



Cape Elizabeth Town Council Special Meeting

Minutes Monday, July 20, 2020

Following a Workshop at 7:00 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 meeting via Zoom, an online video and audio conferencing platform, was convened following a workshop at 10:42 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 The section is repealed 30 days after the termination of the state of emergency.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.

All members of the town council were present.

Debra M. Lane, Town Clerk
Benjamin McDougal, Code Enforcement Officer
Maureen O'Meara, Town Planner
Matthew E. Sturgis, Town Manager

Moved by Caitlin R. Jordan and Seconded by Jeremy A. Gabrielson

ORDERED, the Cape Elizabeth Town Council suspends the Town Council Rules to take a new item up for consideration after 10:00 p.m.

(7 yes) (0 no)

Citizen Opportunity for Discussion of Items Not on the Agenda

None

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Item #102-2020 Recommendation from the Energy Committee Relating to a Landfill Solar Project

Energy Committee members Sam Milton and Richard Parker were online to answer questions.

Moved by Jeremy A. Gabrielson and Seconded by Christopher M. Straw

ORDERED, the Cape Elizabeth Town Council authorizes the Town Manager to enter into negotiations with Encore Renewable Energy for the installation of a solar power installation at the Cape Elizabeth Recycling Center former landfill site a recommended by the energy committee.
(7 yes) (0 no)

Item #103-2020 Short-Term Rental Ordinance

The town council met in workshop session immediately prior to this special meeting to continue the discussion relating to the proposed revised short-term rental ordinance.

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

ORDERED, the Cape Elizabeth Town Council forwards proposed amendments to the zoning ordinance relating to short-term rentals to the planning board as revised in this evening's workshop for review with a report back to the town council.

Said revisions include:

- Primary residence hosted – unlimited
- Primary residence unhosted – limited to 6 weeks
- Property located on 7+ acres, primary or non-primary residence unhosted – 3 months

Clarification that rentals are in 7-day blocks. Rental weeks do not have to fall consistently week after week.

(5 yes) (2 no Councilors Adams and Straw).

Item #104-2020 Appointments Committee Recommendation Relating to a Diversity and Inclusion Committee

The town council met in workshop session immediately prior to this special meeting to continue the discussion relating to a diversity and inclusion committee.

Moved by Valerie J. Deveraux and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the appointments committee as revised to create an ad hoc committee relating to diversity and inclusion as follows.
(7 yes) (0 no)

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Cape Elizabeth Civil Rights Committee Purpose and Charge

Name of the Committee

The Committee shall be called: **Civil Rights Committee.**

Committee Structure

The Cape Elizabeth Civil Rights Committee will consist of seven citizens appointed by the town council utilizing its appointments committee process. In addition, one town councilor shall serve as a non-voting ex-officio member of the committee and up to two student representatives from CEHS and/or CEMS shall serve as non-voting members to be appointed by the Appointments Committee. The committee shall elect its own chair and secretary. Any vacancy on the committee after the initial appointees have first met shall be filled by utilizing the appointments committee process. The town manager shall provide staff services to the committee.

Committee Purpose

The committee shall be an ad hoc committee which shall identify and review policies in town government, services and municipal departments that contribute to systemic and structural racism, making recommendations for policies to promote greater equity and inclusion.

Committee Charge

The Civil Rights Committee is specifically charged with the following:

1. To prepare within three (3) months from the first meeting of the Civil Rights Committee a draft standing committee charge for town council consideration.
2. Assess immediate actions and advise the town council on issues of racism and inequality in Cape Elizabeth.

Duration of Committee

The committee shall continue in existence until December 31, 2021 unless its term is extended by the town council.

Funding and Staff Resources Needed

The Town Manager will advise the Council on financial needs and request funds as the committee performs its task, not to exceed \$10,000.

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Item #105-2020 Confirmation of the Appointment of a Public Works Director

Introduction – Mr. Sturgis

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

ORDERED, the Cape Elizabeth Town Council confirms the recommendation of Town Manager Matthew Sturgis of the hiring of Jay Reynolds as the Director of Public Works effective August 10, 2020.

(7 yes) (0 no)

Item #106-2020 Relocation of the War Veteran's Monument

Introduction – Mr. Sturgis

Moved by Valerie J. Deveraux and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council authorizes the relocation of the War Veteran's Monument to the newly created Village Green beside the Town Hall as recommended by the planning board approval.

(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

Adjournment

Moved by Caitlin R. Jordan and Seconded by Jeremy A. Gabrielson

ORDERED, the Cape Elizabeth Town Council adjourns at 11:19 p.m.

(7 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk