

# Town of Blowing Rock

## Request for Council Action

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FROM: Mayor Pro-tem Albert Yount  
SUBJECT: Discuss current prohibitions for "Speakers from the Floor"  
TO: Mayor and Council  
DATE: December 11, 2018  
REQUESTED BY: Mayor Pro-tem Albert

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Public Hearing  Yes  No  Not required  NA  
Properly Advertised  Yes  No  Not required  NA

### BACKGROUND:

At the November 13, 2018 Town Council Meeting, Council discussed the background listed for the current Speakers from the Floor Policy. Council asked Former Manager Ed Evans and staff to do some research with the NC League as well as the School of Government to find out additional information related to the topic.

Council Members Steele and Matheson attended the NC League meeting on November 29, 2018 and will report back to the Board.

### **BACKGROUND:**

At the February 13, 2018 Town Council meeting, Council discussed the current "Speakers from the Floor Policy" which was adopted in August of 2005.

Council approved to leave the Speakers from the Floor Policy as is and to move Speakers from the floor to the first item after approval of the minutes on the agenda.

Council also approved allowing the public to speak for thirty (30) minutes, a maximum of three (3) minutes each, on non-agenda items.

ATTACHMENTS: Speakers from Floor Excerpt from Minutes August 2005 and NCGS 160 A-81.1 (Public Comment Period during regular meetings)

### STAFF RECOMMENDATION:

Speakers from Floor  
Excerpt from Minutes  
August 2005

Following is the text from the August 2005 meeting minutes.

**4. “Speakers from the Floor”- Operating Policy**

Town Manager Hildebran presented to Council a “Speaker from the Floor” Operating Policy for their consideration. The policy is based on similar policies from cities/counties across the State of North Carolina, and provides a standard procedure/protocol for allowing public comment on non-agenda items at regular Board meetings.

The “Speaker from the Floor” segment of the regular monthly agenda will be in addition to public comments permitted under duly advertised public hearings.

Mr. Hildebran stated there would be a 30-minute comment period at the end of the regular meetings, where the public would have approximately three (3) minutes to speak on certain topics.

Mr. Hildebran asked if there were any changes Council would like to make to the policy. Commissioner Wiseman made a motion to accept the policy as presented, seconded by Commissioner Tester. After some discussion, Ms. Wiseman asked that her motion be amended to omit paragraph five (5) of the policy. The amended motion received a second from Commissioner Tester. Unanimously approved.

“Speaker from the Floor – Operating Policy (Exhibit H)

**SPEAKERS FROM THE FLOOR**

Town resident Lowell Thomas voiced his dissatisfaction with citizens wishing to utilize the “Speaker from the Floor” Policy, having to wait until the end of the regular meeting to speak. He felt this would deter the public from being able to voice their comments and opinions because of having to wait. He felt this should be at the beginning of each meeting.

**§ 160A-81.1. Public comment period during regular meetings.**

The council shall provide at least one period for public comment per month at a regular meeting of the council. The council may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The council is not required to provide a public comment period under this section if no regular meeting is held during the month. (2005-170, s. 3.)