

# **TOWN COUNCIL ACTION REPORT**

March 16, 2017

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## ***A Resolution Amending the Rules for Public Comments at Meetings of the Normal Town Council and Other Town Boards and Commissions***

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**PREPARED BY:** Brian Day, Corporation Counsel

**REVIEWED BY:** Mark R. Peterson, City Manager

**BUDGET IMPACT:** N/A

**STAFF  
RECOMMENDATION:** Approval

**ATTACHMENTS:** Proposed Resolution

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### **BACKGROUND**

In 2010, the Illinois General Assembly amended the Open Meetings Act to state that “Any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body.” (5 ILCS 120/2.06(g)).

The Town first adopted rules for public comments in 2011 (Resolution No. 4612) and amended those rules in 2014 (Resolution No. 4954). The Town Council has instructed staff to prepare additional changes to the Town’s public-comment rules.

### **DISCUSSION/ANALYSIS**

The proposed resolution replaces the existing public-comment rules with the following:

1. All public comments must be germane to the meeting agenda of the public body.
2. Any person wishing to present public comment at any meeting must provide advance notice of the comment to the City Manager’s office at least two hours prior to the beginning of the scheduled meeting, as stated on the agenda. The advanced notice must consist of the commenter’s name and the agenda item that the comment will address.
3. The public-comment period for any single meeting may not exceed 20 minutes. If there are more speakers who have provided advance notice to the City Manager than the time limit will allow, then the speakers permitted to speak at that meeting will be determined by lottery.
4. No person may speak for more than three minutes at any meeting.
5. The chair may allow a person representing a group to speak on behalf of that group for no more than six minutes. Any person desiring this extended time period must so inform the City Manager when making the advance notice under item 2.
6. The chair of the meeting shall determine the order of the speakers.

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7. The chair may create and enforce reasonable rules to preserve order and decorum (for example, prohibiting applause, cheering, booing, shouting, use of profanity, or the use of signs, banners, placards).
8. Any person who violates these rules or who otherwise disrupts the order and decorum of the meeting may be removed.
9. The chair may suspend the rules in order to provide more public comment, as he or she deems appropriate.

These new rules make the following changes from the prior rules:

- Increases the time limit for an individual's public comment from two minutes to three minutes.
- Increases the total time allotted for public comment from 10 minutes to 20 minutes for each meeting.
- Creates a lottery for determining speakers if there are more speakers than the time limits will allow.
- Increases the time limit for an organization speaker from 5 minutes to 6 minutes and requires that the speaker make this request for the additional time when notifying the City Manager's office of the intent to comment.
- Eliminates the 45-day rule, which allows speakers to comment at a meeting not more than once every 45 days.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AMENDING RULES FOR PUBLIC COMMENTS AT MEETINGS OF THE NORMAL TOWN COUNCIL AND OTHER TOWN BOARDS AND COMMISSIONS

WHEREAS, the Town of Normal is a Home Rule unit of local government with authority to legislate in matters concerning its local government and affairs; and

WHEREAS, Section 2.06(g) of the Open Meetings Act states that “Any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body”; and

WHEREAS, in accordance with this statute, the Town has adopted rules for addressing public officials through public comments at an open meeting of the Town; and

WHEREAS, the Town desires to amend those rules; and

WHEREAS, it is in the best interest of the health, safety, and welfare of the citizens of Normal to amend the rules established and recorded for addressing public officials through public comments at an open meeting of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF NORMAL, ILLINOIS:

SECTION ONE: That the following rules apply to persons desiring to address public officials of the Town of Normal when those officials are conducting an open meeting under the Open Meetings Act:

1. All public comments must be germane to the meeting agenda of the public body.
2. Any person wishing to present public comment at any meeting must provide advance notice of the comment to the City Manager’s office at least two hours prior to the beginning of the scheduled meeting, as stated on the agenda. The advanced notice must consist of the commenter’s name and the agenda item that the comment will address.
3. The public-comment period for any single meeting may not exceed 20 minutes. If there are more speakers who have provided advance notice to the City Manager than the time limit will allow, then the speakers permitted to speak at that meeting will be determined by lottery.
4. No person may speak for more than three minutes at any meeting.
5. The chair may allow a person representing a group to speak on behalf of that group for no more than six minutes. Any person desiring this extended time period must so inform the City Manager when making the advance notice under item 2.
6. The chair of the meeting shall determine the order of the speakers.
7. The chair may create and enforce reasonable rules to preserve order and decorum (for example, prohibiting applause, sheering, booing, shouting, use of profanity, or the use of signs, banners, placards).
8. Any person who violates these rules or who otherwise disrupts the order and decorum of the meeting may be removed.
9. The chair may suspend the rules in order to provide more public comment, as he or she deems appropriate.

SECTION TWO: That this resolution is in full force and affect beginning March 21, 2017.

