



*America's Small Town Capital*

Mayor Anne Watson

William Fraser  
City Manager

City Council Members:

Dona Bate  
Cary Brown  
Conor Casey  
Lauren Hierl  
Jack McCullough  
Jennifer Morton

Cameron Niedermayer  
Assistant City Manager

Mary Smith  
Assistant to the City Manager

## **RULES OF CONDUCT AT PUBLIC MEETINGS Adopted by City Council, May 11, 2022**

### ***(A) Intent.***

(1) These rules of conduct shall apply to City Council meetings and all public meetings held by boards, committees, and task forces of the city consistent with the provisions in 1 VSA 312 (h). "At an open meeting, the public shall be given a reasonable opportunity to express its opinion on matters considered by the public body during the meeting, as long as order is maintained. Public comment shall be subject to reasonable rules established by the chairperson." Whenever the term COUNCIL is used herein, it shall also apply to the city's boards, committees and task forces unless a group has adopted more stringent rules. Whenever the term MAYOR is used herein, it shall also mean the presiding officer of the board, committee or task force. These rules will apply to all participants in meetings whether attending in person or using remote technology unless a distinction is made.

(2) The City Council recognizes the importance of protecting the right of all members of the public to express opinions on the operation of city government and encourage public participation in the local government process. The Council shall not prohibit public criticism of the policies, procedures, programs or services of the Council, or the acts or omissions of the Council. The Council also recognizes the necessity for conducting orderly and efficient meetings in order to complete City business in a timely manner.

(3) The City Council meets for the purpose of conducting the business of and making policy for the City government. The public is entitled to attend and observe these meetings. These rules are to provide for reasonable public comment and participation within the course of such meetings. The Mayor, Council Members, City Manager, and City Staff will observe the rules of decorum and all other rules as applicable. The Council reserves the right at all times to restrict discussion to members of the council and the council's invited speakers.

### ***(B) General rules.***

(1) *Seating capacity.* The Life Safety Code sets two occupancy limits for the combined Council Chambers and Memorial Room: with movable tables and chairs the occupancy limit at 100% is 65 people, with movable tables and chairs removed from the room the occupancy limit at 100% is 139 people. Due to the need to comply with the code, there may be occasions when entrance by members of the public attending in person to the Council Chambers or other meeting rooms shall be limited. In the event that the capacity of the Council Chambers is filled, members of the public will be directed to

areas designated by the city outside of the Chambers. This may include directing individuals to remote technological access.

(2) *Signs, placards, banners.* For public safety purposes no signs or placards mounted on sticks, posts, poles or similar structures shall be allowed in Council Chambers or meeting rooms. Other signs, placards or banners shall not disrupt meetings or interfere with the view of others in attendance at the meeting. Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.

(4) *Disruptions.* Meeting attendees will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing, talking in a private conversation audible to other meeting participants, or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.

(5) *Unwelcome physical contact.* Meeting attendees will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.

(6) *Electronic devices.* Meeting attendees will set any electronic devices to not make noise via sound or vibration while a meeting is in session.

(7) *Use of seats.* Persons in the audience shall use the audience seats unless invited by the Mayor or Staff to sit at the presentation table or a council seat.

(8) *City Equipment.* Persons in the audience shall not touch, attempt to use/adjust, or otherwise handle city audio visual, computer, or other technological equipment with the exception of touching and adjusting a microphone for the purpose of speaking.

**(C) Addressing the City Council.** Members of the public may speak at public meetings if a time is specified by the Mayor during discussion on any agenda item, or during the period set aside for public comment on the City Council agenda commonly referred to as "general business and appearances" subject to the following:

(1) *General requirements.*

(a) Until recognized as a speaker by the Mayor, members of the public shall remain seated while the meeting is in session until recognized to speak or standing in line at the microphone. Persons who need to stand for medical reasons shall move to the sides or back of the room so as not to obstruct other attendees. Individuals participating by remote technology shall remain "muted" until recognized by the Mayor.

(b) When public comment is permitted, members of the public wishing to be recognized by the Mayor to speak shall either raise their hand or wait in line at the microphone. Members of the public participating remotely shall use the "Raise Hand" indicator provided by the communications technology platform. The Mayor will recognize members of the public in such sequence as the Mayor determines

(c) When public comment is permitted, members of the public may speak only at times designated by the Mayor. The Mayor and/or Council, at their sole discretion, may choose not to designate public speaking times on certain agenda items with the exception of items designated as Public Hearings.

