



## **Cape Elizabeth Town Council Minutes**

**Wednesday, February 15, 2017**

**7:00 p.m.**

**Cape Elizabeth Town Hall**

James M. "Jamie" Garvin, Chairman  
Patricia K. Grennon  
Caitlin R. Jordan  
Penelope A. Jordan  
Sara W. Lennon  
Katharine N. Ray  
Jessica L. Sullivan

**The meeting was convened at 7:00 p.m. by Town Councilor Chairman James M. "Jamie" Garvin. The meeting was rescheduled from February 13 due to inclement weather.**

### **Pledge of Allegiance to the Flag**

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

6 members of the town council were present.

Absent – Councilor Caitlin Jordan

Debra M. Lane, Town Clerk

Matthew E. Sturgis, Town Manager

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

Councilor Grennon, Chairman Ordinance Committee announced the next meeting of the ordinance committee will be held on February 16, 8-9:30 a.m. in the lower level conference room at town hall. Members of the ordinance committee will be attending a session sponsored by MMA on February 28 regarding the new marijuana law.

Councilor Penelope Jordan noted the next meeting of the comprehensive plan committee on March 8, 7:00 p.m. Jordan conference room at town hall. An RFP is being developed for a consultant to assist the committee with engaging public participation.

### **Finance Committee Report**

Councilor Sullivan, Chairman Finance Committee met with School Board Finance Chairman Joanna Morrissey on January 25 to review the budget process. The first workshop of the town finance committee is March 21.

The dashboard ending January 31, 2017 was reviewed. Mr. Sturgis explained the overlay; what it is, how it is used and the net result at fiscal year end.

Ms. Sullivan attended, with Mr. Sturgis, the recent meeting of the Metro Coalition. Cape Elizabeth will be participating in a benchmarking study with other communities. The report will provide various data (revenues and expenditures) in which the town will be able to compare themselves to other towns.

Residents are encouraged to review the report by Tree Warden Mike Duddy regarding winter months. The article is available on the town's website.

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Chairman Garvin welcomed Town Manager Matthew Sturgis and thanked Debra Lane for her assistance as interim. Thank you to public works, public safety and facilities personnel for keeping the community safe during the recent storms and preparing the streets and grounds so the schools could open.

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

None

**Town Manager's Monthly Report**

Mr. Sturgis recognized and thanked Public Works Director Bob Malley and the public works staff for their hard work during the latest storms; 5 events within 8 days.

Mr. Sturgis reviewed his first two weeks as town manager including meetings with department heads and regional meetings representing the town. A copy of the report is attached.

**Review of Draft Minutes of January 9, 2017 and Special Meeting of January 18, 2017**

Moved by Patricia K. Grennon and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meetings held on January 9, 2017 and January 18, 2017 as written.

(6 yes) (0 no)

**Item #47-2017      Draft 2017 Goals**

Moved by Penelope A. Jordan and Seconded by Patricia K. Grennon

ORDERED, the Cape Elizabeth Town Council approves the 2017 goals as presented.

(6 yes) (0 no)

**See attachment.**

**Item #48-2017      Accessory Structures Recommendation Planning Board**

Intro – Councilor Grennon, Chairman Ordinance Committee

Present – Josef Chalot, Planning Board

Moved by Patricia K. Grennon and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council refers the planning board's recommendation to the ordinance committee regarding accessory structures.

(6 yes) (0 no)

**Item #49-2017      Shooting Range Ordinance Referral**

Intro – Councilor Grennon, Chairman Ordinance Committee

Public Comment

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Mark Mayone, Spurwink Road & Gun Club

Mr. Mayone and President Walter reviewed the ordinance and submitted recommended technical revisions with the intent to clarify the ordinance, make it easy to read and interpret, particularly for the future when the current members, staff and council are no longer involved.

Moved by Patricia K. Grennon and Seconded by Sara W. Lennon

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the ordinance committee to refer the Shooting Range Ordinance to them for review of technical revisions.  
(6 yes) (0 no)

**Item #50-2017          Tower Overlay District Request for Rezoning at 19 Wells Road**

Due to weather conditions the applicant was unable to attend the meeting and has requested the item be placed on the March 13 agenda.

**Item #51-2017          Fort Williams Park Group Use Requests for 2017**

Moved by Sara W. Lennon and Seconded by Patricia K. Grennon

ORDERED, the Cape Elizabeth Town Council approves the recommendations of the Fort Williams Park Committee to approve the following uses at Fort Williams Park in 2017 as presented.  
(6 yes) (0 no)

3/2017 – 7/2017

Cape Elizabeth Little League

Field usage for baseball, softball and t-ball.

6/7-6/9/2017 and 6/11/2017

Cape Elizabeth High School's Class of 2017 Commencement Exercises

6/17/2017 (Rain Date 6/18/2017)

Family Fun Day

10/15/2017

Making Strides Against Breast Cancer 5K Walk

Area Fee: \$700.00

**Item #52-2017          Alternative Energy Committee 2016 Report**

Intro – Councilor Grennon, Liaison to the committee

Presentation – Julia Bassett Schwerin, Chairman Alternative Energy Committee 2016

Moved by Patricia K. Grennon and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council acknowledges receipt of the report from the Alternative Energy Committee 2016 with thanks and refers the report to the council workshop on February 28.  
(6 yes) (0 no)

**Item #53-2017            Marijuana Moratorium Ordinance**

Intro – Councilor Grennon, Chairman Ordinance Committee

Moved by Patricia K. Grennon and Seconded by Sara W. Lennon

ORDERED, the Cape Elizabeth Town Council approves the proposed **Town of Cape Elizabeth Ordinance Enacting A Moratorium On Retail Marijuana Businesses** pursuant to 30-A M.R.S. §4356 providing for a period of 180 days effective March 12, 2017. The Ordinance shall expire at the end of the 180<sup>th</sup> day after its effective date, unless earlier extended, repealed or modified by the Town.

(6 yes) (0 no)

**Item #54-2017            Quitclaim Deed – 10 Great Pond Drive**

Intro – Mr. Sturgis

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

ORDERED, the Cape Elizabeth Town Council authorizes the town manager to sign a municipal quitclaim deed and real estate transfer tax declaration for the property at 10 Great Pond Drive as presented.

(6 yes) (0 no)

**Citizens may at this point in the meeting raise any topic that is not on the agenda that pertains to Cape Elizabeth local government.**

None

Following the regular meeting the council will meet in workshop session.

**Adjournment**

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

ORDERED, the Cape Elizabeth Town Council adjourns at 8:02 p.m.

(6 yes) (0 no)

Respectfully Submitted,

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Debra M. Lane, Town Clerk

## Town Manager's Report

To begin my report I would like to take the opportunity to thank Bob Malley and the Public Works Department and its on call plow operators for their efforts in battling five weather events in the last eight days. Their stamina, determination, and amazing results. They are out there again this evening with what should be the last event for a while. Keep up the great work.

I have had a busy first two weeks in my position as Town Manager. I have met with all department heads to individually discuss their plans, current challenges, and status of their departments. The meetings have been educational.

I attended a GPCOG regional forum with Councilor Sullivan in South Portland at their City Hall. The forum focused on identifying regional issues that are challenging the surrounding Cities and Towns. Some of the issues identified are stable tax rates, aging in place successfully, and other issues.

I also attended the Metro Regional Coalition meeting yesterday with Councilor Sullivan. The primary focus of the meeting was an informational presentation by Lieutenant John Kilbride of the Falmouth Police Department. He updated the group on the origins, current impacts of, and current approaches to battling the opioid epidemic. The impact locally on many of the surrounding communities is shocking. After returning from the meeting, I spoke with Chief Gleeson and inquired of the impact here in Cape Elizabeth. The Chief told me that Narcan was used twice in Cape Elizabeth over the past year, which is much less than surrounding communities. There will be a strong attempt at a regional response to this issue.

I have an upcoming meeting on Friday morning with the Cape Elizabeth Land Trust to discuss our common motivations. I will also be meeting with the Town engineer, Public Works Director, and Planner to review upcoming municipal projects.

Speaking of projects, the recycling center pre-bid meeting received a high level of interest, with 13 different organizations expressing preliminary interest in the project. The bid opening for the project is March 9, at 2 pm. The anticipated groundbreaking is April 10.

Finally, I received a financial benchmarking data request from Jim Gailey, Assistant County Manager, and I will be responding with Cape Elizabeth data. This is related to valuation, expenses, revenues, and other financial elements of our operations here. Once the data is complete, I will be receiving a copy of the completed study.

Respectfully submitted,

Matthew Sturgis  
Town Manager

## **Cape Elizabeth Town Council 2017 Goals**

### **1. Effective Leadership**

*We will provide leadership for the community by enhancing good governance such as transparency, accountability, integrity and maintaining strong management structures.*

#### **Potential Implementation Opportunities**

- Appoint a new town manager and ensure a successful orientation and transition, including approval of a development plan.
- Work with the town manager in the development and implementation of services that address community needs.
- Encourage the manager to review succession planning in all departments.
- Ensure that any new goal or program is reviewed with business model principles.
- Continue to examine opportunities to share services and resources with other communities.
- Review all municipal fees and revenues sources, including potential sources to leverage grants.
- Analyze the impact of the recent state vote to permit retail sales of non-medical marijuana.
- Adhere to the code of ethics for the town council.

### **2. Sustainable Community**

*We are committed to a sustainable future and the implementation of policies and projects that improve the social, economic and environmental wellbeing of the community.*

#### **Potential Implementation Opportunities**

- Commence the work of the Comprehensive Planning Committee with adequate staffing and financial resources for the work of the committee.
- Take action on the report of the Alternative Energy Committee exploring solar options and less dependence on fossil fuels.
- Research state and local programs to assist local homeowners considering renewable forms of energy.
- Review funding mechanisms for land preservation and stewardship of the town's open spaces.

### **3. Engaged Citizens**

*We will improve and expand communications with citizens and other stakeholders.*

#### **Potential Implementation Opportunities**

- Continue and expand public forums on specific issues and topics of interest to members of the community (e.g. winter moth infestation forum, hunter/landowner information session, etc.)
- Explore new ways to solicit public input, including but not limited to citizen surveys.

- Develop new communications tools and better leverage existing ones to disseminate information to the public (e.g. email newsletter from town hall, social media, etc.)
- Consider standardized response protocol for citizen inquiries/communications.

#### **4. Effective Boards and Committees**

*We will work with advisory boards and committees to ensure strong focus and alignment of priorities.*

##### **Potential Implementation Opportunities**

- Conduct an annual orientation and information session for all boards and committees.
- Request that each board and committee present annual goals and work plans by March 31.
- Recognize the service of the town's volunteers.
- Convene a meeting with the Thomas Memorial Library Committee and the Thomas Memorial Library Foundation to review cooperative initiatives and to clarify roles and expectations.
- Convene a meeting with the Fort Williams Park Committee and the Fort Williams Charitable Foundation to review cooperative initiatives and clarify roles and expectations.

#### **5. Improved Infrastructure, Facilities and Services**

*We will continue to improve and enhance municipal infrastructure, facilities and delivery of services.*

##### **Potential Implementation Opportunities**

- Work with the Fort Williams Park Committee in reviewing the mission, vision and financial sustainability of Fort Williams Park.
- Act on a report from the Spurwink School Reuse Committee.
- Review with community services actions taken since receipt of the report on senior citizens.
- Enhance the role of the senior advocate.
- Ensure access for commercial and recreational watercraft in the Kettle Cove/Crescent Beach area.