

**A RESOLUTION OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, TO ADOPT PUBLIC COMMENT GUIDELINES REQUIRING CERTAIN PROTOCOLS FOR MEMBERS OF THE PUBLIC MAKING COMMENTS; AND FOR OTHER LAWFUL PURPOSES.**

**WHEREAS**, the City of Perry (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

**WHEREAS**, in our system of representative government, the Mayor and City Council members are charged with the responsibility of informing themselves and making sound decisions that affect the lives of the residents of the City; and

**WHEREAS**, it is a commonly accepted practice in Georgia cities to provide an opportunity for members of the public to give comment as part of City Council meetings; and

**WHEREAS**, it is the desire of the Mayor and the Council that citizens be provided the opportunity to make comments at City Council meetings in accordance with established procedures;

**NOW THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED** by the Council of the City of Perry that the Public Comment Guidelines are adopted as follows:

**Section 1.** Public Comment Guidelines: The City of Perry believes that anyone should be afforded the opportunity to address the Mayor and City Council provided that designated rules are followed by the speaker. Anyone who wishes to address the Mayor and City Council and offer public comment may do so during the public comment periods (citizens with input on General Public Items) of the meeting.

a. Comments shall be limited to five (5) minutes per speaker. A bell will signal the end of each speaker’s time. In consideration of other persons who wish to speak, speakers shall conclude their comments promptly upon the bell sounding. Speakers who do not promptly conclude their comments shall have their microphone disabled.

b. Public comments shall be allowed to be presented relative to any item to the Mayor and City Council during the “General Public Items” period. Public comments relative to current agenda items may be presented to the mayor and Council during the “Citizens with input” period.

c. The person desiring to speak should rise, address the City Council, and when recognized, state their name, residential or business address, and the City Council district in which they reside, if applicable.

d. All remarks shall be addressed to the Council as a whole and not to any member.

e. To ensure the opportunity for all those desiring to speak before City Council, there is no yielding of time to another speaker.

f. Speakers may not disrupt a City Council meeting by speaking for too long, by being unduly repetitious, or by extending discussion of irrelevancies.

g. Speakers may not employ obscenities, or threats of violence in their comments. Anyone who demonstrates these behaviors shall have their microphone disabled and, if necessary, shall be removed from the meeting. If he or she refuses to cooperate with such a decision, the City of Perry Police Department shall escort the speaker out of the meeting and the speaker shall be banned from the next three public meetings.

h. Speakers shall not be allowed to make remarks that have been legally recognized to not be protected speech, (e.g., fighting words, libel, or slanderous) comments while addressing the council. Anyone who demonstrates these behaviors shall have their microphone disabled and, if necessary, shall be removed from the meeting. If he or she refuses to cooperate with such a decision, the City of Perry Police Department shall escort the speaker out of the meeting and the speaker shall be banned from the next three public meetings.

i. Speakers may not use public comments to campaign for political office either for themselves or on behalf of other candidates for the purposes of limiting political influence on City employees and encouraging orderly and efficient meetings.

j. The City Clerk shall provide a copy of these rules to each person wishing to speak upon request and shall keep a copy posted in the council chambers at the place where the public addresses the council.

**Section 2.** Responses to Questions. The City Manager or his or her designee shall observe the comments made to the Council, and if a question is posed by a member of the public who provides his or her email address or phone number to the City Clerk, the City Manager or his or her designee shall make every reasonable effort to answer the question within two business days

If any speaker is a citizen of the City of Perry, the City Manager or his or her designee, shall apprise the councilmember in whose district the speaker resides to inform him or her of issues or concerns raised by a speaker. The City Manager or his or her designee shall also provide the councilmember with the answer or resolution, if any, provided to the speaker by City staff.

The Council acknowledges that questions may be posed by members of the public which cannot be answered to the satisfaction of the speaker. However, even if the City Manager or his or her designee cannot answer a speaker's question, they shall contact the speaker and explain the limitations of the request. Reasons for failing to provide an answer may include, but are not limited to: the question falls outside the control, administration, or purview of the City; the answer requires the release of confidential information; the answer destroys attorney-client privilege or confidentiality; the question addresses a personnel matter; the question is one that cannot be answered with facts; the question requires disclosure of personal identifying information; the question requires disclosure of discussions in executive session; the question requires the disclosure of information obtained in an incomplete investigation; the question requires disclosure of any information that would otherwise be exempt from disclosure pursuant to O.C.G.A. § 50-18-72(a); the question, in the discretion of the City Manager or his or her designee cannot otherwise be answered.

**Section 3.** Posting of Responses to Questions. The City Council seeks to provide transparency in government. However, the Council also acknowledges that the responses to some questions posed by citizens may reveal information about the speaker which should not be made publicly available. Therefore, when responding to a speaker's question, the City Manager or his or her designee shall determine whether, in his or her view, the response to the question contains information that would benefit the public generally without revealing any information about the speaker that should not be made publicly available. If a determination is made in the affirmative, the City Manager or his or her designee shall make every reasonable effort to include that information on the City's website.

**Section 4.** Severability. To the extent that any portion of this Resolution is declared invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

**Section 5.** Repeal of Conflicting Provisions. All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.

**Section 6.** Effective Date. This Resolution shall take effect immediately.

**[SIGNATURES APPEAR ON THE FOLLOWING PAGE]**

**SO RESOLVED** this 2<sup>nd</sup> day January, 2024.

**CITY OF PERRY, GEORGIA**

By: \_\_\_\_\_  
RANDALL WALKER, MAYOR

Attest: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK

[CITY SEAL]