



Regular Town Council Meeting

Wednesday, October 13, 2021 at 7:00 pm

Town Hall Council Chambers

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. Town Council Reports and Correspondence

5. Finance Committee Report

Finance Chairman Jeremy Gabrielson

Attachments:

- **Appropriation Control September 2021** (Appropriation_Control_September_2021.pdf)
- **Expense Distribution September 2021** (Expense_Distribution_September_2021.pdf)
- **Revenue Control September 2021** (Revenue_Control_September_2021.pdf)
- **Revenue Distribution September 2021** (Revenue_Distribution_September_2021.pdf)

6. 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.

7. Town Manager's Monthly Report

Matthew E. Sturgis

8. Review of Draft Minutes of the Meeting Held on September 13, 2021

Attachments:

- **Town Council Minutes September 13, 2021** (Town_Council_Minutes_September_13_2021.pdf)

9. Consent Calendar Item #134-2021 - Item #142-2021

The consent calendar provides for Item #134-2021 - Item #142-2021 to be considered en bloc. Any town councilor may ask for any item to be considered separately. At the discretion of the chairman, any item removed from the consent calendar may be considered before or after the consideration of the items remaining on the consent calendar.

Opportunity for Public Comment Item #134-2021 - Item #142-2021. (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.

Draft Motion

ORDERED, the Cape Elizabeth Town Council approves Item #134-2021 - Item #142-2021 as presented.

10. Item #134-2021 Renewal Liquor License - Tacos Y Tequila

Tacos Y Tequila is seeking a renewal liquor license for malt liquor (beer), wine and spirits. There have been no concerns raised by police, fire and code enforcement.

Draft Motion

Ordered the Cape Elizabeth Town Council approves the renewal liquor license for Tacos Y Tequila located at 517 Ocean House Road for malt liquor (beer), wine and spirits as presented.

Attachments:

- **Tacos Y Tequila Renewal Liquor License** (Tacos_Y_Tequila.pdf)

11. Item #135-2021 MDOT Grant - Shore Road Preliminary Engineering

Finance Director John Quartararo has provided a memo explaining the Maine Department of Transportation issued grant under the Municipal Partnership Initiative Agreement to provide funding for the preliminary design of improvements to Shore Road from the South Portland line south 0.92 miles to Powers Road.

Draft Motion

ORDERED, the Cape Elizabeth Town Council accepts a grant award of \$180,000 from Maine Department of Transportation under the Municipal Partnership Initiative

Agreement for the preliminary design of Shore Road from the South Portland line south 0.92 miles to Powers Road. The Council further appropriates the additional \$20,000 over and above the amount in the approved FY 2022 budget in account 2003-5107; and appropriates an additional \$2,800 in MDOT revenues in account R0935 and finally, appropriates an additional \$17,200 from Unassigned Fund Balance as the additional local share for the project grant.

Attachments:

- **Memo Finance Director Re: MDOT MPIA Grant for Shore Road Preliminary Engineering 09 14 2021** (Memo_Finance_Director_MPIA_Grant_Shore_Rd_Design_09_14_2021.pdf)

12. Item #136-2021 Award of Deposit

John Quartararo, Finance Director has provided a memo detailing the October 6, 2021 opening of proposals for investing \$5,315,000 in a securitized bank deposit product (CD, interest checking or money market account) for a term of either 6 or 12 months.

Mr. Quartararo is recommending the following motion:

Draft Motion

ORDERED, the Cape Elizabeth Town Council awards a deposit bid to Northeast Bank in the amount of \$5,315,000 for a term of 6 months at a fixed rate of 0.32%. The Council also names the authorized signers as Mathew E. Sturgis, Town Manager/Treasurer; Debra M. Lane, Town Clerk and John Quartararo, Finance Director. Their authority to act is limited to opening and closing this account by withdrawing or transferring funds on deposit. This authority shall not include the ability to borrow funds, lease a safety deposit box or to endorse, assign, transfer, mortgage or pledge bills receivable and/or other financial instruments.

Attachments:

- **Memo Finance Director Re: Award of Deposit 10 06 2021** (Memo_Finance_Director_Award_of_Deposit_10_06_2021.pdf)

13. Item #137-2021 Award of Lease - Purchase for FY 2022 Capital Improvement Projects

John Quartararo, Finance Director has provided a memo detailing the October 6, 2021 opening of proposals for the lease-purchase of \$1,109,000 for 11 capital improvement projects approved in the FY 2022 budget.

