



Cape Elizabeth Town Council Minutes

DRAFT Wednesday, October 10, 2018

6:00 p.m. Cape Elizabeth Town Hall

Jordan Conference Room/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 at 6:00 p.m. by Town Council Chairman Jessica L. Sullivan.

Item #132-2018

Moved by James M. Garvin and Seconded by Valerie A. Randall

ORDERED, the Cape Elizabeth Town Council enters into executive session at 6:00 p.m. in conformance with 1 M.R.S.A §405 6 E to discuss with Attorney Durward Parkinson current litigation, legal rights and duties of the town council related to paper streets.

(5 yes) (0 no)

Councilor Lennon arrived 6:02 p.m.

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

ORDERED, the Cape Elizabeth Town Council exits executive session and reenters public session at 7:05 p.m.

(6 yes) (0 no)

The Pledge of Allegiance to the Flag

Roll Call by the Town Clerk

All members of the town council were present except Councilor Caitlin Jordan.

Debra M. Lane, Town Clerk

Matthew E. Sturgis, Town Manager

Town Council Reports and Correspondence

Councilor Penelope Jordan noted the comprehensive plan committee's public forum to be held on Tuesday, October 30 at 7:00 p.m. in the council chamber at town hall. The draft report is available for review on the town's website.

Councilor Straw provided an overview of the recent Maine Municipal Association's Legislative Policy Committee's meeting.

Chairman Sullivan attended the recent meeting of the Cumberland County Finance Committee. The proposed county budget increase is 4.98%.

Debra Lane announced the start of absentee balloting for the November 6 election. The deadline to vote or request an absentee ballot is Thursday, November 1.

**Page 2 Town Council Minutes
October 10, 2018**

Reminder - November Town Council Meeting Dates

Regular Meeting – Wednesday, November 14, 7:00 p.m. Town Hall - Council Chamber
2019 Council Caucus – Tuesday, November 13, 7:00 p.m. Town Hall – Lower Level Conference Room

Finance Committee Report

Finance Chairman Garvin reviewed the financial dashboard. The dashboard will be posted online following the meeting.

Citizen Opportunity for Discussion of Items Not on the Agenda

Jerry Kneller, 18 Ivie Road asked about the status of a finance director and if a committee will be created to review alternate sources of revenue.

Town Manager's Monthly Report

Cape Elizabeth Community Services has some exciting fall offerings, and these offerings can be seen at the Cape Explorer online at capecommunityservices.org. Community Services has a renewed promotion of senior programming available in their quarterly newsletter named Prime Time. It is available to be viewed online, is sent to all who are in the Community Services Database, and we will mail it to people who prefer a postal delivery.

The Comprehensive Plan is progressing toward completion. The Comprehensive Plan draft is available online for review. It can be found under Hot Topics at capeelizabeth.com. There is one last public forum scheduled for October 30, 2018 at 7 p.m. at Town Hall.

Cape Elizabeth TV has installed new video equipment upgrades planned as a capital project. The new equipment was installed last week, and we now have the ability to stream meetings online, attach agendas to the meeting being viewed, and in the near future will have the ability to add chapters to online viewers to access the segments of the meetings they want to watch immediately. The upgrades were replacing older equipment and will provide an improved video experience in watching Town meetings.

Review of Draft Minutes of September 10, 2018 and September 19, 2018 Special Meeting

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

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meeting held on September 10, 2018 as written.

(6 yes) (0 no)

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

ORDERED, the Cape Elizabeth Town Council approves the minutes of the special meeting held on September 19, 2018 as written.

(6 yes) (0 no)

**Page 3 Town Council Minutes
October 10, 2018**

Public Hearing General Assistance Appendices (A – D)

Chairman Sullivan opened the public hearing at 7:22 p.m.
After hearing no comments, the hearing was closed.

Item #133-2018 General Assistance Appendices

Introduction – Mr. Sturgis

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

ORDERED, the Cape Elizabeth Town Council approves the General Assistance Ordinance Appendices (A, B & D) as recommended by the Maine Municipal Association effective October 1, 2018 – September 30, 2019 as presented. Further review of Appendix C is requested, reporting back to the town council for action.

(6 yes) (0 no)

Item #134-2018 Proposed Commercial Van, Bus and Vehicle Traffic & Fees

Public Comment

Jerry Kneller, 18 Ivie Road asked if the town council believes the town is getting a fair share from out of state and commercial vehicles. The council should reject the proposal and refer to the Fort Williams Park Committee for further review – increasing revenue.

