

RESOLUTION NO. 328 - 2024

A RESOLUTION AMENDING SECTION 3.106 OF APPENDIX A, RULES AND PROCEDURES OF THE LEXINGTON-FAYETTE URBAN COUNTY COUNCIL, RELATING TO PUBLIC COMMENT DURING MEETINGS, TO CLARIFY THAT THE PRIVILEGE OF PUBLIC COMMENT AFFORDED DURING COUNCIL MEETINGS AND WORK SESSIONS IS AN OPPORTUNITY FOR SPOKEN COMMENT ADDRESSED TO COUNCIL AND DOES NOT INCLUDE THE MAKING OF PRESENTATIONS, MULTIMEDIA OR OTHERWISE; AND AMENDING SECTION 3.107 OF APPENDIX A, RULES AND PROCEDURES OF THE LEXINGTON-FAYETTE URBAN COUNTY COUNCIL, RELATING TO DISTRIBUTION OF INFORMATIONAL MATERIAL, TO CLARIFY HOW MEMBERS OF THE PUBLIC MAY DISTRIBUTE INFORMATIONAL MATERIAL TO COUNCIL, ALL EFFECTIVE UPON PASSAGE OF COUNCIL.

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WHEREAS, the Urban County Council, by Resolution No. 55-79, as amended, adopted "Rules and Procedures of the Lexington-Fayette Urban County Council", which were repealed, reorganized, revised, and re-adopted by Resolution No. 599-2023 (hereinafter, "Rules"); and

WHEREAS, Section 5.104 of the Rules provides that "[n]o permanent change shall be made to these rules without notice specifying the purpose and wording of the change given prior to the consideration of the change and the adoption of the permanent change by a majority of all councilmembers through an amending resolution"; and

WHEREAS, notice of proposed changes to the Rules was given to all Council members at the Council work session on June 11, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE COUNTY GOVERNMENT:

Section 1 – That Section 3.106 of Appendix A – Rules and Procedures of the Lexington-Fayette Urban County Council, be and hereby is amended to read as follows:

Public comment process:

- 1) Meetings: Public comment is encouraged and is listed as an agenda item at every regular council meeting and council work session, for items on the agenda and general comments.
- 2) Sign-In: Residents wishing to speak during public comment should sign themselves in prior to the start of the meeting at which they want to speak. There are two (2) digital sign-in sheets outside of the council chamber for electronic sign-in which will be available for sign-in thirty (30) minutes prior to the start of the meeting and thirty (30) minutes after the start of a council work session or regular council meeting.
- 3) How-to: When the opportunity for public comment is afforded by council, it is a time for residents to address the council with their own spoken comments. When called to speak, individuals should start by stating their name and council district. At work sessions, there is an agenda item for public comment for issues on the agenda, and public comment about items on the agenda should be offered at that time. Public comment for issues not on the agenda is allowed at the end of the

meeting. At council meetings, public comment will be at the end of the agenda. Public comment does not include the privilege of making presentations to council, multimedia or otherwise, including on personal devices by the speaker.

4) Time: Each speaker is allowed three (3) minutes. Members of the public who have signed up to speak may yield their three (3) minutes, when present, to another member. One speaker is allowed up to a total of nine (9) minutes, including time that has been yielded.

5) Materials: Public comment does not include a privilege on the part of the speaker to make presentations to council, i.e. PowerPoint presentations, multimedia presentations, or other similar presentations. If a speaker would like to distribute materials to council, they should be placed in the tray marked "materials for council" on the public comment table outside of the council chamber. Materials will be distributed to council by a council staff member. No USB devices or other portable digital media will be accepted.

Public participation:

1) Dialogue: Public comment at regular council meetings and work sessions is a time for the mayor and council members to listen to residents and receive exclusively verbal feedback for informational purposes only. Public comment is not a time for council members to engage in a dialogue with residents, nor is it a time for residents to make PowerPoint presentations or multimedia presentations of any kind to the council, or for the playing of multimedia of any kind, including on personal devices by the speaker.

2) Political Purposes: The public comment period will not be used to make political endorsements or for political campaign purposes.

3) Decorum: Speakers shall exercise decorum during debate, conduct themselves in a courteous manner, and refrain from using unbecoming, derogatory, or abusive language and making personal attacks.

4) Disruptions: Disruptions in support or opposition to a speaker or idea, such as clapping, cheering, booing, or hissing are not permitted in the council chamber.

5) Signs & Posters: No signs or posters that disrupt camera angles, the view of the audience, or inhibit the function of the meeting are allowed.

6) Security: For security reasons, no person, except the mayor, mayor's staff, council members, aides, council staff, or anyone relevant to the meeting, shall be permitted beyond the podium or designated staff areas at any time.

7) Removal: Any person who engages in or makes threats of physical violence shall be immediately removed from the meeting.

Any failure to adhere to these guidelines by any member of the public may result in loss of the public comment privilege at the meeting and/or removal from the meeting, as appropriate, at the discretion of the presiding officer.

These guidelines are provided for the orderly and civil conduct of council meetings. These guidelines apply to both the public comment period and legislative public hearings before the Urban County Council unless otherwise provided.

Section 2 – That Section 3.107 of Appendix A – Rules and Procedures of the

Lexington-Fayette Urban County Council, be and hereby is amended to read as follows:

Public comment does not include a privilege on the part of the speaker to make presentations to council, i.e. PowerPoint presentations, multimedia presentations, or other similar presentations. If a speaker would like to distribute materials to council, the speaker shall place those materials in the tray marked "materials for council", located on the table outside of the council chamber for distribution to council by a council staff member. No USB devices or other portable digital media will be accepted.

Section 3 – That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: June 27, 2024



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MAYOR

ATTEST:



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CLERK OF URBAN COUNTY COUNCIL

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