



## **Cape Elizabeth Town Council Minutes**

**Monday, February 9, 2015**

**7:00 p.m.**

**Cape Elizabeth Town Hall**

**Katharine N. Ray, Chairman**  
**Patricia K. Grennon**  
**Caitlin R. Jordan**  
**Molly MacAuslan**  
**Jessica L. Sullivan**  
**Jamie Wagner**  
**James T. Walsh**

**The meeting was convened by Town Council Chairman Katharine N. Ray.**

### **Roll Call by the Town Clerk**

All members were present.

### **Town Council Reports and Correspondence**

Councilor Jordan reported the firing range committee is in talks with hiring an independent safety evaluator and the committee is awaiting the application from the Spurwink Rod & Gun Club.

Councilor MacAuslan reported on the status of the library project.

Councilor Sullivan thanked the members of the public works department for their hard work.

### **Finance Committee Report**

Councilor Walsh provided an overview of the updated dashboard financial summary.

### **Citizen Opportunity for Discussion of Items Not on the Agenda**

None

### **Town Manager's Monthly Report**

Mr. McGovern acknowledged and thanked all members of the various departments and contracted services involved in snow removal and safety including public works, police, fire and L.P. Murray & Sons.

Police Chief Neil Williams was recently named Police Chief of the Year by the Maine Association of Police. Congratulations Chief Williams!

### **Review of Draft Minutes of January 12, 2015 meeting.**

Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meeting held on January 12, 2015 as presented.

(7 yes) (0 no)

### **Item # 33-2015      Request to Extend Deadline of Planning Board Review of Special Events Ordinance**

Intro – Councilor Wagner, Liaison to Planning Board

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Moved by James R. Wagner and Seconded by James T. Walsh

ORDERED, the Cape Elizabeth Town Council approves the request of the Planning Board to waive the March 31, 2015 deadline for their review of the draft special event ordinance.

(7 yes) (0 no)

**Item # 34-2015      Winnick Woods New Trail Request**

Intro – Mitch Waxman, Chairman Conservation Commission

Present – Maureen O'Meara, Town Planner

Moved by Jessica L. Sullivan and Seconded by James T. Walsh

ORDERED, the Cape Elizabeth Town Council approves the request of the Conservation Commission to install a new trail at the Winnick Woods Conservation area and authorizes the submission of local and state permits as presented.

(7 yes) (0 no)

**Item # 35-2015      Paper Streets**

Present – Maureen O'Meara, Town Planner

Moved by James T. Walsh and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council acknowledges receipt of the report on the status of paper streets and refers the topic to a future council workshop which will include a meeting with Durwood Parkinson, Esq. who has been advising the council regarding paper streets.

(7 yes) (0 no)

**Item # 36-2015      Political Signs on Traffic Islands**

Intro – Councilor Wagner, Chairman Ordinance Committee

Moved by James R. Wagner and Seconded by Jessica L. Sullivan

ORDERED, the Cape Elizabeth Town Council sets to public hearing on Monday, March 9, 2015 at 7:00 p.m. at the Cape Elizabeth Town Hall a proposal from the Ordinance Committee to amend Chapter 21 Sign Ordinance to remove the prohibition on political sign placement in the public right-of-way, and agreed to retain the six-week time restriction.

(7 yes) (0 no)

**Sign Ordinance**

**Chapter 21**

**Article II Permitted Signs.**

**Sec. 21-2-1 Signs Allowed in All Zones Without a Permit.** The following signs shall be allowed in all Zoning Districts without a permit:

(c) Political signs announcing candidates seeking public office, political parties, and/or political and public issues contained on a ballot may, within the public right-of-way, be erected no earlier than six weeks before an election and must be removed within one week after the election. ~~No political signs shall be placed on the pavement of a public roadway or bikeway, on traffic islands, nor on Town~~

~~owned property except signs authorized by the Town Clerk of Cape Elizabeth to indicate the date, time and place of polling.~~ Political signs as contemplated in this sub-section shall be limited to eight (8) square feet per exposed face, or 16 square

