



## Cape Elizabeth Town Council Special Meeting

**Agenda Wednesday, January 23, 2019**

**7:00 p.m. Cape Elizabeth Town Hall**

**Council Chambers**

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 by Town Council Chairman James M. "Jamie" Garvin.**

**The Pledge of Allegiance to the Flag**

**Roll Call by the Town Clerk**

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

**Public Hearing - Pursuant to town council rules, comments shall be limited to three minutes per person; however, the time may be extended by majority vote of councilors present.**

**Item #38-2019      Citizen Petition – Petition for Enactment of Ordinance to Limit  
Disposition of Shoreline Access Real Estate**

On January 2, 2019 a citizens' petition was submitted to the town clerk by Save Our Shoreline Access Coalition (SOS) entitled Petition for Enactment of Ordinance to Limit Disposition of Shoreline Access Real Estate to amend Chapter 18 Conservation to add a new article VII.

The petition was submitted pursuant to the Town of Cape Elizabeth, Maine Council-Manager Charter Article VIII Initiative and Referendum Sec. 3 Petition for Enactment of Ordinance

Sec. 3. Petition for enactment of ordinance. Subject to the provisions of Section 1, not less than 10% of the registered voters of the town may at any time petition over their personal signatures for the enactment of any proposed lawful ordinance by filing such petition including the complete text of such ordinance with the town clerk. The council shall call a public hearing to be held within 30 days from the date of filing of such petition with the town clerk and shall, within 30 days after said public hearing, designate a time and place for the purpose of submitting to a referendum vote the question of adopting such ordinance, unless prior to the referendum vote, such ordinance shall be enacted by the council. Such ordinance shall take effect on the 10<sup>th</sup> day after the conclusion of such referendum provided a majority of those voting thereon shall have voted in the affirmative.

Any such proposed ordinance shall be examined by the town attorney before being submitted to referendum. The town attorney is authorized to correct the form of such proposed ordinance for the purpose of avoiding repetitions, illegalities and unconstitutional provisions and to assure accuracy in its text and references and clearness and preciseness in its phraseology, but the attorney shall not materially change its meaning and effect.

Pursuant to the charter the council shall call a public hearing within 30 days from the date of filing such petition. On January 14, 2019 the town council set a public hearing for this evening.

**No action will be taken at the public hearing. Pursuant to town council rules, comments shall be limited to three minutes per person; however, the time may be extended by majority vote of councilors present.**

Pursuant to the charter within 30 days after the public hearing the town council shall designate a time and place for the referendum election, unless prior to the referendum vote, such ordinance is enacted by the council. An item will be placed on the February 11, 2019 council agenda.

**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**