



## **Cape Elizabeth Town Council Minutes**

**DRAFT Wednesday, November 13, 2019**

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

**Cape Elizabeth Town Hall**

James M. "Jamie" Garvin, Chairman  
Valerie A. Adams  
Valerie J. Deveraux  
Jeremy A. Gabrielson  
Caitlin R. Jordan  
Penelope A. Jordan  
Christopher M. Straw

**The meeting was convened by Town Council Chairman James M. "Jamie" Garvin at 7:03 p.m.**

Chairman Garvin welcomed Scout Troop#30. Chairman Garvin and Manager Sturgis spoke with the troop prior to the meeting relating to how local government works.

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

All members of the town council were present.

Matthew E. Sturgis, Town Manager

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

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

#### **Finance Committee Report**

Finance Chairman Straw reported on the meeting with the town council and school board's finance chairmen, chairmen of the board, superintendent and town manager. The school department is proactively seeking additional sources of revenue and grants; an update on submissions should be available in February 2020. The town is slowly retiring debt; continuing to set aside those payments for capital projects is a way to fund future projects.

The deadline for the 2020 Senior Tax Relief Program is Friday, November 15.

Chairman Garvin congratulated Councilors Caitlin Jordan and Penny Jordan on their reelection.

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

None

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

To begin the Manager's report, I would like to first thank all of our veteran's for their service to our country. Secondly, I would like to wish all a happy Thanksgiving. And third I would like to congratulate the Cape Elizabeth girls' soccer team on their second consecutive class B soccer title.

I would also like to congratulate Councilors Caitlin and Penny Jordan on their re-election, and thank Debra Lane and the entire elections staff for their efforts last week, well done!

To that end, the Town Offices will be closed the Friday after Thanksgiving, as well as Community Services and the Library. The Richards Pool and the Fitness facility will operate from 7 am to 11:30 on Thanksgiving Day, and 7 am to 7 pm on Friday, and the recycling center will run on normal hours.

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As this week's weather has shown, we are transitioning to winter operations at Public Works. With our maintenance projects for the warm months being put to bed for the season, we will now begin our planning and bid phases for next year.

The Police Department has been providing safety training with all three schools, which has been well received. This is a great training partnership with our school department.

Staff has also begun the de-briefing and follow up on the past season at Fort Williams. Some interesting numbers to know at the start is that we had 92,949 transactions at the parking meters, with 82,914 two-hour parking passes, and 6,533 three hour passes being the dominant transactions, as well as 1,420 season passes purchased. The gross revenue was \$410,066 and the net revenue is still in the calculation stage, and I will provide a more detailed report next month.

Respectfully submitted,

Matthew E Sturgis  
Town Manager

Councilor Caitlin Jordan arrived.

**Review of Draft Minutes of the meeting held on October 16, 2019.**

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

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meeting held on October 16, 2019 as written.  
(6 yes) (0 no)

Councilor Gabrielson arrived.

**Public Hearing      General Assistance Appendices**

Chairman Garvin opened the public hearing at 7:14 p.m.  
After hearing no comments, the hearing was closed.

**Item #154-2019      General Assistance Appendices**

Moved by Caitlin R. Jordan and Seconded by Valerie J. Deveraux

ORDERED, the Cape Elizabeth Town Council approves the General Assistance Ordinance Appendices (A-F and H) as recommended by the Maine Municipal Association effective October 1, 2019 – September 30, 2020.

Moved by Christopher M. Straw and Seconded by Valerie A. Adams

ORDERED, the Cape Elizabeth Town Council amends the motion to strike Appendix C Housing Maximums which removes a maximum allowance for housing. The general assistance overall maximums still apply.  
(7 yes) (0 no)

Original Motion as Amended.  
(7 yes) (0 no)

**Item #155-2019 Purpoodock Club Licenses**

Councilor Penelope Jordan disclosed the Purpoodock Club does a lot for farmers in the community and the Cape Farm Alliance.

Councilor Caitlin Jordan disclosed the family business does business with the Purpoodock Club.

Moved by Valerie A. Adams and Seconded by Christopher M. Straw

ORDERED, the Cape Elizabeth Town Council approves the malt, vinous, and spirituous licenses, mobile service bar license and special amusement permit for the Purpoodock Club located at 300 Spurwink Avenue as presented.

