

TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, MARCH 14, 2017 – 6:30 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301
AGENDA

Meeting moved
to Wed. 3/15/17
due to "blizzard"
on Tuesday.

1. Call to Order & The Pledge of Allegiance

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

2. Minutes (2-3 minutes)

- a. February 28, 2017 Regular Meeting

3. Items to be Signed (2-3 minutes)

4. Public Hearing(s) (5-10 minutes)

- a. Municipal Officers of the Town of Kennebunk will hold a Public Hearing (and third reading) to hear public comment on the following:

A proposed ordinance entitled "Use of Consumer Fireworks"

Copies are available at the Town Clerk's Office.

Town Manager's Note (not part of the public hearing notice):

- *Since the last meeting, Section 3.a was amended to allow for up to two special permits to be issued, in addition to the July 4 and December 31 dates.*
- *A copy of the proposed Ordinance is included in the packet.*

The enactment of a new ordinance would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 13, 2017, the motion could be as follows:

MOTION: *To send the proposed Use of Consumer Fireworks Ordinance to the Annual Town Meeting on June 13, 2017.*

- b. Municipal Officers of the Town of Kennebunk will hold a Public Hearing (and second reading) to hear public comment on the following:

Proposed Amendments to Section 6-1 Mobile Vendors and Peddlers Ordinance

Copies are available in the Town Clerk's Office.

Town Manager's Note (not part of the public hearing notice):

- *The proposed amendments incorporate proposed changes to timing of permit applications for vendors at the Waterhouse Center, maximum size of mobile units and general housekeeping of ordinance structure.*
- *Since the last meeting, (1) Section 6-1.8 increased the maximum dimensions of a mobile vending unit located at the Waterhouse Center to 210 square feet (from 200 square feet) and (2) Old Home Week was changed to SummerFest.*
- *A copy of the proposed Ordinance is included in the packet.*

The changes to Section 6-1 Mobile Vendors and Peddlers Ordinance can be approved at this public hearing and do not require a Town Meeting vote. If the Board wishes to approve the amendments, the motion could be as follows:

MOTION: *To approve the Amendments to the Kennebunk Town Ordinances, Section 6-1 Mobile Vendors and Peddlers Ordinance.*

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- *A copy of the proposed Ordinance is included in the packet.*

The changes to Section 6-1 Mobile Vendors and Peddlers Ordinance can be approved at this public hearing and do not require a Town Meeting vote. If the Board wishes to approve the amendments, the motion could be as follows:

MOTION: *To approve the Amendments to the Kennebunk Town Ordinances, Section 6-1 Mobile Vendors and Peddlers Ordinance.*

- c. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following

**Federal Jack's Brew Pub d/b/a Federal Jack's Brew Pub
For a renewal Malt, Spirituous and Vinous Liquor License Application
and a renewal Special Amusement Permit
Located at 8 Western Avenue**

Town Manager's Note (not part of the public hearing notice):

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

Police Department: no calls for service that would interfere with the renewal of the license.

MOTION: *To approve the Malt, Spirituous and Vinous Liquor License Application and Special Amusement Permit for Federal Jack's Brew Pub d/b/a Federal Jack's Brew Pub.*

- d. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

**Piper Ranch d/b/a Piper Ranch
For a Victualer License as a Food Vendor
to be located at 1 Parsons Street**

Town Manager's Note (not part of the public hearing notice):

Fire Department/Codes Office:

- *Mobile vendor - Inspected by the State; no local fire inspection required.*
- *Site location has been approved by Codes Office.*

Police Department: new establishment – nothing to report from police

MOTION: *To approve the Victualer License Application as a Food Vendor to be located at 1 Parsons Street for Piper Ranch d/b/a Piper Ranch.*

- e. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

**Texas Grace Kitchen d/b/a Texas Grace Kitchen
For a Victualer License as a Food Vendor
to be located at the Waterhouse Center**

Town Manager's Note (not part of the public hearing notice):

Fire Department/Codes Office:

- *Mobile vendor - Inspected by the State; no local fire inspection required.*
- *Site location has been approved by Codes Office, pending approval of changes to Section 6-1 Mobile Vendors and Peddlers Ordinance (in Public Hearing 4b above).*

Police Department: new establishment – nothing to report from police

MOTION: *To approve the Victualer License Application as a Food Vendor to be located at the Waterhouse Center for Texas Grace Kitchen d/b/a Texas Grace Kitchen (pending changes made in Public Hearing 4b to Section 6-1 Mobile Vendors and Peddlers Ordinance).*

- f. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

**David Winston d/b/a Brake Time
For a Victualer License as a Food Vendor
to be located at the Waterhouse Center**

Town Manager's Note (not part of the public hearing notice):

Fire Department/Codes Office:

- *Mobile vendor - Inspected by the State; no local fire inspection required.*
- *Site location has been approved by Codes Office, pending approval of changes to Section 6-1 Mobile Vendors and Peddlers Ordinance (in Public Hearing 4b above).*

Police Department: new establishment – nothing to report from police

MOTION: To approve the Victualer License Application as a Food Vendor to be located at the Waterhouse Center for David Winston d/b/a Brake Time (pending changes made in Public Hearing 4b to Section 6-1 Mobile Vendors and Peddlers Ordinance).

