

MINUTES

ORDINANCE AND RULES COMMITTEE MEETING

5:30 P. M., JANUARY 13, 2021

*IN RESPONSE TO THE COVID-19 PANDEMIC, THE MEETING OF THE ORDINANCE AND RULES COMMITTEE WAS CONDUCTED ELECTRONICALLY. THE MEETING WAS MADE AVAILABLE TO THE PUBLIC AS A LIVE STREAM VIA ZOOM (PER THE AGENDA).

Jeanine Faegre, Chairperson, called the meeting of the Charleston City Council Committee on Ordinance and Rules to order at 5:30p.m., JANUARY 13, 2021.

Committee Members Present:

Jeanine Faegre, Chair
Bobby Reishman, Vice Chair
Bobby Haas
Keeley Steele

Absent:

John Kennedy Bailey
Courtney Persinger
Robert Sheets

1. Approval of Previous Minutes – Councilmember Reishman moved to approve the minutes of the previous meeting on 7-28-2020. Councilmember Haas seconded. There was no objection and the minutes were approved.

2. Resolution No. 416-21 – Amending the Rules of Council to clarify the orders of business and further address the proceedings during extraordinary circumstances that require an electronic, rather than in-person, meeting with respect to public speakers speaking before Council.

Councilmember Faegre asked the resolution's sponsor, Councilmember Robinson, to address the Committee. Councilmember Robinson stated that the resolution reflects what was discussed during the last Council meeting concerning the order of business during a regular meeting versus meeting electronically. It adds as an order of business remarks by members for clarification, as well as a provision that allows more time for public speakers to sign up during an electronic meeting.

City Attorney, Kevin Bakker, added that the current state-of-emergency has caused the

operations of City Council to change in that they are meeting remotely. In order to operate the Zoom meeting as well as the Finance meeting leading up to the Council meeting, the Clerk's Office felt like it would be easier for the public to sign up to be a public speaker by creating a larger window to be able to call in. Baker added that change was made by the second electronic meeting in order to accommodate the public as much as possible. This is also authorized under the State's Executive Order #7-20. After Councilmember Snodgrass had previously expressed her frustration with this and it was brought up during Council meetings several times, Councilmember Robinson requested a resolution that specifically allows for that more clearly in the Rules of Council. Baker also determined that it would be beneficial to add public speakers to the order of business (it had previously been fitting into "Communications"), adding Remarks by Members (providing a distinction between Unfinished Business) and a second Roll Call.

Councilmember Faegre got clarification from Baker that the Remarks by Members will allow for Councilmembers to speak about any topic on which they would like to remark. Baker added that the Senate and House of Delegates also have this section in their order of business.

From the audience, Councilmember Snodgrass stated that she wasn't sure the resolution was needed because it doesn't change much as Council had already voted on allowing for a larger sign-up period. She added that when she initially raised her concerns, she was told it was because of the time it takes to sign someone up. She added that asking if someone is for or against a topic is suppressive. She added that she received several calls from public speakers who claimed that was intrusive. She asked why that list would then go to the Mayor's Office. She added that the process should be as open and as easy as possible for public speakers.

Mayor Goodwin added that the list is requested for Mackenzie Spencer as it is easier identify those speakers in Zoom. She added that the listed isn't looked at to see pro and cons.

Baker added that the rule currently states that a person who wants to speak shall should "set forth their name, the group, if any, on whose behalf he or she wishes to speak, and the subject matter which he or she wishes to address." Baker added that Council could choose to change that.

Councilmember Faegre added that no one should care what a speaker's subject matter is since it will be eventually discussed. Councilmember Reishman agreed.

From the audience, Councilmember Knauff confirmed that the public speakers list was shown to the Mayor right before the meeting started during in person meetings. Councilmember Knauff confirmed that the current practice is not to send the list as they come in, but in total once the window has closed. Spencer added that most of the time, she receives the list right before the Finance Committee starts, after 6:00 p.m. She added that she receives that information in order to be able to identify the speakers to

promote them so that they are able to speak. Councilmember Knauff asked what has ever happened if more than 5 people wanted to sign up. Councilmember Faegre recalled that on occasion, the City Clerk helped facilitate a large group of people wishing to speak by coordinating the different groups to allow a certain number of people to speak on their behalf (5 on each side in at least one instance). Baker added that it is his understanding that the City has not stopped people from speaking despite reaching more than 5 people. Nikki Smith, from the City Clerk's Office, added that the Clerk's Office would not deny the ability for an individual to be on the list, and after 5 people have been reached, the Clerk's Office informs them of the rules and it will be the decision of the Presiding Officer and Council if more than 5 speakers are permitted. She added that the previous Administration had also coordinated multiple speakers to represent a point of view. The Clerk would not have been able to facilitate that if the subject and pro or con had not been asked.

With no further discussion, Councilmember Reishman made a motion to approve the bill. Councilmember Steele seconded. With the yeas being unanimous, Resolution No. 416-21 was approved.

Councilmember Reishman motioned to adjourn the meeting. Councilmember Haas seconded. Meeting adjourned.