Bond Counsel, James Saffian, Esq. has prepared a subsequent lease-purchase order that will authorize the actual borrowing.

Mr. Quartararo is recommending the following motion:

Draft Motion

ORDERED, the Cape Elizabeth Town Council awards a lease-purchase bid in the amount of \$1,109,000 to JP Morgan at an illustrative rate of 1.26% based on a 3-Year Interest Rate Swap index. The rate for that index is 0.670%, of which JP Morgan takes 79.0% and adds 0.7307%. The math is $(0.79) * (0.67) + 0.7307$. The actual rate will be set three days before closing and will remain fixed for the full term of the financing. The Council understands that the base rate would have to increase 0.60% or 60 basis point before the rate would equal the next higher rate of 1.73%.

Attachments:

- **Memo Finance Director Award of Lease-Purchase 10 06 2021** (Memo_Finance_Director_Award_of_Lease_Purchase_10_06_2021.pdf)

14. Item #138-2021 Authorization of Borrowing for FY 2022 Capital Improvement Projects

Pending approval of Item #XXX-2021, Bond Counsel James Saffian has prepared the lease-purchase order for the borrowing of 11 capital improvement projects approved in the FY 2022 budget in the amount of \$1,109,000.

Draft Motion

ORDERED, the Cape Elizabeth Town Council authorizes a lease-purchase agreement with JP Morgan Chase Bank as follows:

**TOWN OF CAPE ELIZABETH, MAINE
Vote Authorizing Lease Purchase Agreement
with JP Morgan Chase Bank**

Be it hereby voted by the Cape Elizabeth Town Council as follows:

VOTED: That the Town Council hereby authorizes the Town Manager in the name of and on behalf of the Town to execute and deliver a master lease purchase agreement with JP Morgan Chase Bank (the "Lease Agreement") in the principal amount not to exceed \$1,109,000, and bearing interest at a rate per annum not to exceed 1.75% (to be set prior to closing and currently estimated at 1.26%), to lease finance the equipment, vehicles and improvements listed on Schedule 1 hereto (the "Projects" and each a "Project"), with a term of not more than 5 years, which Lease Agreement shall be in such form and contain such terms and conditions, not inconsistent herewith, as may be approved by the Town Manager, such approval to be conclusively evidenced by his execution thereof; provided that any obligation of the Town to make lease payments pursuant to such agreement shall be subject to annual appropriation approved by the

Town as part of its annual budget.

VOTED: That the Town Manager is authorized to negotiate, execute, and deliver such other documents, certificates and agreements, including but not limited to a project fund escrow agreement and a tax compliance agreement, as may be necessary or appropriate in connection with the Lease Agreement (the "Financing Documents"), which Financing Documents may be in such form and contain such terms and provisions including, without limitation, the waiving of the Town's sovereign or governmental immunity with respect to the enforceability of any of the forgoing, and such other details as may be approved by the Town Manager, such approval to be conclusively evidenced by his execution thereof.

VOTED: That the Town Manager be and hereby is authorized and directed to covenant and certify on behalf of the Town that no part of the proceeds of the Lease Agreement, or the vehicles leased thereunder, shall be used directly or indirectly in any manner that would cause such Lease Agreement to be a "private activity bond" or an "arbitrage bond" within the meaning of Section 141 or Section 148 of the Internal Revenue Code of 1986, as amended.

VOTED: That to the extent available under Section 265(b)(2) of the Code, with the advice of Bond Counsel, the Lease Agreement may be designated by the Town Manager as a "qualified tax exempt obligation."

VOTED: That if the actual cost of any Project differs from the estimated cost listed on Schedule 1, whether due to completion, delay or abandonment of the Project, or for any other reason, the Town Manager is authorized, in her discretion to reallocate any remaining proceeds of the Lease Agreement to any other listed Project or to any other project or improvement that the Town Council has approved or may in the future approve as part of the Town's annual capital improvement plan.

VOTED: That the Town Manager be and hereby are authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things as may be necessary or desirable in order to effect the execution and delivery of the Lease Agreement in accordance with these votes.

VOTED: That if the Town Manager is for any reason unavailable to approve, execute and deliver the Lease Agreement or any related Financing Documents, the person or persons then authorized to act and acting in such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

VOTED: That all prior actions of the Town Manager, the Finance Director or any other Town official in effectuating the Lease Agreement are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Lease Agreement.

VOTED: That these votes constitute the Town's declaration of official intent within the meaning of Treasury Regulation §1.150-2.

Construction Projects:

- Irrigation system in the park next to the Town Offices (\$7,500 est.)
- New parking lot at the Spurwink School House (\$100,000 est.)

Vehicles and Equipment:

Fire Department:

- Replacement for Engine 2 (\$630,000 est.)

Police Department

- Variable Message Board Replacement (\$21,000 est.)

Public Works:

- Trailer Replacement (\$12,000 est.)
- Medium Size Dump Body Replacement (\$12,000 est.)
- Pickup Truck (\$42,000 est.)
- Loader-backhoe replacement (\$160,000 est.)
- Utility Tractor Replacement (\$50,000 est.)
- Grounds Maintenance Equipment (\$14,500 est.)
- Vehicle Service Lift Replacement (\$60,000 est.)

Attachments:

- **Lease Purchase Agreement with JP Morgan Chase Bank** (Lease_Purchase_Agreement_with_JP_Morgan_Chase_Bank.pdf)

15. Item #139-2021 Consideration of Directing the Planning Board to Prepare Technical Ordinance Amendments

Periodically a package of technical amendments to the zoning and subdivision ordinances is prepared by the planning board for town council consideration. The last package was in 2015.

The Planning Board has provided a memo requesting approval to prepare a package of technical amendments.

Draft Motion

ORDERED, the Cape Elizabeth Town Council directs the Planning Board to prepare technical zoning and subdivision ordinance amendments for future Town Council consideration.

Attachments:

- **Memo Planning Board Re: Request to Prepare Technical Ordinance Amendments 09 22 2021** (Memo_Planning_Board_2021_Technical_Amendments_09_22_2021.docx)

16. Item #140-2021 Request from the Cape Courier For a Holiday Tree Lighting Ceremony on the Village Green

The Cape Courier is requesting permission to hold a Cape Courier Holiday Tree Lighting event on the Village Green (next to Town Hall) on Friday, December 10, 2021 from 6:30 p.m. - 7:30 p.m.

The Cape Courier has submitted the request in writing.

Draft Motion

ORDERED, the Cape Elizabeth Town Council approves the request of the Cape Courier to hold a Holiday Tree Lighting ceremony on the Village Green on Friday, December 10, 2021 from 6:30 p.m. - 7:30 p.m. as presented.

Attachments:

- **Request from the Cape Courier 09 23 2021** (Cape_Courier_Request_09_23_2021.pdf)

17. Item #141-2021 Request for Use of Fort Williams Park on July 14, 2022 National Governors Association

The National Governors Association has requested the use of Fort Williams Park on July 14, 2022 from 5:00 p.m. - 10:00 p.m. for a social event during the NGA's 2022 summer meeting. Following a competitive selection process, the state of Maine and Governor Janet Mills were chosen to host the 114th NGA Summer Meeting.

The National Governors Association has submitted the request in writing.

At the meeting on September 16, 2021 the Fort Williams Park Committee voted (4-0) to approve the request.

Draft Motion

ORDRED, the Cape Elizabeth Town Council approves the recommendation of the Fort Williams Park Committee for the use of Fort Williams Park by the National Governors

Association on July 14, 2022 as presented.

Attachments:

- **Letter of Request - National Governors Association 08 23 2021** (FWP_Letter_of_Request_NGA_08_23_2021.pdf)
- **Fort Williams Park Committee Minutes 09 16 2021** (FWP_Minutes_09_16_2021.pdf)

18. Item #142-2021 Consideration of Acceptance of the MMA MacDonald Safety Grant

The Maine Municipal Association Workers Compensation Fund approved a grant to the police department in the amount of \$1,886.88 under their MacDonald Safety Grant Program for the purchase of two carriers with pouches and ballistic vests.

Finance Director John Quartararo has provided a memo dated September 30, 2021.

Draft Motion

ORDERED, the Cape Elizabeth Town Council accepts and appropriates a grant award of \$1,886.88, from Maine Municipal Association Workers Compensation Fund's Ed MacDonald Safety Grant Program into account 0725-4451. The grant will reimburse 2/3 of the cost of two carriers with pouches and ballistic vests. The balance will be paid from the Police Department operating budget. The grant period is October 1 2021 to October 1, 2022.

Attachments:

- **Memo Finance Director MMA MacDonald Safety Grant 09 30 2021** (Memo_Finance_Director_MMA_MacDonald_Safety_Grant_09_30_2021.pdf)

19. Item #143-2021 Public Hearing - General Assistance Ordinance and Appendices

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.

The public hearing includes the draft 2021 General Assistance MMA Model Ordinance 09 2021 and Appendices A - I revised 09 2021.

Attachments:

- **G.A. 2021 Appendices A - I Revised 09 2021** (GA_2021_Appendices_A_-_I_Revised_09_2021.pdf)
- **General Assistance MMA Model Ordinance 09 2021** (GA_Model_Ordinance_MA_Revised_09_2021.pdf)

20. Item #144-2021 General Assistance Ordinance and Appendices

On September 13, 2021 the town council set to public hearing the General Assistance Model Ordinance (9/2021) and Appendices (A-I) as recommended by the Maine Municipal Association effective October 1, 2021 – September 30, 2022.

Draft Motion

ORDERED, the Cape Elizabeth Town Council following a public hearing on Wednesday, October 13, 2021 approves the General Assistance Model Ordinance (9/2021) and Appendices (A-I) as recommended by the Maine Municipal Association effective October 1, 2021 – September 30, 2022.

21. Public Hearing - Proposed Tax Increment Financing District (TIF) for the Dunham Court Project

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.

The public hearing includes the proposed Second Amendment to the Town Center Infrastructure Improvement Downtown Development Tax Increment Financing District and Development Program.

Attachments:

- **Second Amendment Development Program 10 08 2021** (Second_Amendment_Development_Program__DRAFT_10-08-21_.pdf)
- **Credit Enhancement Agreement Cape-Szanton 10 08 2021** (Credit_Enhancement_Agreement_Cape-Szanton__DRAFT_10-08-21_.pdf)
- **TIF Tax Revenue & Shift Projections 10 08 2021** (TIF_Tax_Revenue__Shift_Projections_10-08-21.pdf)

22. Item #145-2021 Proposed Tax Increment Financing District (TIF) for the Dunham Court Project

On August 9, 2021 the town council voted to refer to workshop consideration of amending the current Tax Increment Financing District (TIF) in the town center. The Dunham Court project developer, Szanton Company is requesting an affordable housing TIF be provided as one piece of the project funding.

A workshop was held on September 8. On September 13 the council set the TIF to public hearing on October 13 with an additional workshop on September 29.

The town council may vote on the TIF, defer the vote to the next meeting and/or refer to workshop for additional review.

23. Item #146-2021 Town Center Affordable Housing Amendments

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.

On July 12, 2021 the town council set the Town Center Affordable Housing amendments to public hearing on September 13. An additional workshop was held on August 2.

On August 9 the council voted to clarify the version of the amendments for public hearing is the draft dated August 3, 2021 (following the 8/2 workshop discussion).

On September 13 the council scheduled the vote on the proposed Town Center Affordable Housing Amendments draft dated August 3, 2021 for the town council meeting on October 13. In addition a workshop was scheduled for September 29 to review public hearing comments.

Should there be a motion (s) to approve a zoning amendment (s) it is recommended Whereas statements be included in the motion (s).

Draft Whereas Statements

Town Center Affordable Housing Amendments

WHEREAS, the Town has held 19 meetings and workshops*, including a Planning Board public hearing on April 20, 2021 and a Town Council public hearing on September 13, 2021;

WHEREAS, the 2019 Comprehensive Plan, adopted by the Town Council on July 8, 2019 includes the following Housing Goals:

- The town should promote a diversity of housing types to accommodate residents of all age groups and household sizes.
- The town should increase the amount of affordable housing through methods that minimize administrative burdens on town administration.

WHEREAS, projects like Dunham Court include a substantial public benefit by expanding the diversity of housing stock and creating the first affordable rental housing in 50 years;

WHEREAS, the Town Center Plan adopted by the Town Council on October 6, 2014 includes the following Vision and Goals:

-Vision: To create an identifiable, vibrant town center that includes mixed retail uses for residents and visitors, a safe and inviting pedestrian and bicycle environment, a common meeting place, visual vitality, and linkages to the town's open space and nearby residential neighborhoods.

-Goal: Primary Commercial Area: Support the Town Center as the primary location for new commercial development in Cape Elizabeth and encourage a modest amount of small-scale, mixed use development.