SECTION THREE: That Resolution No. 4612 and Resolution No. 4954 are repealed as of the effective date of this resolution.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED:

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President of the Board of Trustees of the Town of  
Normal, Illinois

ATTEST:

\_\_\_\_\_  
Town Clerk

(seal)

# **TOWN COUNCIL ACTION REPORT**

**May 30, 2019**

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## ***A Resolution Amending the Rules for Public Comments at Meetings of the Normal Town Council and Other Town Boards and Commissions***

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**PREPARED BY:** Brian Day, Corporation Counsel

**REVIEWED BY:** Pamela S. Reece, City Manager

**BUDGET IMPACT:** NA

**STAFF  
RECOMMENDATION:** Approval

**ATTACHMENTS:** Proposed Resolution

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### **BACKGROUND**

In 2010, the Illinois General Assembly amended the Open Meetings Act to state that “Any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body.” (5 ILCS 120/2.06(g)).

The Town first adopted rules for public comments in 2011 (Resolution No. 4612) and amended those rules in 2014 (Resolution No. 4954) and 2017 (Resolution No. 5397).

The existing public-comment rules are as follows:

1. All public comments must be germane to the meeting agenda of the public body.
2. Any person wishing to present public comment at any meeting must provide advance notice of the comment to the City Manager’s office at least two hours prior to the beginning of the scheduled meeting, as stated on the agenda. The advanced notice must consist of the commenter’s name and the agenda item that the comment will address.
3. The public-comment period for any single meeting may not exceed 20 minutes. If there are more speakers who have provided advance notice to the City Manager than the time limit will allow, then the speakers permitted to speak at that meeting will be determined by lottery.
4. No person may speak for more than three minutes at any meeting.
5. The chair may allow a person representing a group to speak on behalf of that group for no more than six minutes. Any person desiring this extended time period must so inform the City Manager when making the advance notice under item 2.
6. The chair of the meeting shall determine the order of the speakers.
7. The chair may create and enforce reasonable rules to preserve order and decorum (for example, prohibiting applause, sheering, booing, shouting, use of profanity, or the use of signs, banners, placards).
8. Any person who violates these rules or who otherwise disrupts the order and decorum of the meeting may be removed.

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9. The chair may suspend the rules in order to provide more public comment, as he or she deems appropriate.

The Town Council has instructed staff to prepare additional changes to the Town's public-comment rules.

### **DISCUSSION/ANALYSIS**

The proposed resolution deletes the requirement in Rule 2 that a person wishing to present public comment at a meeting must provide advance notice to the City Manager at least two hours before the meeting, and it replaces that requirement that a person wishing to present public comment at a meeting must register on forms provided by the Town at least 15 minutes before the scheduled start of that meeting. It also makes corresponding changes in Rule 3 concerning the lottery if there are more speakers registered than time will allow. This change simply references speakers who have registered rather than the previous language regarding speakers who have provided advance notice to the City Manager.

Staff recommends Council approval of the proposed amendments to the public comment rules.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AMENDING RULES FOR PUBLIC COMMENTS AT MEETINGS OF THE NORMAL TOWN COUNCIL AND OTHER TOWN BOARDS AND COMMISSIONS

WHEREAS, The Town of Normal is a Home Rule unit of local government with authority to legislate in matters concerning its local government and affairs.

WHEREAS, Section 2.06(g) of the Open Meetings Act states that “Any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body.”

WHEREAS, In accordance with this statute, the Town has adopted rules for addressing public officials through public comments at an open meeting of the Town.

WHEREAS, The Town desires to amend those rules.

WHEREAS, It is in the best interest of the health, safety, and welfare of the citizens of Normal to amend the rules established and recorded for addressing public officials through public comments at an open meeting of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF NORMAL, ILLINOIS:

SECTION 1. That the following rules apply to persons desiring to address public officials of the Town of Normal when those officials are conducting an open meeting under the Open Meetings Act:

1. All public comments must be germane to the meeting agenda of the public body.
2. Any person wishing to present public comment at any meeting must register at least 15 minutes before the beginning of the scheduled meeting, as stated on the agenda. The registration must be made (i) on forms provided by the Town for that purpose or (ii) by contacting the City Manager’s Office at least two hours before the beginning of the scheduled meeting, as stated on the agenda and informing that Office of the commenter’s name and the agenda item that the comment will address.
3. The public-comment period for any single meeting may not exceed 20 minutes. If there are more registered speakers than the time limit will allow, then the speakers permitted to speak at that meeting will be determined by lottery.
4. No person may speak for more than three minutes at any meeting.
5. The chair may allow a person representing a group to speak on behalf of that group for no more than six minutes. Any person desiring this extended time period must so indicate when registering.
6. The chair of the meeting shall determine the order of the speakers.
7. The chair may create and enforce reasonable rules to preserve order and decorum (for example, prohibiting applause, sheering, booing, shouting, use of profanity, or the use of signs, banners, placards).

8. Any person who violates these rules or who otherwise disrupts the order and decorum of the meeting may be removed.

9. The chair may suspend the rules in order to provide more public comment, as he or she deems appropriate.

SECTION 2. That this resolution is in full force and effect beginning June 4, 2019.

SECTION 3. That Resolution No. 5397 is repealed as of the effective date of this resolution.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2019

APPROVED:

\_\_\_\_\_  
President of the Board of Trustees of the Town  
of Normal, Illinois

ATTEST:

\_\_\_\_\_  
Town Clerk

(seal)