



Cape Elizabeth Town Council Minutes

Monday, June 11, 2018

7:00 p.m. Cape Elizabeth Town Hall

Council Chambers

Jessica L. Sullivan, Chairman
James M. "Jamie" Garvin
Caitlin R. Jordan
Penelope A. Jordan
Sara W. Lennon
Valerie A. Randall
Christopher M. Straw

The meeting was convened by Town Council Chairman Jessica L. Sullivan at 7:00 p.m.

The Pledge of Allegiance to the Flag

Roll Call by the Town Clerk

All members of the town council were present.

Matthew E. Sturgis, Town Manager

Town Council Reports and Correspondence

Chairman Sullivan thanked James Huebner for being the Grand Marshall of the Memorial Day Parade, reminded the public to vote the following day, and reminded the public of upcoming events.

No other council reports or correspondence noted.

Finance Committee Report

Councilor Garvin, Finance Chairman and town manager Sturgis reviewed the financial dashboard and revenues and expenditures to date.

Citizen Opportunity for Discussion of Items Not on the Agenda

None

Town Manager's Monthly Report

Town Manager's Report

May 14, 2018

Tomorrow is election day, with voting on the primaries, referendum questions, and school budget validation up for a vote. The polls will be open from 7 am to 8 pm, with voting taking place in the high school gymnasium.

In staffing tomorrow's voting, the Town Clerk's office will be closed tomorrow as all staff will be working at the polls. The Clerk's office will be open normal hours again on Wednesday.

Speaking of closures, the Town Office will be closed to outside business at noon on June 29th in order for all departments to close their financial books in anticipation of the new fiscal year beginning July 1st. Staff will still be working in their departments, but the Town office will be closed to financial transactions.

The Beverly Terrace storm drain project is currently underway and is expected to be completed in early July.

I would like to inform one and all that Family Fun Day is this Saturday at Fort Williams Park. The committee has been working diligently to organize what is planned to be a great event, with spectacular weather. Take this opportunity to come have a great day at the Fort, then come see the fireworks on Saturday night and support all of the local organizations who are there for fundraising.

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Two weeks ago I attended the GPCOG / PACTS annual meeting and summit at St. Joseph's College. It was a great event with a program focused on such issues as housing affordability, sustainable practices, and other regional issues.

This Thursday I will be attending the ecomaine annual meeting at Thompson's Point. At this meeting all of the annual reports will be reviewed and the new officers will be installed.

Finally, if you observe winter moths at your property please report them to the Town Tree Warden, Todd Robbins. There is an article on the Town website describing the winter moth caterpillars and the contact information for the Tree Warden. This is an ongoing battle that is aided by residents reporting.

Respectfully submitted,

Matthew E Sturgis, CMA

Town Manager

Review of Draft Minutes of April 9, 2018 and May 14, 2018

Moved by James M. Garvin and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council approves the amended minutes of the meeting held on April 9, 2018.

Councilor Straw commented on the need for a consistent approach toward public comments, but he is hopeful this will be addressed going forward after the most recent council workshop.

(6 yes)(0 no)

Town Council Minutes of May 14, 2018

Moved by Sara W. Lennon and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council removes from the tables the minutes of the meeting held on May 14, 2018.

Councilor Straw inquired if the revised May 14, 2018 minutes still contained the attachment which was in the earlier version. The Manager responded that the attachment was not part of the minutes.

(6 yes) (0 no)

Item #95 – 2018 Request for a Zone Change to Business Zone A – 560 Shore Road Relating to Used Car Sales

Public Hearing

Ray Clark, 8 Liveright Way, Windham. Owner of 560 Shore Road business. Mr. Clark described the reason for submitting the request for the zoning amendment.

The public hearing was closed at 7:13 pm.

Chairman Sullivan asked for an explanation of the request and the details of the zoning amendment change.

Mr. Sturgis explained the reasons for the request, and the process leading up to the amendment coming before the council.

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Moved by Caitlin R. Jordan and Seconded by Penelope A. Jordan

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, June 11, 2018 does hereby amends Sec. 19-1-3 (Definitions), and Sec. 19-6-5 (B,3,h) to allow a repair garage to have up to 3 vehicles for sale at any time.

(7-yes)(0-no)

Item #96-2018 The Good Table – Liquor License Renewal

Intro – Mr. Sturgis

Councilors Caitlin and Penelope Jordan disclosed that they both sell agricultural goods to The Good Table, no objection was raised.

Moved by Penelope A. Jordan and Seconded by Sara W. Lennon

ORDERED, The Cape Elizabeth Town Council approves the renewal malt, spirituous and vinous liquor license for The Good Table located at 527 Ocean House Road as presented.

(7-yes)(0-no)

Item #97- 2018 Request for Fund Raising – Pond Cove Playground

Opportunity for Public Comment

Erin Taylor, 15 Roundabout Lane. Mrs. Taylor is a school nurse at Pond Cove Elementary and presented the reasons for this request, noting that the proposed funding for the playground reconstruction was removed from the past two school budgets. There are concerns about the age and safety of the playground structures, and they will need replacement. There is also the desire to provide more grassed play area. The desire is to raise funds outside of the budget process to accomplish this project.

Mr. Sturgis explained the reason for the request is that the administrative code of the Town requires approval by the council as the council is authorized to receive gifts on behalf of the Town.

