000 from the Tommy McNamara Charitable Foundation, Inc. for Parks & Recreation Summer Camp Assistance
- \$50 from James Pastorelli for Kennebunk Fire Rescue
- \$25 from Kristina Conley for the Kennebunk Dog Park

Motion: To accept the donations listed above and send letters thanking each donor for their generous donation.

Moved: L. Pratt

Seconded: M. Whitehouse

Vote: Show of hands vote, 6 votes in favor, 0 opposed, 1 absent [Trentalange]; the motion passed.

b. Boards, Committees, and Commission

S. Schulte next reported on several membership changes on Town Committees, Boards, and Commissions.

(1) Committee Resignation

The Chair reported that Sarah Downs, a Regular Member of the Community Garden Committee, had resigned from the post [with a term expiring in 2024].

Motion: To accept the resignation of Sarah Downs from the Community Garden Committee and send a letter thanking her for her service.

Moved: L. Pratt

Seconded: M. Whitehouse

Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent [Trentalange]; the motion passed.

(2) Alternate Member on Kennebunk River Committee

S. Schulte next reminded the Board that, at its April 25, 2023 meeting, it had appointed one Alternate Member and two Regular Members to the Kennebunk River Committee. The Alternate appointee, Jeffrey Merrill, subsequently declined the appointment. There was, consequently, that vacancy to be filled. Schulte reported that outstanding applications for Committee memberships had been submitted by Jack Danahy, Deanna Enis, Michael Green, and Evert Osterman.

Deanna Enis, the only candidate in attendance, said that she was interested in the post because she and her family were avid users of the Kennebunk River for fishing and water sports. She had, she said, a "vested interest" in the good management of that resource.

S. Schulte then asked Board members to informally voice their first and second choices in advance of any motion or formal vote.

After the discussion, S. Carpenter commended D. Enis for joining this and the Select Board's prior meeting to express her interest in the post. K. Nedeau and S. Schulte concurred. S. Schulte and W. Ward, Jr. additionally encouraged the public at large to participate in River Committee meetings whether formal committee members or not. They likewise urged the public to consider volunteering for other open committee or board posts.

Motion: To rescind the appointment of Jeffrey Merrill as an Alternate Member on the Kennebunk River Committee and appoint Deanna Enis to fill the remainder of the one-year Alternate term that expires on June 30, 2023.

Moved: W. Ward, Jr.

Seconded: S. Carpenter

Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent [Trentalange]; the motion passed.

8. Old Business

There was none.

9. New Business

a. Library Grant Support

S. Schulte then reported that Michelle Conners, Director of the Kennebunk Free Library, had applied for a Remote Work through Libraries Grant, through the Maine State Library. The Grant program is supported by ARPA funds. The Free Library specifically applied for a grant in the amount of \$96,500 to be used for additional electrical outlets for public use, furniture upgrades, new chairs and tables with plug-ins for chargers, an extension of Wi-Fi service, and an interior facility assessment.

The Library, Schulte said, requested a letter of support from the Town on behalf of this grant application.

Michelle Conners addressed the Board next, urging it to support the Library's initiative. She explained that the Library hoped to upgrade its Wi-Fi service and enlarge the Library's ability to help more of the public use computers on site.

Motion: To authorize the Town Manager to provide a letter of support for the Kennebunk Free Library Grant.

Moved: L. Pratt

Seconded: W. Ward, Jr.

Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent [Trentalange]; the motion passed.

b. Amendments to the Town Ordinance, Section 2-1 Prohibited Parking

S. Schulte reported that the Select Board Ordinance Review Subcommittee had, at its meetings in March and April, 2023, reviewed the Town's Ordinance language on parking. The Subcommittee determined that it would be beneficial to reduce or eliminate some street parking as well as improve the Ordinance's language on the topic. The Subcommittee, Schulte said, specifically recommended that the Select Board consider a number of amendments to Section 2-1. Its recommendations are available for public inspection in the "Proposed Ordinance Amendments" linked to the Agenda for this meeting posted on the Town's website.

Schulte reported that amendments to the Ordinance about parking can be approved at a Public Hearing and do not require a Town Meeting or voter approval.

Lt. Chris Russell, representing the Police Department, explained that a review of the parking language in the Ordinance had actually begun pre-COVID. The pandemic put the initiative "on the back burner." However, the review has been since revived. The proposed amendments now seek to better define and regulate parking in Kennebunk.

According to Lt. Russell, the most significant changes incorporated in the amendments are parking changes at five locations

1. **Grove Street:** Lt. Russell said that parking on this street currently impedes the movement of Fire and Rescue vehicles. The revised Ordinance language would eliminate parking on this street.
2. **Pleasant Street:** The same issue and remedy.
3. **Summer Street:** Lt. Russell observed that landscaping trailers parked along Summer Street -- particularly between Park and Depot Streets -- were forcing cars to move around them into the path of oncoming traffic. Accidents have occurred as a result. The proposed parking amendments would therefore eliminate on-street parking on Summer Street between Park and Depot.
4. **Beach Avenue:** The amendments would add parking near Fairfield Drive to afford more parking near the beach. The street has already been widened in that vicinity for it.
5. **Port Road:** Parking in the Lower Village near Pedro's and Old Vines would also be prohibited other than in the spaces specifically designated for parking at this time.

M. Whitehouse asked where landscaping trucks would be allowed to park on Summer Street. Lt. Russell responded that they would be required to use the driveways of the residences they served.

L. Pratt asked if parking was permissible on sidewalks, and Lt. Russell responded in the negative. Sidewalks, he said, were for the use of pedestrians. L. Pratt also asked about parking on Storer Street. Lt. Russell said that a team [C.Russell, K.Nedeau, C.Osterrieder] had visited that location, but the parking situation there was still under review.

In response to other questions by L. Pratt and K. Nedeau, Lt. Russell explained that, if the proposed amendments were approved, the parking changes would be rolled out with an educational initiative. The Town, he said, would pursue an "education-warning-fine" sequence. "But the emphasis will be on voluntary compliance rather than penalties," Russell stated.

John Costin, a public commentator, agreed with the parking and language changes proposed. However, he expressed concerns about fee-paid parking on Gooch's Beach and about parking fees for parking on back streets in general. He also questioned the parking restrictions in place on Parson's Beach Road.

Discussion about parking on Parson's Beach Road ensued. C. Osterrieder explained that it is a private road which the Town leases. Only limited parking is permitted there "to strike a balance with the people who actually own the road," Osterrieder said.

Ellen Galloway, a Storer Street resident, asked why Storer Street was the subject of any parking review. She alleged that there was adequate room for parked cars on that street. Lt. Russell and B. Laverriere said that sidewalks and parking along Storer Street would be re-investigated given the comments.

S. Schulte explained that the reasons for proposing parking changes in the Ordinance in general was to bolster public safety and better define legal standards. He noted that a future Public Hearing on the proposed amendments would afford the public a more robust opportunity for comment and feedback.

Motion: To forward the proposed amendments to Town Ordinance Section 2-1 Prohibited Parking to a Public Hearing on May 23, 2023.

Moved: L. Pratt

Seconded: M. Whitehouse

Vote: Show of hands vote, 6 votes in favor, 0 opposed, 1 absent [Trentalange]; the motion passed.

c. Road Closures

S. Schulte then reported that the Police Department had requested a number of road closures for the Town’s Memorial Day Parade on Monday, May 29, 2023. The Parade will begin at 2:00pm. The closures, Schulte said, were:

TIMES	CLOSURES
1:45pm-3:00pm	Main Street at Fletcher Street
1:45pm-3:00pm	Summer Street at Portland Road
1:45pm-3:00pm	Park Street at Summer Street
1:45pm-3:00pm	Nasons Court
1:45pm-3:00pm	Bourne Street
1:45pm-3:00pm	Grove Street
1:45pm-3:00pm	Dane Street
1:45pm-3:00pm	Main Street at Water Street
1:55pm-2:45pm	York Street at Brown Street
1:55pm-2:45pm	York Street at Friend Street
1:55pm-2:45pm	High Street at Friend Street

Schulte noted, however, that these closures and times were subject to change.

Motion: To approve the road closures as recommended by the Police Department for the Memorial Day Parade on May 29, 2023 as noted above.

Moved: L. Pratt

Seconded: M. Whitehouse

Vote: Show of hands vote, 5 votes in favor, 0 opposed, 2 absent [Trentalange and Nedeau, who lost Zoom connection]; the motion passed.

d. Other Business of the Board

There was none.

10. Select Board Comments

a. Subcommittee Reports:

S. Schulte reported that the Ordinance Subcommittee had begun to look into short-term rentals and to define a registration process for them. The Subcommittee and Town staff are currently assessing the scope or “size” of short-term rental activity in Kennebunk. The group is also defining the safety priorities meant to underlie such rentals. Food trucks will be a topic taken up by the Subcommittee at a future date.

b. Board Liaison Reports:

L. Pratt: The Climate Action Plan Task Force has recently put hard-copy surveys into circulation. Residents are urged to express their climate concerns, comments, and priorities via the survey. The public is able to participate via the Internet as well. This initiative will close on May 26, 2023.

- S. Schulte: The Conservation Commission is working with Town Hall staff to map "non-vehicular" pathways open for pedestrian use in the Town's parks and other locations. The Commission is also continuing its educational messaging to discourage the use of pesticides.
- M. Whitehouse: Reported that the School Board is hosting a School District budget review on Tuesday, May 16th. The public is invited to attend.
- M. Brown: The Charter Commission will meet on Wednesday, May 10th to discuss "form of government".

c. Comments of Individual Select Board Members

There were none.

11. Announcements

- a. **Voting:** M. Brown advised the Board and public that absentee voting would commence on May 17th for the June 13th Annual Town Meeting. Brown explained how absentee ballots can be obtained in person at Town Hall or on-line at www.kennebunkmaine.us/elections. Town Hall staff, he said, will also visit the community's six nursing homes to pick up absentee ballots. Brown urged the public to contact him directly if some other voting arrangement might be required.
- b. **Town Manager Announcements:** H. Balsler thanked the Select Board, Town Hall staff, and the Police and Fire Rescue Departments for their help in making the May Day Festival a success. Balsler also noted that every third lamp pole on Main Street will display a Pride flag during the month of June in honor of Pride Month.

12. Executive Session

There was none.

13. Adjournment

There being no additional comments or topics for discussion, S. Schulte adjourned the meeting at 7:57pm.

Motion: To adjourn this meeting.

Moved: L. Pratt

Seconded: M. W

Vote: Show of hands vote, 5 votes in favor, 0 opposed, 2 absent [Trentalange and Nedeau]; the motion passed.

Respectfully submitted by,
J. Schlagheck, Clerk

Adopted by the Board in the meeting of 05-23-2023

DATE OF MEETING

Signed by
Select Board Member:

[Signature]
SIGNATURE
Lisa Pratt
NAME IN PRINT