



Department Source: City Manager

To: City Council

From: City Manager & Staff

Council Meeting Date: May 7, 2018

Re: Report on how other cities address politically charged, personal attacks during public comment periods.

## Executive Summary

At the request of Councilman Pitzer, this report outlines how other cities address personal attacks during public comment periods of council meetings.

## Discussion

During the council comments of the April 16, 2018 City Council meeting, Councilman Pitzer requested a report outlining how other cities address politically charged, personal attacks during public comment periods of city council meetings.

One of the primary resources of information on this topic was supplied by Sheela Amin, City Clerk. Specifically, Ms. Amin emailed her professional network, the City Clerks and Finance Officers Association (CCFOA), to request input on how other cities handle politically charged, personal attacks during public comment periods of city council meetings. The following information was supplied by other cities:

- City of Overland, Missouri. Attached is a form (titled "City of Overland Request to Address Council") used by the City of Overland for community announcements and requests to address the City Council. The form outlines the following "rules of conduct" which each speaker is required to adhere to when addressing the City Council:
  - "Each speaker is allowed three (3) minutes to express comments and/ or concerns."
  - "Statements must be presented in a respectful manner."
  - "Refrain from vulgar or profane language."
  - "Refrain from personal attacks."
- City of Clayton, Missouri. Per the City Clerk, the mayor (or presiding officer if the mayor is not present) will intervene to "not allow those types of comments" and "usually stops the speaker very quickly."
- City of Belton, Missouri. City ordinances are in place to address decorum at meetings.
  - Sec. 2-96. - Decorum required.
    - (a) By councilmembers. While the city council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the city council nor disturb any member while speaking or refuse



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to obey the orders of the city council or its presiding officer, except as otherwise herein provided.

(b) By others. Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the city council, shall be forthwith, by the presiding officer, barred from further audience before the city council unless permission to continue is granted by a majority vote of the city council.

- Sec. 2-97. - Enforcement of decorum.

The chief of police, or such member or members of the police department as he or she may designate, shall be sergeant at arms of the city council meetings. However, said attendance and function shall be subject to the discretion of the presiding officer of the city council. As sergeant at arms, said member or members of the police department shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the city council meeting.

- City of Cameron, Missouri. There are “ground rules” in place for meetings that are printed on the backside of every agenda page. The following ground rules specifically address this topic (see attachment titled “City of Cameron Public Participation Ground Rules” for full list):
  - “2. Please be respectful and patient of the ideas, suggestions and comments of the other participants. Every idea or proposal is worthy of consideration. Respect is also shown by the words used, so profanity and derogatory comments made about individuals are not acceptable.”
  - “6. This is City Council's business meeting. We want it to be enjoyable, interesting and, most importantly, productive and beneficial. Questions and comments should be presented in a courteous and professional manner.”
- City of Grandview, Missouri. There is language throughout the City's *Rules of Procedure* that addresses such behavior at meetings. (A copy of the *Rules of Procedure* is provided as an attachment.)
  - Section 19 (titled “Public Comments”) specifically addresses this behavior with the following passage: “Any person making personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Aldermen, shall be forthwith ordered by the Presiding Officer to leave the microphone and the sound will be cut from the microphone. If the speaker refuses to relinquish the podium he/she shall be escorted from the podium by the sergeant-at-arms. If a speaker is escorted from the podium, he/she shall be prohibited from addressing the Council in a meeting for a period of six (6) months.”
  - Section 26 (titled “Decorum”), subsection b (titled “By Other Persons in Attendance”) also addresses this behavior with the following passage: “Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Board or behave in such a manner as to disrupt Board meeting proceedings, shall be forthwith, by the Presiding



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Officer, barred from further audience before the Board, unless permission to continue be granted by a majority vote of the Board.”

- City of Osceola, Missouri. There is a police officer present at every meeting which helps to keep order at meetings. According to the Osceola City Clerk, “Its amazing how mild and meek people become when they see an uniform.” There is also a city ordinance regarding the treatment of city employees. (Please see attachment titled “City of Osceola Harassment of Employees Ordinance.”)

In addition to the information supplied through the CCFOA network, staff in the City Manager’s Office also researched best practices used in other cities to address personal attacks from the public during city council meetings. The Municipal Research and Services Center (MRSC) recommends that legislative bodies adopt rules of procedure.<sup>1</sup> The MRSC also gives the following examples of how local governments have utilized different approaches to address this issue in their rules of procedure:

- City of Lake Forest Park, Washington (see attachment titled “Lake Forest Park City Governance Manual”). Within the governance manual, section 4.11.6 addresses this topic by stating, “Council’s business meetings will be efficient and businesslike. The information exchange, review, deliberation, and vetting of issues during the prior Work Session enables Council business meetings to be expeditious. The Presiding Officer’s role, especially at the business meeting, is to keep Council business focused and expeditious.”
- City of Mukilteo, Washington (see attachment titled “Mukilteo City Council Rules of Procedure”). Rule 3 (“Remarks and Debates”), subsection A (“Courtesy”) addresses this topic by stating the following: “All speakers, including members of the Council, in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and deportment and shall not engage in contemptuous or disorderly behavior, or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Council, the Mayor, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant, as determined by the presiding officer, to the question or matter under discussion.”
- City of Poulsbo, Washington (see attachment titled “Poulsbo City Council Rules of Procedure”). Section 10 (“Rules of Conduct”), Subsection 10.1 (“Respect”) addresses this topic by stating the following: “The citizens have elected each of us and by displaying respect and courtesy to our fellow Councilmembers, we honor the citizens’ choice. We pledge that we will accord each Councilmember, the Mayor and staff the respect which their positions accord. We will extend the same respect to

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<sup>1</sup> Municipal Research and Services Center (MRSC). The MRSC “is a nonprofit organization that helps local governments across Washington State better serve their citizens by providing legal and policy guidance on any topic.” <http://mrsc.org/Home/Research-Tools/Ask-MRSC-Archives/Governance.aspx#Request-for-sample-council-rules-of-procedure-that>. [Accessed April 18, 2018].



members of the public and to others who testify before us, recognizing that those individuals have a duty to conduct themselves in a reasonable manner.”

## Fiscal Impact

Short-Term Impact: None.  
Long-Term Impact: None.

## Strategic & Comprehensive Plan Impact

### [Strategic Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### [Comprehensive Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

## Legislative History

None.

## Suggested Council Action

This report is for informational purposes.