Moved by Valerie A. Randall and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council approves the request of Pond Cove School to fundraise to improve the playground at Pond Cove Elementary School.

(7 yes) (0 no)

Item #98-2018 Discussion on Implementing a Pay/Display Parking System at Fort Williams Park

Opportunity for Public Comment

Jerry Kneller, 18 Ivie Road, commented on the Town needing solid revenue generating ideas at Fort Williams Park. The Town should optimize all revenue opportunities at Fort Williams.

Bob Hansen, 17 Ivie Road, commented that taxes are a significant burden and the Town needs to explore all revenue options and Fort Williams Park is the best opportunity. Surrounding parks all charge, such as the State parks and parks in Scarborough.

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Jim Walsh, 23 Rock Crest Drive, commented that stewardship of the park is critical and parking revenue would greatly assist this effort. Mr. Walsh cited the challenges faced by the increasing volume of visitors. Additionally, the Fort Williams Park Committee supports the pay / display option. The current revenues generated by the park have been reviewed with recommended changes.

Mr. Sturgis provided an introduction to the item and explained why the item was placed on the agenda, as direction is needed from the council if the desire to proceed is held by the majority of the council. Mr. Sturgis also provided answers to prior questions raised by the council on the potential for renting units, leasing units, or purchasing pay display units. The greater challenge is not installation of the actual units, but of the policy question of pay / display parking at the Park.

Moved by Christopher M. Straw and Seconded by Valerie A. Randall

ORDERED, The Cape Elizabeth Town Council tasks the Fort Williams Park Committee to craft a proposal for pay / display parking at Fort Williams Park.

(7 yes) (0 no)

Item #99-2018 Fort Williams Park Foundation Request for Naming the Historic Stone Bandstand in the Children's Garden at Fort Williams Park

Councilor James Garvin recused himself prior to the discussion due to prior recusals on the subject.

Opportunity for Public Comment

Jim Walsh, 23 Rock Crest Drive, advised the council of the Cape Elizabeth Historical Society, Fort Williams Park Committee, and the Fort Williams Park Foundation meeting and agreeing on the naming of the bandstand, with a brass plaque memorializing the bandstand.

Moved by Sara W. Lennon and Seconded by Penelope A. Jordan

ORDERED, The Cape Elizabeth Town Council approves the Fort Williams Park Foundation request for naming the historic stone bandstand in the Children's Garden at Fort Williams Park.

(6 yes) (0 no)

Item #100-2018 Consideration of a Standing Renewable Energy Committee

Opportunity for Public Comment

Julia Bassett-Schwerin, 177 Fowler Road, member of Alternative Energy Committee, spoke in support of continuing the work of the Alternative Energy Committee.

Councilor Penelope A. Jordan, Ordinance Committee Chair, introduced the item and described the process undertaken by the Ordinance Committee.

Moved to table by James M. Garvin and Seconded by Caitlin R. Jordan

ORDERED, The Cape Elizabeth Town Council tables the consideration of a standing Renewable Energy Committee to July 9.

(7-yes) (0 no)

Item #101-2018 Spurwink School Reuse Committee Recommendation

Councilor James M. Garvin, Chairman of the Spurwink School Reuse Committee introduced the item, and thanked the members of the committee for their work. Councilor Garvin described the process undertaken by the committee and the conclusions of the report.

Moved by James M. Garvin and Seconded by Sara W. Lennon

ORDERED, the Cape Elizabeth Town Council directs the town manager to begin further review of cost estimates, possible funding sources, and arrangements with the Cape Elizabeth Historic Preservation Society.

(7 yes) (0 no)

Item #102-2018 Nomination – Voter Registration Appeals Board Chairman

Chairman Sullivan introduced the subject under discussion.

Moved by Caitlin R. Jordan and Seconded by James M. Garvin

ORDERED, the Cape Elizabeth Town Council approves the reappointment of Anne E. Swift-Kayatta as Voter Registration Appeals Board Chairman for a term until June 11, 2022 and until a successor is sworn.

(7 yes) (0 no)

Item #103-2018 Consideration of an Additional Town Council Workshop

Chairman Sullivan introduced the subject under discussion, citing a need for an additional workshop due to the number of items pending council review.

Moved by Sara W. Lennon and Seconded by Valerie A. Randall

ORDERED, the Cape Elizabeth Town Council approves adding an additional town council workshop for July 16, 2018 at 7:00 p.m.

(7 yes) (0 no)

Item #104-2018 Consider Entering into Executive Session to Discuss Labor Contracts for Police and Public Works Employees.

Intro – Councilor Garvin, Chairman Spurwink School Reuse Committee

Moved by Caitlin R. Jordan and Seconded by Penelope A. Jordan at 8:47 p.m.

ORDERED, the Cape Elizabeth Town Council enters into executive session pursuant to 1 M.R.S.A. §405 6 D to receive an update from the town manager relating to labor negotiations between the town and the Cape Elizabeth Police Benevolent Association and Teamsters Union Local #340 Representing the Cape Elizabeth Public Works Department.

(7 yes) (0 no)

The council exited Executive Session at 9:20 p.m., with no further action taken.

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Adjournment

Moved by Caitlin R. Jordan and Seconded by James M. Garvin
ORDERED, the Cape Elizabeth Town Council adjourns at 9:20 p.m.
(7 yes) (0 no)

Respectfully Submitted,

Matthew E. Sturgis, Town Manager