RESOLUTION NO. 2023-011

A RESOLUTION amending the RULES AND REGULATIONS TO GOVERN THE TRANSACTIONS OF BUSINESS BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, by deleting Sections 2.39, 2.40, and 2.41 in their entirety and adopting new Sections 2.39, 2.40, and 2.41 in lieu thereof.

WHEREAS, Section 2.04 of the City Charter states that the Council shall determine by ordinance its own rules and order of business; and

WHEREAS, the Council adopted the RULES AND REGULATIONS TO GOVERN THE TRANSACTIONS OF BUSINESS BY THE COUNCIL OF THE CITY OF JOPLIN by Ordinance No. 24025, as amended by Ordinance Nos. 24616, 24946, 76-10, 91-175, and 98-007, as well as Resolution Nos. 75-61 and 82-31; and

WHEREAS the Council desires to amend the RULES AND REGULATIONS TO GOVERN THE TRANSACTIONS OF BUSINESS BY THE COUNCIL OF THE CITY OF JOPLIN by deleting Sections 2.39, 2.40, and 2.41 in their entirety and adopting new Sections 2.39, 2.40, and 2.41 in lieu thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, AS FOLLOWS:

Section 1. That Section 2.39 of the "Rules and Regulations to Govern the Transactions of Business by the Council of the City of Joplin, Missouri" is hereby amended by deleting Section 2.39 in its entirety and enacting a new Section 2.39 in lieu thereof as follows:

"Section 2.39: Person Requesting to Speak.

(a) Public Hearings.

This rule shall not apply to any agenda item scheduled for a Public Hearing.

(b) Agenda Items.

Any person desiring to speak to the Council on business included on the agenda or on a report known to be forthcoming from a Committee or staff shall so notify the city clerk in writing prior to the start of the Council meeting at which said agenda item will be discussed. When the subject agenda item is taken up for discussion, the Mayor shall suspend Council proceedings and assign the floor in any successive order to those persons who shall have submitted a request to speak. After all such persons shall have spoken, the Council shall proceed to consider the agenda item without further interruption.

(c) Non-Agenda Items.

Any person desiring to speak to the Council on business not included on the agenda shall so notify the city clerk in writing prior to 12:00 o'clock noon on the Thursday prior to the regularly scheduled council meeting at which they wish to speak and shall be afforded a place upon the agenda by the city clerk under the topic, "Citizens Request and Petitions". Any person desiring to speak to the Council on business not included on the agenda who shall fail to notify the clerk in writing prior to 12:00 o'clock noon on the Thursday prior to a regularly scheduled council meeting at which they wish to speak shall be assigned by the city clerk a place on the agenda under the topic, "New Business"."

Section 2. That Section 2.40 of the "Rules and Regulations to Govern the Transactions of Business by the Council of the City of Joplin, Missouri" is hereby amended by deleting Section 2.40 in its entirety and enacting a new Section 2.40 in lieu thereof as follows:

"Section 2.40: Person Speaking – Time Limited.

(a) Any person requesting to speak to the Council in any single meeting shall be limited to not more than five minutes speaking time on each separate agenda item and one non-agenda item. Should the speaker yield to a question from a Councilmember, the time yielded shall not be included in the five minutes. The balance of the speaker's time is non-transferable.

(b) Upon the request of any individual Councilmember, the speaker's time shall be extended for one minute.

(c) After the speaker's time has expired, the speaker may no longer speak on the item, unless requested or questioned by a Councilmember."

Section 3. That Section 2.41 of the "Rules and Regulations to Govern the Transactions of Business by the Council of the City of Joplin, Missouri" is hereby amended by deleting Section 2.41 in its entirety and enacting a new Section 2.41 in lieu thereof as follows:

"Section 2.41: Decorum.

(a) Intent.

Council meetings shall be conducted in an orderly manner to ensure that the deliberative process of the Council is retained at all times and that the public has a full opportunity to be heard.

(b) Persons Addressing the Council.

Public oral communications at Council meetings should not be a substitute for any item that can be handled during the normal working hours of the municipal government. The primary purpose of oral communications is to allow citizens the opportunity to formally communicate with the Council as a whole, for matters that cannot be handled during the regular working hours of the municipal government.

Any person requesting to speak to the Council shall address the Council. The speaker shall not address City staff or members of the public unless authorized to do so by the Mayor or a majority of the Council.

Council meetings are not a public forum. Each person who addresses the Council shall do so in an orderly manner and shall not make personal attacks, impertinent, slanderous, or profane remarks to any member of the Council, staff, or the general public. Any person who makes such remarks, or who utters loud, threatening, personal, or abusive language, or engages in any other disorderly conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of any Council meeting shall, at the discretion of the Mayor or a majority of the Council, be barred from further audience before the Council during that meeting and expelled by the sergeant-at-arms.

Speakers should not expect Council members to comment on or respond to their comments directly during the meeting. However, the Mayor or a majority of the Council may request that the City Manager's office follow up with a speaker after the meeting or provide additional information to the Council at a later date.

(c) Members of the Audience.

No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language, whistling, stamping of feet, or other acts which disturb, disrupt, or otherwise impede the orderly conduct of any Council meeting. Any person who conducts himself in the aforementioned manner shall, at the discretion of the Mayor or a majority of the council, be barred from further audience before the Council during that meeting and expelled by the sergeant-at-arms.

Security Procedures. No oversized bags or backpacks will be allowed inside the council chambers. All bags are subject to search."

Section 4. That this Resolution shall be in full force and effect for all regular and special Council meetings, and any budget or work sessions if there is a posted public comment period, commencing after the adoption of this Resolution.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2023, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk