



Cape Elizabeth Town Council Agenda

Monday, August 13, 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

Public Participation at Town Council Meetings

After an item has been introduced, any person wishing to address the council shall signify a desire to speak by raising their hand or by approaching the lectern. When recognized by the chairman, the speaker shall give his or her name and address or name and local affiliation, if the affiliation is relevant, prior to making other comments. All remarks should be addressed to the Town Council. Comments shall be limited to three minutes per person; however, the time may be extended by majority vote of councilors present. For agenda items that are not formally advertised public hearings, the time for public comments is limited to 15 minutes per agenda item. This time may be extended by a majority of the Town Council. The chairman may decline to recognize any person who has already spoken on the same agenda item and may call on speakers in a manner so as to balance debate. Once the Council has begun its deliberations on an item, no person shall be permitted to address the Council on such item.

Speaking at the meeting on topics not on the agenda at regular Council meetings

Persons wishing to address the Council on an issue or concern local in nature not appearing on the agenda may do so at a regular Town Council meeting before the town manager's report and/or after the disposition of all items appearing on the agenda. Any person wishing to address the Council shall signify a desire to speak by raising their hand or by approaching the lectern. When recognized by the chairman, the speaker shall give his or her name and address or name and local affiliation if the local affiliation is pertinent. Comments in each comment period shall be limited to three minutes per person and 15 minutes total; however, the time may be extended by majority vote of councilors present.

Decorum

Persons present at Council meetings shall not applaud or otherwise express approval or disapproval of any statements made or actions taken at such meeting. Persons at Council meetings may only address the Town Council after being recognized by the chairman.

Convening by Town Council Chairman Jessica L. Sullivan

The Pledge of Allegiance to the Flag

Roll Call by the Town Clerk

Town Council Reports and Correspondence

Finance Committee Report

[Dashboard](#) and Financial Reports as of 7/31/2018

[Appropriation Control](#)

[Expense Distribution](#)

[Revenue Control](#)

[Revenue Distribution](#)

Citizen Opportunity for Discussion of Items Not on the Agenda

Town Manager's Monthly Report

Review of Draft Minutes of [July 9, 2018](#) and Special Meeting held [July 30, 2018](#)

Public Hearing 14 Strout Road Tower Overlay District Map Amendment

Comments shall be limited to three minutes per person; however, the time may be extended by majority vote of councilors present.

Item #114-2018 14 Strout Road Tower Overlay District Map Amendment

[Link](#) to Planning Board Recommendation

On March 12, 2018 the town council referred the request of Tower Specialists, Inc. to the planning board for review and recommendation for a zone change for the existing Tower Overlay District encompassing the entire parcel at 14 Strout Road, Map R05 Lot 024 and a small portion of 341 Spurwink Avenue Map R05 Lot 029.

At the June 25, 2018 meeting the planning board made the following recommendation: The Planning Board recommends the 14 Strout Rd Tower Overlay District Zoning Amendment Phase 1 and Phase 2, with the stipulation that the Phase 2 zoning boundary will take effect after the Crowne Castle tower has been removed and not replaced and the property owner provides to the Town of Cape Elizabeth written notification confirming that the tower has been removed and not replaced no later than April 1, 2020.

On July 9, 2018 the town council set the planning board's recommendation to public hearing for this evening.

Item #115-2018 [Rotary](#) for Use – Fort Williams Park – Rotary Club of South Portland-Cape Elizabeth

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

The Fort Williams Park Committee is recommending the request from the Rotary Club of South Portland-Cape Elizabeth to utilize the Picnic Shelter at Fort Williams Park and adjacent field area on Friday, June 21, 2019 and Saturday June 22, 2019. The initial request was reviewed by the Committee on June 21, 2018 followed by a final review and approval (6 – 0) on August 7, 2018.

Item #116-2018 [Report](#) – Fort Williams Park Committee Report Relating to Pay and Display Parking at Fort Williams Park

[Link](#) to Map

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

The concept of pay/display parking at Fort Williams Park has been recently discussed at several meetings and workshops; 2/5/2018, 4/9/2018 and 5/1/2018. On June 11, 2018 the town council tasked the Fort Williams Park Committee to craft a proposal for pay/display parking at Fort Williams Park.

The town council will review the report of the Fort Williams Park Subcommittee following the committee's meeting on 8/7/2018 relating to the feasibility of pay and display parking at Fort Williams Park.

Item #117-2018 Review of Proposed Settlement Agreement Relating to Paper Street Sections of Surfside Avenue

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

The town council will review a proposed settlement agreement between the Town of Cape Elizabeth and Imad Khalidi, David Leopold, Kara Leopold, Andrew Sommer, Susan Ross, Stewart Wooden, Julie Wooden and Pilot Point, LLC regarding paper street sections of Surfside Avenue.

The town council will consider sending the proposed settlement agreement to a public hearing to begin the deemed vacation process of a paper street section of Surfside Avenue.

Item #118-2018 Request of the Cape Elizabeth School Board to Set to Referendum an Interlocal Agreement for the Greater Sebago Education Alliance Regional Service Center

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

The Cape Elizabeth School Board is requesting the town council set to referendum on Tuesday, November 6, 2018 the following referendum question.

Referendum Question:

Do you favor a plan for the Cape Elizabeth School Department to join the Greater Sebago Education Alliance Regional Service Center through an interlocal agreement that will allow the School Department to receive additional revenue through the state funding formula and to more efficiently procure goods and services?

Item #119-2018 Request to Amend the Sewer Service Area – 33 Wells Road

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

Sue and Greg Sarka, 33 Wells Road are requesting to have the sewer service area expanded to include their residence at 33 Wells Road so the property may connect to the municipal sewer. Mr. & Mrs. Sarka are planning a 3-bedroom addition and discovered the current septic system will not support the planned addition. The options are to expand and update the current septic system, add a second system or connect to the municipal sewer system.

It is recommended the town council refer the request to the planning board for review and recommendation as required in Section 15-1-4 (i).

Item #120-2018 Consideration of Agreement with LEICA Geosystems, Inc. to Host an Antenna on the Town Center Fire Station

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

LEICA Geosystems, Inc. is requesting the town to host the Smartnet GNSS Reference Network antenna to be located on the Town Center Fire Station at 2 Jordan Way.

Annual fee paid to the town - \$1500.00.

Item #121-2018 Establishment of an [Energy Committee](#)

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

On July 9, 2018 the town council voted to send consideration of a standing renewable energy committee back to the ordinance committee for further review.

The ordinance committee voted unanimously at the July 30, 2018 meeting to recommend the establishment of an energy committee.

It is in order for a public hearing to be scheduled.

Item #122-2018 MMA Voting [Ballot](#)

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. The MMA Nominating Committee completed the task of interviewing and qualifying officials interested in serving in these capacities and put forth a slate of officers for 2019.

It is recommended the town council approve the MMA Voting Ballot for 2019 as proposed.

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

Adjournment