

RESOLUTION NO. 553 - 2023

A RESOLUTION AMENDING APPENDIX A, RULES AND PROCEDURES OF THE LEXINGTON-FAYETTE URBAN COUNTY COUNCIL, AS FOLLOWS: AMENDING SECTION 4.106 RELATING TO PUBLIC COMMENT DURING MEETINGS, TO SET FORTH THE PROCESS FOR PUBLIC COMMENT AT COUNCIL MEETINGS AND COUNCIL WORK SESSIONS AND TO ADOPT GUIDELINES FOR PUBLIC PARTICIPATION AT COUNCIL MEETINGS AND COUNCIL WORK SESSIONS; AMENDING SECTION 4.107 RELATING TO DISTRIBUTION OF INFORMATIONAL MATERIALS BY MEMBERS OF THE PUBLIC DURING MEETINGS, TO PROVIDE FOR MATERIALS TO BE DISTRIBUTED TO COUNCIL BY PLACEMENT IN A TRAY OUTSIDE COUNCIL CHAMBERS; AND AMENDING SECTION 4.108 RELATING TO PUBLIC HEARINGS AND PUBLIC FORUMS, TO DELETE A REDUNDANT PROVISION RELATED TO PUBLIC COMMENT.

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WHEREAS, the Urban County Council, by Resolution No. 55-79, as amended, has adopted "Rules and Procedures of the Lexington-Fayette Urban County Council" (hereinafter, "Rules"); and

WHEREAS, the Urban County Council desires to amend Sections 4.106, 4.107, and 4.108 of the Rules, relating to public comment during meetings, the distribution of informational materials to Council by the public, and public hearings and public forums, to set forth the process for public comment at Council meetings and Council work sessions and to further adopt guidelines for public participation and public input at Council meetings and Council work sessions; and

WHEREAS, Section 5.104 of the Rules provides that "no 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 the aforementioned proposed changes to the Rules was given to all Councilmembers at the Council Work Session on September 19, 2023.

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

Section 1 – That the above recitals are incorporated herein as if fully stated.

Section 2 – That Section 4.106 of Appendix A – Rules and Procedures of the Lexington-Fayette Urban County Council, relating to public comment during meetings, be and hereby is amended to read as follows:

#### **Sec. 4.106. Public Comment During Meeting.**

##### 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 30 minutes prior to the start of the meeting and 30 minutes after the start of a council work session or regular council meeting.
- 3) Materials: If a speaker has materials for 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 will be accepted.
- 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 nine (9) minutes, including time that has been yielded.
- 5) How-to: 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 are allowed at the end of the meeting. At council meetings, public comment will be at the end of the agenda.

##### Public participation:

- 1) Dialogue: Public comment is a time for the mayor and council members to listen to residents and receive verbal feedback for informational purposes only. Public comment is not a time for council members to engage in a dialogue with residents.
- 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 3 – That Section 4.107 of Appendix A – Rules and Procedures of the Lexington-Fayette Urban County Council, relating to the distribution of informational material during meetings, be and hereby is amended to read as follows:

**Section 4.107. Distribution of Informational Material by Members of Public During Meetings**

Any person wishing to provide handouts/materials to council during a meeting, shall place them 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 will be accepted.

Section 4 – That Section 4.108 of Appendix A – Rules and Procedures of the Lexington-Fayette Urban County Council, relating to public hearings and public forums, be and hereby is amended to read as follows:

**4.108 Public Hearings and Forums**

- 1) Public hearings: Public hearings may be scheduled by the council as required by law to receive citizen comment and testimony on items under consideration by the council. Public hearings usually have formal procedures determined by the nature of the action, for example, hearings on zone changes, etc. The council clerk is responsible for providing public notification of public hearings.
- 2) Public forum: Public forums are requested by council for the purpose of providing a public venue for comments on issues. Procedures for conducting public forums are determined by the presiding officer in accordance with council rules and Robert's Rules of Order newly revised. The council administrator shall provide notice of the date, time and place of any public forum requested by council. The council administrator is responsible for providing public notification of public forums.

Section 5 – That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: October 12, 2023

  
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MAYOR

ATTEST:

  
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CLERK OF URBAN COUNTY COUNCIL

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