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feet in total area, per sign, with the maximum horizontal measurement being four (4) feet. The maximum sign height shall not exceed three and one-half (3 1/2) feet. Signs authorized by the Town Clerk of Cape Elizabeth indicating the date, time and place of polling are allowed. [Amended Eff. 10/12/2005]

**Item # 37-2015      Speed Limits in Town Center Area and on Shore Road at the South Portland Line**

Intro – Councilor Grennon  
Presentation of Recommendations - Chief Neil Williams

Moved by Patricia K. Grennon and Seconded by Jessica L. Sullivan

ORDERED, the Cape Elizabeth Town Council approves petitioning the Maine Department of Transportation to review the speed limit and pedestrian movement in the town center from Hill Way to the intersection of Fowler Road.

(7 yes) (0 no)

Moved by Patricia K. Grennon and Seconded by Caitlin R. Jordan

ORDERED, the Cape Elizabeth Town Council authorizes a dialogue with the City of South Portland regarding pedestrian safety on Shore Road/Cottage Road at Cape Elizabeth/South Portland line in the business area. A relocation of a crosswalk may be better located on the South Portland side of the business district.

(7 yes) (0 no)

**Item # 38-2015      Renewal of Agreement for the William H. Jordan Farm, LLC to Continue to Operate the Composting Program at the Recycling Center**

Councilor Jordan is a distance relative and personal friend with the Jordan family.

Moved by Jessica L. Sullivan and Seconded by James R. Wagner

ORDERED, the Cape Elizabeth Town Council approves the successor agreement with the William H. Jordan Farm to continue operating the composting program at the recycling center until February 21, 2020 as presented.

(7 yes) (0 no)

See Attachment.

**Item # 39-2015      Fort Williams Park Use Requests for 2015**

Moved by Martha MacAuslan and Seconded by James T. Walsh

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the Fort Williams Advisory Commission to approve the following requests for the use of Fort Williams Park as represented.

(7 yes) (0 no)

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		<b>Fees</b>
Cape Elizabeth Little League	March 25 to Mid July Fields per November 14th Letter	
Cape Elizabeth High School	June 3-7, 2015 Graduation Practice and Commencement	
Family Fun Day	June 13 and Raindate	
Taste of the Nation -Maine	June 28, 2015 Event Per January 12th Letter	\$2,850
TD Beach to Beacon 10K	July 28-August 2 Event Per November 24th Letter	\$25,000
Engine Company One	September 6, 2015 Art Show Per December 20th Letter	
Lucy Fund 5K	October 17, 2015 Race per December 16th Letter	\$400
American Cancer Society	October 18, 2015 5K Walk per December 15th Letter	\$600

Note: The council previously approved a Portland Symphony Orchestra Concert sponsored by the 250<sup>th</sup> Anniversary Committee and the Fort Williams Foundation on August 29, 2015.

**Citizen Opportunity for Discussion of Items Not on the Agenda**

None

The council workshop originally scheduled to discuss the recent findings of the study undertaken to take actions to eliminate the combined sewer overflow at Ottawa Road is postponed. The consultant is ill.

**Item # 40-2015      Town Manager's Annual Evaluation**

Moved by Jessica L. Sullivan and Seconded by James T. Walsh

ORDERED, the Cape Elizabeth Town Council in conformance with 1 MRSA §405 6 A. hereby enters into executive session at 8:06 p.m. to continue the annual evaluation process for the town manager.

(7 yes) (0 no)

Moved by Caitlin R. Jordan and Seconded by Jessica L. Sullivan

ORDERED, the Cape Elizabeth Town Council exits executive session and reenters public session at 8:55 p.m.

(7 yes) (0 no)

**Adjournment**

Moved by Caitlin R. Jordan and Seconded by Jessica L. Sullivan

ORDERED, the Cape Elizabeth Town Council adjourns at 8:55 p.m.

(7 yes) (0 no)

Respectfully Submitted,

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Debra M. Lane, Town Clerk