

212.02 RULES OF PROCEDURE OF THE COMMISSION.

Rules of Procedure of the City Commission are hereby established as follows:

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The order of business at meetings of the Commission shall be as follows, except when otherwise agreed to by the Commissioners:

- (1) Invocation;
- (2) Pledge of Allegiance;
- (3) Proclamations and awards;
- (4) Chair notes any added or deleted resolutions;
- (5) Public hearings;
- (6) Introduction of ordinances;
- (7) Adoption of ordinances;
- ~~(8)~~ Public comment regarding consent agenda and resolutions not on consent agenda;
- ~~(9)~~ Commission comment regarding meeting business;
- ~~(10)~~ Consent agenda;
- ~~(8) Public hearings;~~
- ~~(9) Introduction of ordinances;~~
- ~~(10) Adoption of ordinances;~~
- ~~(11) Public comment regarding resolutions not included in the consent agenda;~~
- ~~(12)~~ Resolutions not included in the consent agenda.
- ~~(13)~~ General public comment;

(134) Commission comments;

(145) Recess;

(156) Governance agenda;

~~(17) Adjournment; and~~

(168) Closed session (when needed); ~~and~~

(17) Adjournment.

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XVII.

It is the desire of the City Commission to encourage public expression in the course of its meetings. Such expression can be integral to the decision-making process of the City Commission. It is the intention of the City Commission to respect the rights of persons addressing the Commission. Public comment periods are a time for citizens to make comments; they are not intended as a forum for debate or to engage in question-answer dialogues with the Commission or staff. Commissioners are encouraged not to directly respond to speakers during public comment periods. At the conclusion of the speaker's remarks, the Mayor or individual Commissioners may refer a question to City staff, if appropriate. Also, individual Commissioners may choose to respond to speakers during the "Commission Comment" period. It is with these aims in mind, so as to promote decorum and civility and an orderly process for conducting its public meetings, that the following rules concerning public comments, consistent with applicable law, are adopted by the City Commission.

(1) Persons attending a regular or special Commission Meeting shall be permitted to address the City Commission in conformity with this rule. The opportunity to address the Commission shall be limited to the following:

(a) Persons desiring to address the City Commission are encouraged, but shall not be required, to fill out and turn in to either the City Clerk, Mayor, or presiding Commissioner, prior to the meeting, a comment card disclosing the following information: The person's name, address, and telephone number; the specific issue, topic or resolution the individual wishes to address.

~~(b) During the public comment regarding consent agenda portion of the meeting speakers may address any matter on the consent agenda. A speaker shall be permitted to address the City Commission once, for up to three minutes during this portion of the meeting; provided, however, if in the judgment of the Mayor or presiding officer, the number of persons desiring to speak and the constraints of time make it impractical for all persons to speak if each is given three minutes,~~

~~the time period may be shortened. In the discretion of the Mayor or presiding officer, the time period for individual speakers may also be extended when appropriate.~~

(be) During public hearings when scheduled, speakers may present facts and opinions on the specific matter being heard by the Commission. A three-minute time limit is imposed per speaker. In the discretion of the Mayor or presiding officer, the time limit for individual speakers may be lengthened or shortened when appropriate.

(cd) During the consideration of specific ordinances when scheduled, speakers may present facts and opinions on the specific ordinance being considered by the City Commission. Speakers addressing the City Commission during this time shall limit their comments to the specific issue being considered. A three-minute time limit, which may be lengthened or shortened by the Mayor or presiding officer when appropriate, is imposed per speaker, per matter considered.

(de) During the public comment period on the consent agenda and resolutions not on the consent agenda, each speaker may address the Commission once, regarding anything on the consent agenda and resolutions not on the consent agenda, for a total not to exceed five minutes regardless of how many consent agenda items or regular resolutions the speaker is addressing, which time period may be lengthened or shortened by the Mayor or presiding officer when appropriate. ~~During the public comment period on resolutions not on the consent agenda, each speaker may address the Commission once, regarding any of these resolutions, for a total not to exceed five minutes regardless of how many resolutions the speaker is addressing, which time period may be lengthened or shortened by the Mayor or presiding officer when appropriate.~~

(ef) During the General Public Comment portion of the meeting, speakers may address the City Commission on any matter within the control and jurisdiction of the City of Battle Creek. A speaker shall be permitted to address the City Commission once, for up to three minutes, during this portion of the meeting.

(2) An individual wishing to address the City Commission shall wait to be recognized by the Mayor or presiding Commissioner before speaking. An individual who has not filled out a card requesting to address the City Commission shall raise his or her hand and wait to be recognized by the Mayor or presiding Commissioner before speaking and shall identify themselves by name and address and, if appropriate, group affiliation for the record.

(3) Speakers shall address all remarks to the City Commission as a whole, and not to individual Commissioners. Speakers shall not address their remarks to members of the public in attendance at the meeting.

(4) A speaker will be ruled out-of-order by the Mayor or presiding Commissioner and the Commission will continue with its business when the speaker:

(a) Becomes repetitive or speaks longer than the allotted time;

(b) Attempts to yield any unused portion of time to other speakers;

(c) Engages in a personal attack upon a city employee, administrator or Commissioner only if the personal attack is totally unrelated to the manner in which the employee, administrator or Commissioner carries out his or her public duties or office;

(d) Uses obscene or profane language;

(e) Engages in slanderous or defamatory speech;

(f) Uses derogatory racial, sexual or ethnic slurs or epithets relating to any individual or category of persons; or

(g) Engages in conduct that interrupts or disrupts the meeting.

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