(d) When public comment is permitted, members of the public may speak once on any agenda item for a maximum of two minutes. The Mayor, at their sole discretion, may allow the speaker to go beyond two minutes for the purpose of concluding comments. If, at the sole discretion of the Mayor, a person is recognized to speak a second time, such recognition will only be granted after all persons who desire to speak once have been granted that opportunity.

(e) When public comment is permitted, each person addressing the Council shall proceed to the place assigned for speaking, speak into the provided microphones, and provide their name and place of residence in an audible tone of voice for the record. Persons addressing the council remotely shall give their name and place of residence in an audible tone of voice for the record.

(f) The Mayor may rule out of order any member of the public who speaks without being recognized, who does not address the Council from the established speaking areas, or who speaks during a time not designated for public comment.

(g) When public comment is permitted, comments shall be directed to the Council as a body and not to individual Council members. Any direct conversation between a member of the public and a Council member or staff member may only proceed with permission from the Mayor.

(h) If an individual wishes to submit written information to the City Council, they may give it to the City Clerk or other City staff at the meeting for display or distribution. Individuals may also submit written testimony or comments in advance of the meeting. Written testimony or comments are public records including those sent by e-mail or text message.

*(2) General Business and Appearances.*

(a) During "General Business and Appearances," members of the public desiring to speak may speak on any city government related matter and shall limit their comments to items not appearing on the agenda.

(b) Each person addressing the Council during "General Business and appearances" shall limit their comments to two minutes.

(c) Any person addressing the Council during "General Business and appearances" who exceeds two minutes may submit the balance of their comments in writing including electronic formats.

(d) Each person addressing the Council during "General Business and appearances" may only address the Council once.

(e) The Mayor will recognize members of the public in such sequence as the Mayor determines.

(f) The Mayor, Members of the City Council, City Manager, or other City staff may choose to respond to public comments during General Business and Appearances but are not obliged to respond. A response from a City official does not open the issue for full discussion at that meeting.

*(3) Decorum to be maintained.*

(a) Order shall be maintained at each Council meeting and the Mayor may order from the room any person who refuses to comply with the rules and regulations outlined in this section.

(b) City Council meetings shall be conducted in a courteous manner. Members of the public and Council members will be allowed to state their positions in an atmosphere free of slander, ad hominem attacks, and threats of violence. Sufficient warning may be given by the Mayor at any time during the remarks and, in the event that any individual shall violate the rules of conduct herein set forth, the Mayor may then cut off comment or debate.

(c) At the discretion of the Mayor, a timing system may be used to track the time for speaking and a warning indication may be used to signify that the appropriate time has passed.

(d) It shall be out of order for any individual to disturb or interrupt any meeting of the City Council. Any individual who causes a disturbance of the meeting shall be warned by the Mayor or, alternatively, by a majority vote of the Council that the conduct is interfering with or disturbing the order of the meeting and shall be given the opportunity to cease the conduct constituting an

interruption or disturbance. If, after warning, the individual fails to cease the offending conduct and continues to interrupt or disturb the meeting, the individual shall be asked by the Mayor to leave the meeting. If the individual refuses to leave, the Mayor may request that an officer of the Montpelier Police Department remove the individual. Once removed, the individual shall be barred from further participation for the remainder of the meeting. Persons attending remotely may have their electronic access terminated for the remainder of the meeting.

(e) The use of slanderous, obscene or profane language, personally abusive attacks upon any person, physical violence or the threat thereof, or other loud and boisterous behavior which disturbs or otherwise disrupts the orderly conduct of the meeting and a failure to comply with any decision or order of the Mayor or of a majority of the Council shall constitute a disturbance. Personally abusive attacks include insults, discourteous comments and defamatory statements.

(f) Any individual removed from a meeting may provide comments in writing.

(f) If the audience or a part thereof becomes unruly, the Mayor may either recess or adjourn the meeting.

(g) The Montpelier Police Department, in their sole professional judgment and discretion, may cite or charge any individual if behavior meets the criteria for disorderly conduct, disturbing the peace, harassment, or any other ordinance or statute. Neither the Mayor, nor members of City Council, nor the City Manager may direct the Police Department to take any action other than removing an individual from the meeting.