-Goal: Gathering Places: Create a town green and encourage small commercial establishments (such as coffee shops or restaurants) that provide opportunities for community members to come together.

WHEREAS, the Dunham Court project, proposed as part of the village green subdivision, is consistent with the Town Center Plan with its inclusion in a mixed use development and adding community members that will likely support small commercial businesses located in the Town Center.

WHEREAS, the Town Center Affordable Housing Amendments will allow an affordable housing project such as Dunham Court to be a permissible use in portions of the Town Center District;

WHEREAS, the Town has received a substantial volume of public comment both in favor and opposed to the Town Center Affordable Housing Amendment, both in writing and in oral comments at meetings;

THEREFORE...

*

- 2-1-2021 Town Council Workshop
- 2-8-2021 Town Council Meeting
- 2-16-2021 Planning Board Workshop
- 3-2-2021 Planning Board Workshop
- 3-16-2021 Planning Board Meeting
- 4-7-2021 Town Council Workshop
- 4-20-2021 Planning Board Meeting - Public Hearing
- 5-4-2021 Planning Board Special Meeting
- 5-10-2021 Town Council Meeting
- 5-19-2021 Ordinance Committee Meeting
- 5-20-2021 Town Council Meeting
- 6-14-2021 Town Council Meeting
- 6-22-2021 Town Council Workshop
- 7-12-2021 Town Council Meeting

8-2-2021 Town Council Workshop
9-8-2021 Town Council Workshop/TIF
9-13-2021 Town Council Meeting - Public Hearing
9-29-2021 Town Council Workshop
10-13-2021 Town Council Meeting

Attachments:

- **Town Center Affordable Housing Amendments Draft 08 03 2021** (TC_Aff_Hsg_Amdts_8-3-2021.pdf)
- **Town Center Affordable Housing Amendments Draft Whereas Statements** (TC_Aff_Hsg_Amdts_Draft_Whereas_Statements.pdf)

24. Item #147-2021 Consideration of Referring Food Trucks Within the Town Center to the Ordinance Committee

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.

On July 12, 2021 the town council referred to workshop Councilor Boucher's request to review food trucks within the Town Center District. The workshop was held on September 8. At the workshop it was suggested the item be added to the technical amendments package that will be recommended by the planning board.

Ordinance Committee Chairman Penelope Jordan has suggested the town council refer the item to the ordinance committee to discuss what the town's policy on food trucks should be. Draft ordinance language would be referred to the planning board and added to the technical amendments package.

Draft Motion

ORDERED, the Cape Elizabeth Town Council refers to the ordinance committee food trucks within the Town Center District.

25. Item #148-2021 Appointment of Town Council Representatives to the Building Oversight Committee

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.

On September 14, 2021 the School Board formed a Building Oversight Committee "to guide the district to a successful referendum bond vote (targeting June 2022) consisting of the replacement of Pond Cove Elementary School and Cape Elizabeth Middle School

and the renovation of Cape Elizabeth High School."

The committee will consist of several voting members including two town council members.

At the October 6, 2021 town council workshop, the council discussed the request of the school board to appoint two representations from the town council. It was decided that the council will consider interim appointees until the new council is seated in December.

Draft Motion

ORDERED, the Cape Elizabeth Town Council appoints XXX and XXX to serve as interim town council representatives to the Building Oversight Committee. The council will discuss permanent appointees during the caucus in November, following the election of council members. Permanent appointees will be voted on December 13, 2021.

Attachments:

- **Building Oversight Committee** (Building_Oversight_Committee.pdf)

26. Item #149-2021 Consideration of Extending the Limited Emergency for Remote Meetings

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.

At a special meeting held on August 30, 2021 the town council approved a remote participation policy. In addition, due to COVID-19, a limited emergency was approved until October 15, 2021 allowing the town council and boards and committees to meet remotely effective immediately during the limited emergency (provided boards approve the remote participation policy). Remote meetings remain in force until the emergency is amended or rescinded.

The town council will consider whether to extend the limited emergency for remote meetings.

Attachments:

- **Town Council Special Meeting Minutes 08 30 2021** (Town_Council_Minutes_August_30_2021_Special.pdf)

27. 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.

28. Item #150-2021 Executive Session - Consider Entering Executive Session Pursuant to 1 M.R.S. § 405 6 C

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.

Draft Motion

ORDERED, the Cape Elizabeth Town Council enters into executive session pursuant to 1 M.R.S.

§ 405 6 C.

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

29. 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.