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

ORDERED, the Cape Elizabeth Town Council approves recommendations 1-4 as proposed by the Fort Williams Park Committee in the May 3, 2018 report and refers recommendations 5-7 to the November 13, 2018 town council workshop for further review.

(6 yes) (0 no)

See attachment.

Item #135-2018 Harbors Committee Report

Moved by Sara W. Lennon and Seconded by Christopher M. Straw

ORDERED, the Cape Elizabeth Town Council refers to the ordinance committee proposed amendments to Chapter 10 Coastal Waters and Harbor Ordinance for review and recommendation as recommended by the harbors committee.

(6 yes) (0 no)

Item #136-2018 Pay and Display Parking Regulations in Fort Williams Park

Public Comment

Jerry Kneller, 18 Ivie Road said the focus of parking fees should be out of state residents, not Maine. A reasonable rate is \$10 - \$15 per car.

Peter Rich, 19 Cottage Farms Road said neighbors don't want fees except for commercial vehicles. If a parking fee is imposed, the town will need to address parking in neighborhoods outside of the park.

**Page 4 Town Council Minutes
October 10, 2018**

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

ORDERED, the Cape Elizabeth Town Council refers to the ordinance committee Chapter 13 Traffic Regulations to address pay and display parking regulations at Fort Williams Park. If parking fees are approved ordinances will need to be in place.

(6 yes) (0 no)

Item #137-2018 Sewer Service Area Amendment – 33 Wells Road

Councilor Penelope Jordan disclosed Sue and Greg Sarka are neighbors.

Public Comment

Russ Doucette, contractor representing Mr. & Mrs. Sarka

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

ORDERED, the Cape Elizabeth Town Council sets to public hearing on Wednesday, November 14, 2018 at 7:00 p.m. at the Cape Elizabeth Town Hall the proposed amendment to the sewer service area to include 33 Wells Road as presented.

(6 yes) (0 no)

Item #138-2018 ecomaine Rates

Introduction – Mr. Sturgis

Moved by James M. Garvin and Seconded by Christopher M. Straw

ORDERED, the Cape Elizabeth Town Council directs the town manager and Councilor Garvin, serving as the town's representatives to ecomaine, to support the \$15 per ton single sort fee effective November 1, 2018.

(6 yes) (0 no)

Item #139-2018 Municipal Election Warrant

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

ORDERED, the Cape Elizabeth Town Council approves the municipal election warrant for Tuesday, November 6, 2018 as presented.

(6 yes) (0 no)

TOWN OF CAPE ELIZABETH

**MUNICIPAL ELECTION
WARRANT**

TUESDAY, NOVEMBER 6, 2018

County of Cumberland, ss.

To Neil R. Williams, a constable of Cape Elizabeth. You are hereby directed to notify the voters of Cape Elizabeth of the election described in the warrant.

**Page 5 Town Council Minutes
October 10, 2018**

Voting for three members of the Town Council to serve a three-year term until December 13, 2021.

Voting for three members of the School Board to serve a three-year term until December 13, 2021.

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?

Election to be held on Tuesday, November 6, 2018, at the Cape Elizabeth High School Gymnasium.

Polls open at 7:00 a.m. and Close at 8:00 p.m.

Absentee Ballot Processing:

Absentee ballots will be processed at 9:00 a.m. Saturday, November 3, 2018 and Monday, November 5, 2018 at Town Hall. If requested, inspection time is 9:00 - 10:00 a.m.

Absentee ballots will be processed on Election Day, on the hour every hour until close, beginning at 7:00 a.m. The Cape Elizabeth Town Democratic Committee, the Cape Elizabeth Town Republican Committee, State Green Independent Party and State Libertarian Party have also been notified, in writing, of the absentee ballot process.

The Registrar of Voters is available to accept new registrations and corrections to the voter list at Town Hall, 320 Ocean House Road. Town Hall is open Mondays 7:30 a.m. - 5:00 p.m. and Tuesday - Friday, 7:30 a.m. - 4:00 p.m. The Registrar is also available on Election Day at the polls 7:00 a.m. - 8:00 p.m. Proof of residency and identity is required.

Municipal Officers of Cape Elizabeth, Maine

Dated at Cape Elizabeth this 10th day of October 2018.

A true copy. Attest: _____ Constable

Attest: _____ Town Clerk

**Page 6 Town Council Minutes
October 10, 2018**

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

Adjournment

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

ORDERED, the Cape Elizabeth Town Council adjourns at 8:43 p.m.

(6 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk