

CITY OF GORDON, NEBRASKA

RESOLUTION 2020-12

A RESOLUTION AUTHORIZING THE CITY OF GORDON TO SET GUIDELINES FOR COMMENTS OR TESTIMONY BY MEMBERS OF THE PUBLIC DURING PUBLIC MEETINGS AND PUBLIC HEARINGS OF THE CITY.

WHEREAS, the Nebraska Open Meetings Act guarantees that every meeting of a public body shall be open to the public in order that citizens be afforded their democratic privilege of attending and speaking at meetings of public bodies. The Nebraska Open Meetings Act can be found at Neb.Rev.Stat. § 84-1407 through §84-1414 (Reissue 2014); and

WHEREAS, pursuant to Neb.Rev.Stat. §84-1412(2), public bodies are granted the ability to make and enforce reasonable rules and regulations regarding the conduct of persons attending or speaking at public meetings and regarding during which public meetings citizens are allow to speak;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GORDON, NEBRASKA, the following rules shall be observed during any Public Hearing, Public Comment Period, or other public comment opportunity afforded to a citizen or member of the public during a public meeting held by the City of Gordon, provided however, these rules do not apply to appeals hearings governed by the City Council appeals procedures if said appeals are otherwise in conflict with this provision:

1. There shall be no specific time limit set for the overall duration of any officially advertised Public Hearing held by the City of Gordon, provided however, the City of Gordon may establish rules and regulations governing the time afforded to each individual member of the public requesting to speak during a public hearing.
2. Public Comment Periods of any public meeting of the City of Gordon shall not under any circumstances exceed one hour unless specific approval to extend such public comment period is authorized by the City Council.
3. During any public comment opportunity of a public meeting of the City of Gordon, the presentation of background information from a City department (Staff Report), a City Board or Commission, or other organization shall be limited to no more than 15 minutes, unless otherwise authorized by the Mayor or Presiding Officer.
4. Any public comment opportunity afforded by the City of Gordon to a citizen or member of the public shall be subject to the following rules:
 - a. Persons wishing to testify or speak during any public hearing or public comment period may be required to sign in on a sign-in sheet provided, and such persons will be called to speak in the order in which they appear on said list.
 - b. Comments or testimony of members of the public may be limited in duration by the City. Where possible, such comments or testimony should

not exceed five minutes in duration, but that duration may be limited further depending upon the number of people wishing to speak at any given hearing, meeting or public comment period; or when time restrictions of the public meeting or public comment period otherwise may require.

- c. Persons participating in public meetings or public hearings are strongly encouraged to aid the Council in maintaining the decorum and orderly progression of the Council agenda. Engaging in shouting, use of profanity or slurs against others is strictly prohibited. Disruptive noise or comments that are off-topic detract from the ability of the Council to conduct business. Where such conduct results in actual disruption of the public meeting, the Mayor or Presiding Officer may issue a verbal warning to the offender, and if the behavior continues, have the offender removed from the Council Chambers. Repeated disruption may result in the offender being excluded from participating in public comment at one or more subsequent Council meetings. If the Mayor or Presiding Officer issues an exclusion to an offender, the Mayor or Presiding Officer shall inform the offender of the basis for the exclusion and the term of the exclusion. The Mayor or Presiding Officer shall also notify the offender that if he or she desires to address the Council during the period of exclusion from public comment, he or she may submit written comments which will be received by the City Clerk and provided to each of the Council members.
 - d. If so authorized by the City Council, or the board or committee conducting such public meeting, the Mayor or Presiding officer may allow additional time for receipt of written testimony from members of the public.
5. These rules and regulations may be suspended by majority vote of the City Council.
 6. The City Clerk shall be the timekeeper and shall keep track of all time limits established herein.
 7. No person who is not a member of the City Council shall be allowed to address the City Council outside of times designed for public comment opportunities without having first sought permission from the Mayor or Presiding Officer.
 8. Pursuant to Neb.Rev.Stat. §84-1412(2), the City of Gordon is not required to allow members of the public to speak at each meeting of the City, provided the City shall not forbid public participation at all meetings.
 9. The City of Gordon reserves the right to establish additional rules and regulations regarding public comment time limits, number of persons allowed to testify or speak, or other regulations which are not otherwise contrary to law for any specific public hearing or public meeting. If such additional rules or regulations shall be imposed as allowed by this provision, such rules or regulations shall be included in any notice or advertisement which is published or posted in advance of such meeting or hearing.

PASSED AND APPROVED this 14th day of May, 2020.

CITY OF GORDON, NEBRASKA

/s/ Nancy I Russell

NANCY RUSSELL, Mayor

ATTEST:

/s/ Kim Buchan

City Clerk

After some discussion, motion by Grant, seconded by Paul to pass Resolution 2020-12. Ayes: Bounous, Evans, Paul, Russell, and Grant.