(7 yes) (0 no)

**Item #156-2019 Proposed Commercial Vehicle Fees at Fort Williams Park**

Introduction – Jim Kerney, 1015 Shore Road, Member of the Fort Williams Park Committee  
Councilor Straw provided an overview of his recommendation.

Moved by Jeremy A. Gabrielson and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council adopts the commercial vehicle fees for Fort Williams Park for the next three years; 2020, 2021 and 2022 as outlined in the modified season pass draft.

Moved by Valerie A. Adams and Seconded by Christopher M. Straw

ORDERED, the Cape Elizabeth Town Council amends the motion to add a \$75.00 single visit fee for trolleys into the commercial vehicle fees for Fort Williams Park for the next three years; 2020, 2021 and 2022.

(7 yes) (0 no)

Original Motion as Amended.

(6 yes) (1 no Councilor Straw)

See attachment.

**Item #157-2019 Town Center Tax Increment Financing District**

Introduction - Town Assessor Clint Swett

Moved by Christopher M. Straw and Seconded by Valerie A. Adams

ORDERED, the Cape Elizabeth Town Council sets to public hearing on Monday, December 9, 2019 at 7:00 p.m. at the Cape Elizabeth Town Hall the recommended technical revisions to the Town Center Infrastructure Improvement Tax Increment Financing District (“TIF”).

(7 yes) (0 no)

**Item #158-2019 State of Maine Bicentennial Celebration Committee**

Moved by Valerie J. Deveraux and Seconded by Jeremy A. Gabrielson

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the appointments committee to appoint Anne K. Hewes, 429 Mitchell Road to the ad hoc Maine Bicentennial Celebration Committee.

(7 yes) (0 no)

**Item #159-2019      Bottle Shed Committee**

Introduction Chairman Garvin and Councilor Straw

Moved by Christopher M. Straw and Seconded by Caitlin R. Jordan

ORDERED, the Cape Elizabeth Town Council refers to workshop a discussion of the Bottle Shed Committee including composition, appointments and distribution of funds.

(7 yes) (0 no)

**Item #160-2019      Personnel Code – Town Employees Mileage Reimbursement**

Introduction – Mr. Sturgis

Moved by Jeremy A. Gabrielson and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the town manager to amend Chapter 3 Personnel Code to reimburse town employees who use their vehicle for approved municipal purposes at the rate set by the Internal Revenue Service.

Sec. 3-1-16 Mileage Reimbursement The town shall reimburse employees who use their vehicles for approved municipal purposes at the rate set by the ~~State of Maine for reimbursing state employees~~ Internal Revenue Service. Any employee with a municipal vehicle or with a set monthly mileage allowance shall annually provide a report to the town on use of the vehicle or mileage stipend so that the town may properly report any private use to the Internal Revenue Service.

(7 yes) (0 no)

**Item #161-2019      Corporate Resolution to open a brokerage account at TD Wealth, Private Client and Corporate Resolution to maintain banking relationship with TD Bank**

Moved by Jeremy A. Gabrielson and Seconded by Valerie A. Adams

ORDERED, the Cape Elizabeth Town Council authorizes the opening of a new account at TD Private Client Wealth, LLC, and adopts the proposed corporate resolution.

(7 yes) (0 no)

**Item #162-2019      Corporate Resolution to maintain banking relationship at TD Bank**

Moved by Jeremy A. Gabrielson and Seconded by Valerie A. Adams

ORDERED, the Cape Elizabeth Town Council authorizes the opening of a new account and maintaining the banking relationship at TD Bank, NA, and adopts the proposed corporate resolution.

(7 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

**Item #163-2019 Executive Session – Town Manager’s Contract**

Moved by Valerie J. Deveraux and Seconded by Valerie A. Adams

ORDERED, the Cape Elizabeth Town Council enters into executive session at 8:20 p.m. pursuant to 1 MRS §405 6A to discuss the town manager’s contract which expires January 29, 2020.  
(7 yes) (0 no)

Moved by Caitlin R. Jordan and Seconded by Valerie A. Adams

ORDERED, the Cape Elizabeth Town Council exits executive session and reenters public session at 9:08 p.m.  
(7 yes) (0 no)

**Adjournment**

Moved by Caitlin R. Jordan and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council adjourns at 9:09 p.m.  
(7 yes) (0 no)

Respectfully Submitted,

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Matthew E. Sturgis, Clerk Pro-Tem