

CITY OF CHARLOTTE, COUNTY OF EATON, STATE OF MICHIGAN

RESOLUTION NO. 2021-017

A RESOLUTION TO APPROVE COUNCIL POLICY 2021-01 CITIZEN COMMENTS

WHEREAS, on July 25, 2016, the City Council approved Council Policy 2016-02 regarding standards for citizen conduct at Council meetings; and

WHEREAS, said policy sunset on September 30, 2020; and

WHEREAS, the City Council desires to make modifications to said policy and eliminate its sunset date;

THEREFORE, BE IT RESOLVED that Council Policy 2021-02 Citizen Comments at Council meetings is hereby approved.

The foregoing resolution offered by Council member _____ and supported by _____.

Upon roll call vote, the following voted:

Aye:

Nay:

Absent:

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City of Charlotte at a regularly scheduled meeting held on Monday, February 16, 2021, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as part of council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature this 16th day of February 2021.

Pearl Tidwell, City Clerk
City of Charlotte

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COUNCIL POLICY

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1. PURPOSE

The purpose of this policy is to establish standards for citizens making comments to the City Council in a manner that enhances citizen involvement in the process of governance.

2. AUTHORITY

This policy is adopted pursuant to the provisions of section 15.263(5) of Public Act 267 of 1976 as amended (Open Meetings Act) and section 4.7(I) of the City Charter.

3. BACKGROUND

The right to address one’s elected officials has been a fundamental characteristic of American democracy since the nation’s founding. The opportunity for citizens to make comments at specific times has been a feature of City Council meetings for a long time. The wide availability of electronic communications has created additional opportunities for citizens to comment upon matters under consideration by the City Council. It is desirable to establish rules and procedures so that these comments can be made and received in a manner that permits Council to effectively and efficiently complete the public business.

4. CITIZEN COMMENTS AT COUNCIL MEETINGS

Except as provided in section 4.3, citizens shall be permitted to make comments to the City Council only at such times as are provided for that purpose on the agenda and in accordance with the following rules:

- 4.1. Public Hearings. Each citizen who desires to speak during a public hearing shall be provided one opportunity of not more than five minutes duration. Comments made during a public hearing shall be relevant to the subject for which the public hearing is held.
- 4.2 Public Comments. Each citizen who desires to speak during the public comments portion of a meeting shall be afforded one opportunity during each such public comments portion of not more than five minutes duration. Comments made during public comments may be on any topic except for matters on which public hearings have been held during the same meeting.
- 4.3 Other Comments. The mayor or other presiding officer, in his or her sole discretion, shall have the authority to provide a citizen an opportunity to

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address City Council at times other than those provided in 4.1 and 4.2 for the purpose of providing information relevant to matters before the City Council. This opportunity for other comments shall not be used by the mayor or other presiding officer to circumvent the limitations on public comments provided in 4.1 and 4.2 above.

- 4.4 Decorum. Citizens who address the City Council shall do so from the podium or such other location as directed by the mayor or other presiding officer. Each citizen shall, at the beginning of his or her remarks, state his or her name and residence address. Comments shall be directed to the City Council. Comments shall be made using language free from vulgarity, hate speech or language that would constitute “fighting words.”
- 4.5 Preserving Order at Meetings. The mayor or other presiding officer shall have the right to declare out of order any citizen who fails to comply with these rules and shall offer the individual an opportunity to comply with these rules. If the citizen fails or refuses to do so, he or she will be requested to return to his or her seat and shall forfeit his or her opportunity to make citizen comments for the duration of the meeting.
- 4.6 Response to Comments. Members of Council, staff and the audience shall refrain from responding to comments other than at times set aside for their comments. Questions raised by speakers during public hearings or public comments may be answered, as directed by the mayor or other presiding officer, but only at the conclusion of the public hearing or public comments.

5. WRITTEN COMMENTS TO THE CITY COUNCIL

The City Manager shall formulate and implement procedures for the receipt of written comments from citizens in accordance with the following requirements:

- 5.1 Written communications, including emails and similar electronic communications, containing the citizen’s name and address that are addressed to the City Council and received prior to noon on the Friday before a City Council meeting shall be copied and included with other written materials distributed to the City Council and the public in the agenda packet for the City Council meeting.
- 5.2 Written comments, including emails and similar electronic communications, containing the citizen’s name and address that are addressed to the City

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Council or reference a matter on the Council’s agenda and received between noon on the Friday before a City Council meeting and 4:00 p.m. on the day of a City Council meeting shall be assembled into a digest in a form that generally conforms to the agenda for the meeting and distributed to Council members immediately prior to the meeting.

6. CITIZEN COMMENTS INFORMATION ON THE CITY’S WEBSITE

The City Manager shall cause a page to be maintained on the City’s website that provides information to citizens about the opportunities, rules and procedures for making oral and written comments to the City Council.

7. POLICY SUPERSEDED

This policy supersedes Council Policy 2016-02

8. EFFECTIVE DATE

This policy shall become effective upon its approval by City Council.

~~9. SUNSET DATE~~

~~This policy shall sunset on September 30, 2020.~~