



Cape Elizabeth Town Council Meeting

Minutes

Wednesday, April 1, 2020 6:00 p.m.

Zoom Online Meeting

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

The special meeting via Zoom, an online video and audio conferencing platform, was convened at 6:03 p.m. by Town Council Chairman Valerie A. Adams.

In response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) Governor Mills signed [LD 2167, An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency](#), which is now PL 2019, c. 617.

Part G enacts Title 1, section 403-A, Public proceedings through remote access during declaration of state of emergency due to COVID-19. It authorizes conducting public proceedings through telephonic, video, electronic or other similar means of remote participation with specific conditions. The section is repealed 30 days after the termination of the state of emergency.

The Cape Elizabeth Town Council will meet as necessary to continue the town's work via an online platform as allowed by State authorization during the state of emergency due to COVID-19. The platform will allow for public comment as outlined in the Town Council Rules. The public is reminded they should continue to provide questions and comments to the town council relating to business of the town via email or mailing correspondence to their attention to town hall.

Roll Call by the Town Clerk

All members of the town council were online.

Staff members online included:

Police Chief Paul Fenton

Fire Chief Peter Gleeson

Debra Lane, Town Clerk

Robert Malley, Director of Public Works

Kathy Raftice, Director of Community Services and Portland Head Light

Matthew Sturgis, Town Manager

1. Opportunity for public comment for items not on agenda

None

2. Amendment to Emergency restrictions order on non-essential businesses

Item #55-2020 - In order to track council actions, item numbers have been assigned to council actions during special meetings.

The town manager notes that the code enforcement officer is recommending the council consider whether homestays would be included in the emergency ordinance.

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It was noted #2 & #4 of the draft emergency ordinance may not be needed as the Governor's most recent emergency ordinance supersedes the language in the council's draft.

Moved by James M. Garvin and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council amends the Emergency Regulation: Prohibitions on Businesses approved March 25, 2020 as drafted.

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

ORDERED, the Cape Elizabeth Town Council amends the motion to strike #2 & #4 of the draft.
(7 yes) (0 no)

Moved by James M. Garvin and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council amends the motion to close Fort Williams Park to the public.
(7 yes) (0 no)

Moved by James M. Garvin and Seconded by Jeremy A. Gabrielson

ORDERED, the Cape Elizabeth Town Council amends the motion to prohibit homestays.
(7 yes) (0 no)

Public Comment

Tyler Patterson, 15 Surf Road thanked the town council for their work during this difficult time. If Fort Williams Park is closed it will force people into smaller, denser areas.

John Voltz, 33 Philip Road appreciates the vote to close Fort Williams Park. We must get in front of the virus and take firm action so the park can open sooner. Be patient.

Rebecca Hobbs, Executive Director of Thru These Doors thanked the town council for their hard work. Will Thru These Doors still be able to access their office at Fort Williams Park for administrative purposes e.g. accounts payable and payroll? Agrees with closing of the park to the public.

Roger Rioux, 5 Bridlepath Way saddened if Fort Williams Park closes, but understands. Is a \$500 fine too excessive? Lions' Field and Plaisted Park are supposed to be closed – town must enforce the closures.

Cri Swift, 80 Oakhurst Road thanked the town council for their service. If Fort Williams Park is closed, there are no other parks within walking distance for those residents who live close to Fort Williams. People with disabilities in wheelchairs can't roll along the roadways.

Lucas Homicz, 5 Ledge Wood Lane thanked the town council for their work. Disagrees with Fort Williams Park closing. What impact will the closure have on other areas e.g. Winnick Woods, Trundy Point. Make a decision that is best for the community; can't shut everything down.

Lucille Holt-Sottery, 11 Cottage Lane thanked the town council for their work. Fort Williams Park should be closed for vehicular traffic. Parking in surrounding neighborhoods should be posted.

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Moved by Jeremy A. Gabrielson and Seconded by James M. Garvin

ORDERED, the Cape Elizabeth Town Council amends the motion to add non-essential businesses are allowed within Fort Williams Park consistent with the Governor's order.

(7 yes) (0 no)

Moved by Christopher M. Straw and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council amends the motion that the emergency ordinance is effective April 2, 2020 at 12:01 a.m. and expires May 1, 2020 at 6:00 p.m. unless otherwise extended by council order.

(7 yes) (0 no)

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

Mr. Sturgis mentioned that Family Fun Day is canceled for 2020.

3. Opportunity for public comment

Wayne Brooking, Jr. 223 Two Lights Road asked the town to contact the U.S. Coast Guard requesting the road at the end of Two Lights Road be closed. Visitors are driving to be near the ocean and spending the day, not just to exercise. Visitors are not social distancing.

John Voltz, 33 Philip Road approves the temporary closure of Fort Williams Park.

Adjournment

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

ORDERED, the Cape Elizabeth Town Council adjourns at 7:58 p.m.

(7 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk