



## **Cape Elizabeth Town Council Agenda**

**Monday, June 10, 2019**

**7:00 p.m. Council Chambers**

**Cape Elizabeth Town Hall**

**James M. "Jamie" Garvin, Chairman**  
**Valerie J. Deveraux**  
**Jeremy A. Gabrielson**  
**Caitlin R. Jordan**  
**Penelope A. Jordan**  
**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 of the Meeting by Town Council Chairman James M. "Jamie" Garvin**

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

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

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

### **Finance Committee Report**

**Dashboard and Financial Reports as of 5/31/2019**

### **[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 the Special Meeting held on [May 6, 2019](#) and the meeting held on [May 13, 2019](#).**

**Public Hearing          Chapter 13 Traffic Regulations – [Enforcement](#) of Parking Fees at Fort Williams Park**

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

**Item #104-2019          Chapter 13 Traffic Regulations – Enforcement of Parking Fees at Fort Williams Park**

At the March 18, 2019 workshop it was noted if the town enters into an agreement for a pay and display program at Fort Williams Park that provides for the enforcement of parking fees to be the responsibility of a vendor/agent, Sec. 13-2-6 and any applicable sections of the ordinance will need to be amended to allow an agent or designee of the town to enforce parking fees at the park.

On April 8, 2019 the town council referred to the ordinance committee Chapter 13 Traffic Regulations to review and report back to the town council provisions in the ordinance to allow an agent or designee of the town to enforce parking fees at Fort Williams Park.

The ordinance committee voted (3-0) on April 23, 2019 to recommend to the town council amendments to Chapter 13 and that parking tickets and late fees be added to the town fee schedule.

On May 13, 2019 the town council voted to set the proposed amendments from the ordinance committee for public hearing this evening.

It is anticipated the town council will vote on the recommendations.

**Public Hearing          [Draft](#) Comprehensive Plan**

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

**Item #105-2019          Draft Comprehensive Plan**

The town council acknowledged receipt of the draft 2019 Comprehensive Plan and approved the review schedule on February 11, 2019.

The town council held three workshops on the draft comprehensive plan; May 8, May 15 and May 22. An additional workshop has been scheduled for June 12.

On May 13, 2019 the town council set a public hearing for this evening.

It is recommended that an additional public hearing be held on July 8 to meet the notification requirements from the Growth Management Act, M.R.S. Title 30-A §4324.2 – 8.

It is anticipated the town council will vote on the draft plan at the July 8 meeting.

**Draft Motion:**

Moved by and Seconded by

ORDERED, the Cape Elizabeth Town Council tables the item and sets an additional public hearing on the draft comprehensive plan on Monday, July 8, 2019 at 7:00 p.m. at the Cape Elizabeth Town Hall.

**Item #106 - #114-2019**

In preparation for the fiscal year ending June 30, 2019, the finance director has prepared the following items for various grants and appropriations considered throughout the fiscal year.

The town council may consider these items en bloc.

**Draft Motion:**

ORDERED, the Cape Elizabeth Town Council considers Item #106 - #114-2019 en bloc.

**Opportunity for Public Comment Item #106 – Item #114 (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)**

**Item #106-2019      Appropriation of Sawyer Road Hydrology and Hydraulic Study Grant**

Ordered that Town's share of \$3,000 for the Sawyer Road Hydrology and Hydraulic Study grant from the State of Maine that was accepted in Item#25-2019, (12/10/2018) be appropriated from the undesignated fund balance.

**Item #107-2019      Acceptance of State of Maine Culvert and Habitat Impact Assessment Grant**

Ordered that the Town accept a grant of \$15,000 from the State of Maine for Culvert and Habitat Impact Assessment and that the Town's cash share of \$2,000 be appropriated from the undesignated fund balance and further that the Town provide at least \$3,500 of in-kind match.

**Item #108-2019      Appropriation of Fort Williams Park Central Lot Project**

Ordered that the capital improvement project entitled Fort Williams Park Central Lot Project be funded at \$600,000 by an interfund transfer of \$450,000 from the Portland Head Light Fund (Fund 40) and an interfund transfer of \$150,000 from the Fort Williams Park Fund (Fund 65).

(At June 30, 2018 the Fort Williams Park Fund (65) had an unassigned fund balance of \$406,001.95; and the Portland Head Light Fund (70) has an unassigned fund balance of \$990,541.79.)

**Item #109-2019      Carry Forward FY 2018 to FY 2019 Unexpended Fuel Assistance Donations**

Ordered that as of June 30, 2018 \$4,744.40 of unexpended fuel assistance donation funds (account 0725-4227) be carried forward into FY2019 for use until the funds are exhausted or replenished.

**Item #110-2019 Acceptance and Appropriation from the Maine Department of Transportation Grant for Sidewalks and Related Pedestrian Safety Improvements in the Town Center**

Ordered that the Town accept and appropriate a grant of \$75,000 of federal funding through the Maine Department of Transportation for the development of sidewalks and related pedestrian safety improvements in the down-town area with the local share of \$25,000 being appropriated from the Tax Increment Finance district tax revenues.

**Item #111-2019 Acceptance and Appropriation from the Maine Municipal Risk Management Service Grant for Police Armor Carriers**

Ordered that the Town accept and appropriate a grant of \$1,283.33 from Maine Municipal Risk Management Service for the purchase of police armor carriers (vests) with molle.

**Item #112-2019 Acceptance and Appropriation of Maine Bureau of Public Safety Grant “FY 2019 Click-It” Program**

Ordered that the Town accept and appropriate a grant of up to \$5,800 in federal funding from the Maine Bureau of Public Safety for the “FY2019 Click-It” program, with the local share of \$1,450 appropriated from the unassigned fund balance.

**Item #113-2019 Acceptance and Appropriation of Maine Bureau of Highway Safety (Dirigo Safety, LLC Subgrantee) “FY19 Underage Drinking” Program**

Ordered that the Town accept and appropriate a grant of up to \$500.00 from Dirigo Safety, LLC as sub-grantee for Maine Bureau of Highway Safety for the “FY19 Underage Drinking” program.

**Item #114-2019 Appropriation of Salary and Social Security Cost of the Finance Director**

Ordered that \$28,000 be appropriated from the unassigned fund balance for salary and social security costs of the Finance Director through June 30, 2019.

**Draft Motion:**

Moved by and Seconded by

ORDERED, the Cape Elizabeth Town Council accepts and approves various grants and appropriations as outlined in Item #106 - #114-2019 as presented.

**Item #115-2019      Thomas Memorial Library Committee [Goals](#) & Objectives 2019**

**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 goals for 2019 include asking boards and committees to submit their goals and work plans for the year.

**Draft Motion:**

Moved by and Seconded by

ORDERED, the Cape Elizabeth Town Council acknowledges receipt of the 2019 Thomas Memorial Library Committee Goals and Objectives.

**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**