



Cape Elizabeth Town Council

Minutes Monday, April 13, 2020

7:00 p.m. Council Chambers

Cape Elizabeth Town Hall

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

The meeting via Zoom, an online video and audio conferencing platform, was convened at 7:00 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 The section is repealed 30 days after the termination of the state of emergency.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.

Debra M. Lane, Town Clerk
Maureen O'Meara, Town Planner
Kathleen Raftice, Director of Community Services and Fort Williams Park
Matthew E. Sturgis, Town Manager

The Pledge of Allegiance to the Flag

Town Council Reports and Correspondence

Ordinance Committee Chairman Penelope Jordan reminded the public of the next ordinance committee meeting on April 16th at 6:30 p.m. via Zoom.

Finance Committee Report

Finance Committee Chairman Garvin provided an overview of the budget workshops held on April 8th and April 9th. The school budget will be presented on April 27th. April 28th is reserved for a follow up budget workshop, if necessary.

Mr. Sturgis provided an update on revenues. Reminder – interest on real estate taxes for the April 1st payment will begin on June 1.

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Citizen Opportunity for Discussion of Items Not on the Agenda
None

Town Manager's Monthly Report

Mr. Sturgis wished everyone well. Town operations continue. First responders are doing well. The town continues to monitor guidance during the pandemic.

Review of Draft Minutes of the meeting held on March 9, 2020 and Special Virtual Meeting held on March 25, 2020.

Moved by Valerie J. Deveraux and Seconded by James M. Garvin

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meeting held on March 9, 2020 and special virtual meeting held on March 25, 2020 as written.

(7 yes) (0 no)

Public Hearing Consider Ordinance Committee Recommendation – Short Term Rental Permit Moratorium

Chairman Adams opened the public hearing at 7:19 p.m.
After hearing no comments, the public hearing was closed.

Item #57-2020 Consider Ordinance Committee Recommendation – Short Term Rental Permit Moratorium

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

ORDERED, the Cape Elizabeth Town Council adopts a moratorium banning any new short term rental permits as of June 1, 2020 for 180 days.

(7 yes) (0 no)

Item #58-2020 Expressive Vendor Policy – Fort Williams Park

Introduction – Mr. Sturgis and Kathleen Raftice

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

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the Fort Williams Park Committee to move expressive vendors at Fort Williams Park further north from the current location on the peninsula away from the corner and crosswalk.

(7 yes) (0 no)

Item #59-2020 Opportunity for Public Comments on FY 2021 Budget

The town council welcomed public comment on the fiscal year 2021 budget. Municipal budget workshops were held on April 8th and April 9th.

Although there were no comments, residents are encouraged to follow the process and provide comments to the council.

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Item #60-2020 Appointment of Election Clerks and Warden

Councilor Penelope Jordan recused herself from discussion and voting on the election warden as her sister is Carol Anne Jordan.

Moved by Christopher M. Straw and Seconded by Valerie J. Deveraux

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the Town Clerk for Carol Anne Jordan as Warden and James Walsh and Debra Lane to serve as Deputy Wardens and until successors are sworn.

(6 yes) (0 no) (1 recusal Penelope Jordan)

Moved by Christopher M. Straw and Seconded by Valerie J. Deveraux

ORDERED, the Cape Elizabeth Town Council approves the following list of residents who may be considered to serve as election clerks for the Town of Cape Elizabeth for a period of 2 years and until successors are sworn.

(7 yes) (0 no)

Democrat

Edna Chace
Janice Chapman
Margaret Davenport
Michael Efron
Sheila Heatley
Karen Kerrigan
Becky Malley
Rebecca Obenhaus
Gail Perkins
Thomas Perkins
Jessica Proctor
James Walsh
Kathleen Walsh

Republican

Scott Berry
Kathy Cotter
Debra Harney
John Olsen
Linda Winker

Unenrolled

Teresa Olsen
Martha Parowski
James Rowe

Item #61-2020 Consideration of Compensation for First Responders

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

ORDERED, the Cape Elizabeth Town Council approve 5% hazard pay bonus for 8 weeks, effective the next pay period, to apply to essential services employees.

(3 yes) (4 no Councilors Garvin, C. Jordan, P. Jordan, Straw)

Item #62-2020 Acceptance of Police Department Grant

Introduction – Mr. Sturgis

Moved by James M. Garvin and Seconded by Valerie J. Deveraux

ORDERED, the Cape Elizabeth Town Council accepts and appropriates a \$720.00 grant from the Edward Byrne Memorial Justice Assistance Grant, which is overseen by the Windham Police Department, for a grant period of January 1, 2020 to September 30, 2021.

(7 yes) (0 no)

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Item #63-2020 Request for Hardship Abatements – Executive Session

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

ORDERED, the Cape Elizabeth Town Council enters into executive session at 8:13 p.m. pursuant to 1 MRS §405 6 F to consider two requests for hardship tax abatements.

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

ORDERED, the Cape Elizabeth Town Council exits executive session and reenters public session at 8:39 p.m.

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

ORDERED, the Cape Elizabeth Town Council approves a tax hardship abatement in the amount of \$1666.89.

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 Penelope A. Jordan and Seconded by Jeremy A. Gabrielson

ORDERED, the Cape Elizabeth Town Council adjourns at 8:41 p.m.

(7 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk