



Item: Resolution No. 10072, a Resolution by the City Commission of the City of Great Falls, Montana, Establishing Time Limits and Protocol for Conduct During Public Meetings

From: Sara R. Sexe, City Attorney

Initiated By: City Commission

Presented By: Sara R. Sexe, City Attorney

Action Requested: Conduct a public hearing and consider adoption of Resolution 10072.

Public Hearing:

1. Mayor conducts public hearing, calling three times each for proponents and opponents.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10072.”

2. Mayor calls for a second, discussion, and calls for the vote.
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Staff Recommendation: Staff recommends that the City Commission conduct a public hearing and consider adoption of Resolution No. 10072.

Background: The City Commission adopted Resolutions 9634 and 9679 establishing time limits for persons addressing the City Commission and other protocol for conduct during public meetings, on January 16 and August 7, 2007, respectively. The Commission also adopted Resolution 9997 establishing protocol for video recording equipment placement and use during Commission meetings on November 7, 2012. At its March 12, 2014, agenda setting meeting, the Commission reviewed a list of other Montana municipality's time limits on agenda and non-agenda items. In the interests of keeping subject matters to those which the Commission has jurisdiction over and to maintain proper decorum during meetings, the Commission directed staff to draft a resolution setting forth 3-minute time limits for agenda and non-agenda items and protocol for conduct during meetings for Commission discussion and consideration.

The City of Great Falls operates under the Commission-Manager form of government established by charter with self-governing powers. As with most municipalities and as allowed by law, the Commission desires to supplement its parliamentary procedure and specify rules and order of business in making decisions on matters that impact the City. Establishing time limits and protocol for conduct during Commission meetings will contribute to the success of that basic government structure and facilitate positive and effective working relationships between the Commission, City Manager, City staff and the public, in accomplishing the governing body's work lawfully, in full view of the public and with reasonable opportunity for public participation.

Alternatives: The City Commission could choose to amend the language of Resolution No. 10072, or could deny adoption of Resolution No. 10072.

Attachments: Resolution No. 10072

RESOLUTION NO. 10072

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, ESTABLISHING TIME LIMITS AND PROTOCOL FOR CONDUCT DURING PUBLIC MEETINGS

WHEREAS, the Great Falls City Commission holds public meetings in rooms located in the Civic Center, including but not limited to, the Commission Chambers Room 206 and the Gibson Room 212; and

WHEREAS, Montana is one of a number of states whose constitution and laws require that the local government decision making process be conducted open and with reasonable opportunity for citizens to participate; and

WHEREAS, the public has a right to participate and comment at City Commission meetings, so long as the participation and comments do not consist of a disruption of the public meeting; and

WHEREAS, proper decorum for City Commission meetings requires management of the time, place and manner of public participation to facilitate the work of the governing body on matters that impact the City; and

WHEREAS, the Great Falls City Commission adopted Resolutions 6601, 9634, 9679 and 9997, regarding parliamentary procedure, time limits, speech, and protocol for video recording equipment for public meetings; and

WHEREAS, the City Commission is committed to maintain a productive work environment and to that end desires to supplement those protocols for general participation in meetings to facilitate the conduct of public meetings in an open and orderly manner in an environment safe for all persons in attendance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that procedures for assisting public participation, and establishing protocol and rules of decorum at public meetings held by the City Commission, are as follows:

1. Persons addressing the Commission shall step to the podium and provide for the record that person's name and address, and, if applicable, the person, firm or organization the person represents.
2. Speakers shall address their comments to the presiding officer and the Commission as a body and not to any individual member of the Commission or City staff.

3. Speakers shall limit their address to the Commission to three (3) minutes, including during public hearings and public comment periods on agenda items and during the petitions and communications portion of any meetings, unless further time is granted by the presiding officer with the concurrence of the Commission.
4. Public comment is not intended to be utilized for a two-way dialogue between speaker(s), Commission member(s), and/or the City Manager or City staff.
5. Speakers shall keep their comments germane to the subject item on the agenda or, during petitions and communications, matters of significant public interest which are within the jurisdiction of the Commission.
6. Speakers shall refrain from irrelevant or unduly repetitious communications or other behaviors which disrupt, disturb or impede the orderly conduct of the meeting or incite violence.
7. Speakers are prohibited from using vulgar, discriminatory, profane or impertinent speech, or personal attacks and personal accusations.
8. Speakers and persons in the audience shall not delay or interrupt the proceedings or refuse to obey the orders of the presiding officer.
9. Audio/Visual (AV) equipment is reserved for City Commission deliberations for clarity and understanding of issues to make decisions on matters that impact the City. Citizens shall submit data, views, or arguments, orally or in written form, to the Commission or City Clerk, prior to or during the meeting. Citizens wishing to submit written information while at podium shall place it on the table next to the podium.
10. Speakers or persons in the audience who want to comment or those with special needs may provide a written statement of testimony for the record to the City Clerk for distribution to the Commission. Prepared statements that are read, however, shall be deemed unduly repetitious.
11. Objects that are deemed a threat or perceived to be a threat to persons at the meeting or the facility infrastructure are not allowed and may be subject to search for weapons and other dangerous materials. The Chief of Police or his designee(s) are authorized to remove items and/or individuals from the meeting rooms if a threat exists or is perceived to exist.
12. Speakers and persons in the audience shall refrain from creating, provoking or participating in any type of disturbance, including but not limited to, unwelcome physical contact, or verbal, physical or emotional abuse or intimidation.

13. Cell phones, pagers, smart phones or other electronic communication devices shall be put in silence mode during meetings.
14. Anything other than a prepared statement by the speaker and/or related supporting document or item are prohibited at the podium.
15. Failure to comply with the rules of decorum which disturb, disrupt or impede the orderly conduct of the meeting shall, at the discretion of the presiding officer, be ruled out of order, and may result in the speaker's removal from the podium, removal from the meeting and/or possible arrest.

BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that Resolution 6601 regarding parliamentary procedure, and Resolution 9997 establishing protocol for video recording equipment placement and use during meetings remain in effect; and, Resolution Nos. 9634 and 9679 are hereby repealed.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, April 15, 2014.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney