



# **Special Town Council Meeting**

**Wednesday, December 1, 2021 at 7:00 pm**

## **Town Hall Council Chambers**

**Live on CETV**

**1. Convening of the Meeting**

Town Council Chairman James M. "Jamie" Garvin

**2. Roll Call by the Town Clerk**

James M. "Jamie" Garvin, Chairman

Nicole Boucher

Valerie J. Deveraux

Jeremy A. Gabrielson

Caitlin R. Jordan

Penelope A. Jordan

Gretchen R. Noonan

**3. The Pledge of Allegiance to the Flag**

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

Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present. When recognized by the chairman, the speaker shall give his or her name and address or local affiliation, if the affiliation is pertinent.

**5. Public Hearing - Citizens Petition to Send Town Center Affordable Housing Amendments to Referendum**

Comments shall be limited to three minutes per person; however, the time may be extended by majority vote of councilors present. When recognized by the chairman, the speaker shall give his or her name and address or local affiliation, if the affiliation is pertinent.

A citizens petition, entitled Cape Elizabeth Citizen Petition to Send Town Center Affordable Housing Amendments to Referendum, was filed with the Town Clerk on November 2, 2021 following a vote of the town council relating to the town center affordable housing amendments on October 13, 2021. See reference to the Charter below.

The petition was filed within 20 days of the enactment of the ordinance.

On November 8 the town council voted to schedule a public hearing for December 1. Within 14 days of the public hearing, on December 13, the council will vote to schedule the referendum.

#### ARTICLE VIII

##### Initiative and Referendum

Sec. 1. Petition for overrule of ordinance. All ordinances, except emergency ordinances passed pursuant to Article II, Section 12 shall be subject to overrule by a referendum.

If, within 20 days after the enactment of any such ordinances, a petition signed by not less than 10% of the registered voters of the Town of Cape Elizabeth is filed with the town clerk requesting its reference to a referendum, the council shall call a public hearing to be held within 30 days from the date of the filing of such petition with the town clerk and shall, within 14 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. Pending action by referendum, the referred ordinance shall be suspended from going into operation until it has received an affirmative vote of the majority of the voters voting on said question.

#### **6. Item #160-2021 Scheduling the Vote Relating to the Citizens Petition to Send Town Center Affordable Housing Amendments to Referendum**

Opportunity for Public Comment. Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present. When recognized by the chairman, the speaker shall give his or her name and address or local affiliation, if the affiliation is pertinent.

For the December 13 meeting, staff will provide a recommendation for consideration when scheduling the vote.

#### **Draft Motion**

ORDERED, the Cape Elizabeth Town Council will vote on December 13, 2021 to schedule the citizens petition referendum vote relating to the Town Center Affordable Housing Amendments adopted on October 13, 2021.

#### **7. Citizens may at this point in the meeting raise any topic that is not on the agenda that pertains to Cape Elizabeth local government.**

Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present. When recognized by the chairman, the speaker shall give his or her name and address or local affiliation, if the affiliation is pertinent.

## **8. Adjournment**

### **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.