



Special Town Council Meeting

Wednesday, March 1, 2023 at 7:00 pm

Town Hall Council Chambers

Live on CETV

1. Convening of the Meeting

Town Council Chair Jeremy A. Gabrielson

2. Roll Call by the Town Clerk

Jeremy A. Gabrielson, Chair

Nicole Boucher

Susan A. Gillis

Caitlin R. Jordan

Penelope A. Jordan

Gretchen R. Noonan

Timothy S. Reiniger

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 chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent.

5. Public Hearing Regarding a Citizens Petition Relating to the Enactment of a Residential Pesticide Use Ordinance

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 chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent.

Pursuant to Council-Manager Charter Article VIII Sec. 3 Petition for enactment of ordinance, a citizens petition entitled Petition for Enactment of Cape Elizabeth Residential Pesticide Use Ordinance was filed with the Town Clerk on February 10, 2023.

On February 13, 2023 the Town Council scheduled the public hearing in accordance with the Charter. The public hearing is an opportunity for the public to comment on the suggested ordinance. No action is required.

Within 30 days after the public hearing the council must schedule the referendum vote, unless prior to the referendum vote, such ordinance shall be enacted by the council. The council will schedule the referendum vote at the March 13 regular meeting. Scheduling the election date is at the discretion of the council.

Council-Manager Charter Article VIII Initiative and Referendum

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 10th 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.

Attachments:

- [Citizen Petition Pesticides Certification and Memo to Town Council 02 28 2023](#)
- [Copy Citizens Petition Pesticides Submitted 02 10 2023](#)

6. Item #46-2023 Citizens Petition Relating to the Enactment of a Residential Pesticide Use Ordinance

No action is required. However the Town Council may want to discuss whether they desire additional discussion of the proposed ordinance at this or a subsequent meeting.

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 chair, the speaker shall give their 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 chair, the speaker shall give their 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 chair 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 chair, the speaker shall give their 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 chair.