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements

7. Time Sensitive Business

- a. Accept the Following Donation (3-5 minutes) – The Town recently received \$150.00 from the United Way of York County as part of the statewide initiative to raise funds for fuel assistance for the Keep Maine Warm Fund.

MOTION: To accept the donation from the United Way and send a letter of thanks for this donation.

- b. Discuss Boards and Committees (resignations and/or appointments) (5-10 minutes)

• **Accept the Following Resignations:**

- Ahmed Ciangiulli, Downtown Committee (Regular 2018)
- Lorraine Burr, Downtown Committee (Regular 2019)
- Susan Stewart, Dog Advisory Committee (Regular, no term)
- Fred Castle, Jr., Planning Board effective March 31st (Alternate 2017)

MOTION: To accept the resignations of Ahmed Ciangiulli and Lorraine Burr from the Downtown Committee, Susan Stewart from the Dog Advisory Committee, and Fred Castle, Jr. from the Planning Board (effective March 31st) and send letters thanking them for their service.

- c. Countersign the RSU 21 Warrant and Notice of Election (3-5 minutes) – As Municipal Officers of the Town, you are obligated by State law to countersign the school district's Warrant and Notice of Election. As you are aware, by signing, it does not mean you are endorsing it. The document will be provided on Tuesday evening for your signatures (which must be on the same line on all 10 copies).

MOTION: To countersign the RSU 21 Warrant and Notice of Election for the RSU 21 Budget Validation Referendum Election to be held on June 13, 2017.

8. Old Business (2nd Reading)

- a. Discuss the Dams (10 minutes) – The Board may use this opportunity to offer a comprehensive overview of the diligence being performed in relation to the dams.
- b. S.W.O.T. Analysis Results Update (5 minutes) – Town Manager Michael Pardue will provide an overview of the Board's responses to the S.W.O.T. document distributed on February 28th. This document is designed to solicit the Board's perspectives on the **S**trengths, **W**eaknesses, **O**pportunities and **T**hreats facing the Town.

9. New Business (1st Reading)

- a. Adopt the York County Hazard Mitigation Plan for Kennebunk (5-10 minutes) – This mitigation plan is revised on a regular basis and the latest data is enclosed in the Board's packet. This 87 page document can also be viewed via our website [here](#).

The Board needs to approve the overall plan which enables the County to file for monies to address the issues identified within the plan. The Fire Chief will be in attendance to answer any questions the Board may have. This plan was last approved in 2011 and is generally on a 5-year cycle.

MOTION: To adopt the 2015 York County Hazard Mitigation Plan.

- b. Extend the Moratorium Ordinance on the Retail Marijuana Establishments and Retail Marijuana Social Clubs – This Moratorium Ordinance was passed at the Special Town Meeting on February 28, 2017; the results are listed under Article 11a. The Moratorium shall remain in effect for 180 days from the date of applicability of this Ordinance (October 11, 2016). The 180-day period expires on April 10, 2017.

The Moratorium may be extended for additional 180-day periods as the Town advances this initiative, per 30-A MRSA Sec. 4356.

MOTION: To set a Public Hearing for March 28th to extend the Moratorium Ordinance for an additional 180-day period.

- c. Discuss Any Other Business (2-3 minutes)

10. Selectmen’s Comments

- a. Subcommittee Reports (if any)
- b. Individual Selectmen Comments

11. Town Manager’s Comments/Notes

- a. Results of February 28th Election: The only question on the ballot was: "Shall an Ordinance entitled “Town of Kennebunk Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs” be enacted? The Moratorium Ordinance passed (votes are listed below):

YES	366
NO	83
<u>BLANK</u>	<u>0</u>
TOTAL	449

- b. Information from the Town Clerk’s office regarding the June 13th Election – Nomination papers will be available on March 17th for the following positions:

Board of Selectmen	(2) 3-year terms
RSU 21 Directors	(2) 3-year terms
Trustee KLP	(1) 5-year term
Trustee Sewer District	(1) 3-year term
Trustee KKWWD	(1) 3-year term

Beginning Friday, March 17th, nomination papers can be picked up in the Town Clerk’s Office and must be returned by Monday, May 1st by 4:30 p.m. A minimum of 25 signatures is required. FMI, please contact the Town Clerk’s office at 604-1326.

- c. **Saturday, March 18 from 8:30 a.m. to 10:30 a.m.** – This Selectmen's Outreach Session will be held on the third floor of the Town Hall and will be hosted by Selectmen Dick Morin and Dan Boothby. Watch our website (www.kennebunkmaine.us/calendars) for any changes in the schedule due to the weather, availability of Selectmen, etc.

Did you know you can sign up to receive email and/or text message notifications when items like this are posted? At www.kennebunkmaine.us/notify me, you can subscribe for these calendar items, as well as emergency alerts, meeting postings, upcoming Town events, bid and job postings, and more.

You can also "like us" on Facebook (facebook.com/townofkennebunk).

d. **Wednesday, March 22 at 6:00 p.m.** – Tour of the high school construction project.

12. **Executive Session**

13. **Adjournment**