

# CAPE ELIZABETH TOWN COUNCIL AGENDA

Regular Meeting # 14-2006  
Monday, September 11, 2006  
7:30 p.m.

David J. Backer, Chairman	2 Rugosa Way	772-5845 ext 122	12/2006	PRESENT
Cynthia Dill	1227 Shore Road	767-7197	12/2008	PRESENT
Carolyn M. Fritz	1 Stirrup Road	767-3737	12/2006	PRESENT
Mary Ann Lynch	2 Olde Colony Lane	232-1048	12/2007	PRESENT
Paul J. McKenney	5 Katahdin Road	899-0045	12/2007	PRESENT
Michael D. Mowles, Jr.	423 Ocean House Road	741-2552	12/2006	PRESENT
Anne E. Swift-Kayatta	14 Stone Bridge Road	767-5754	12/2008	PRESENT
Manager Michael McGovern				PRESENT
Town Clerk April D. Cohen-Tracy				PRESENT

## Roll Call by the Town Clerk

## Pledge of Allegiance to the Flag

## Minutes of Meetings # 13-2006 held August 14, 2006

**MOTION:** A. Swift-Kayatta

**SECOND:** P. McKenney

**VOTE:** 7-0

Ordered that Cape Elizabeth Town Council approves the Minutes for Meeting #13-2006 held August 14, 2006 as written.

## Reports and Correspondence

C. Dill: Road Safety Committee update. Next meeting Wednesday September 13, 2006

A. Swift-Kayatta: Comprehensive Plan Update. Updates are available online

D. Backer: Candidates who are running for School Board and Town Council in November have chosen not to use political signs as a means of campaigning.

## Town Manager's Report

Welcome to April D. Cohen-Tracy, new Town Clerk. Thank you to Debra Lane and Jackie Coy, who was the acting Town Clerk, for helping out over the last month and a half. The Town is in need of a Cable Television Camera operator. Send applications to Town Manager. All sewer projects are going well. Elmer Murray, Town crossing guard has retired, so a crossing guard will be needed soon.

## Citizens Discussion of Items Not on the Agenda

**Fred Prince 2 Rocky Hill Road:** Proposed new ways to generate money for the town. For example windmills could be used at the Town's recycling center and a memorial could be built at Fort Williams and people could pay \$10,000.00 to have their names engraved on it.

**Jack Sears 24 Waterhouse Road:** Spoke opposing the fees at Fort Williams Park.

## Item # 141-2006 Request for stop signs at intersection of Spurwink Avenue and Stephenson Street

**MOTION:** C. Dill

**SECOND:** M. Mowles, Jr.

**VOTE:** 6 – 1 (C. Fritz)

Intro by Manager McGovern

Ordered the Cape Elizabeth Town Council install stop signs at the intersection of Spurwink Ave and Stephenson Street prior to construction of Spurwink Woods.

**Richard Bryant 55 Spurwink Ave:** Before council installs signs, they should check to see exactly when the subdivision is going to begin building.

**Item # 142-2006      Report Update from the Turf Field Study Committee**

**MOTION:** P. McKenney

**SECOND:** M. Mowels, Jr

**VOTE:** 7 – 0

Intro by Manager McGovern.

**Michael Ott 15 Rock Crest Drive:** Gave update on fundraising. Group has roughly \$440,000.00 pledged in hopes to start building the field in the spring.

Ordered the Cape Elizabeth Town Council put \$50,000.00 from surplus account into an interest account for 15 years for future replacement of field.

**Item # 143-2006      Proposed Amendments to Traffic Regulations**

It is proposed to schedule for public hearing on Thursday, October 12, 2006 proposed changes to the Traffic Ordinance. The proposed changes would amend the penalty provisions, change the provisions relating to traffic flow on the high school access road as the one way lanes have been eliminated and make other minor changes. The draft is revised from that on the agenda last month and is being reviewed by the Ordinance Committee.

**MOTION:** C. Fritz

**SECOND:** M. Lynch

**VOTE:** 7-0

Ordered the Cape Elizabeth Town Council table this item until the next Town Council meeting to be held on October 12, 2006.

**Item # 144-2006      Request from town manager to set aside \$68,520 in the debt stabilization fund for a one year increase in the FY 2008 budget in needed debt service payments.**

**MOTION:** M. Mowles

**SECOND:** P. McKenney

**VOTE:** 7 - 0

Intro by Manager McGovern.

Ordered the Cape Elizabeth Town Council allow Town Manager to set aside \$68,520.00 in the debt stabilization fund for one year.

**Item # 145-2006      Ballot Question and warrant for Pay/Display question**

**MOTION:** M. Lynch

**SECOND:** C. Dill

**COMMENTS:**

**Proposed ballot question:** “Would you favor the Town establishing a “pay/display” parking program at Fort Williams Park to support park maintenance and improvements?”

**Emily Materson 2 Charles Road:** Mrs. Materson feels that if the referendum is not binding then why have it? Money is already set aside for maintenance on the park so where is this money going?

**Betty Crane 9 Starboard Drive:** Mrs. Crane feels that the word fee should be inserted into the ballot question.

**Henry Barry 110 Two Lights Road:** Made a presentation on why the referendum is not binding.

**Fred Prince: 2 Rocky Hill Road:** Town Council should not have decided to have this issue be a referendum question.

**Laurie Jenson 9 Cragmore:** Wanted to know if a fee was set, would there be flexibility in the future to change it.

Motion made by C. Fritz to replace the word program with fee.

Second by M. Mowles, Jr.

VOTE: 7 – 0

Motion made by A. Swift-Kayatta to add words “non-residents” and “help” to question.

Second by C. Dill

VOTE: 4 – 3 (C. Fritz, M. Mowles, D. Backer)

Ordered that the Cape Elizabeth Town Council send the new question, “Would you favor the Town establishing a “pay/display” parking fee for non-residents at Fort Williams Park to help support park maintenance and improvements?” to referendum on the November 7, 2006 ballot.

VOTE: 4 – 3 (C. Fritz, M. Mowles, D. Backer)

#### **Item # 146-2006 Executive Session Request**

Recommended motion: Ordered the Cape Elizabeth Town Council in accordance with 1 MRSA Sec. § 405 Paragraph 6D, enter into executive session to receive an update and to discuss negotiations involving the Cape Elizabeth Police Benevolent Association.

**MOTION:** C. Fritz

**SECOND:** P. McKenney

**VOTE:** 7 - 0

Ordered the Cape Elizabeth Town Council go into executive session at 9:38PM to receive an update and to discuss negotiations involving the Cape Elizabeth Police Benevolent Association.

#### **Citizen’s Discussion of Items Not on the Agenda**

**MOTION:** M. Lynch

**SECOND:** P. McKenney

**VOTE:** 7 - 0

Ordered the Cape Elizabeth Town Council exits executive session and returns to public session ‘at 10:08PM.

Meeting adjourned at 10:09 PM.

#### **Upcoming Meetings:**

**Town Council Workshop: Thursday, September 14, 2006,** Meet at Day One Building at Fort Williams Park at 6:30 p.m. and proceed to Spurwink Church to meet with Spurwink Church Study Committee.

**Town Council Workshop: Wednesday, October 11, 2006,** 7:30 p.m. Annual review of audit and other business to be determined.

**Town Council Meeting: Thursday, October 12, 2006 at 7:30 p.m.**

**Town Council Workshop: Thursday, November 9, 2006 at 7:30 p.m.**

**Town Council Meeting: Monday, November 13, 2006 at 7:30 p.m.**