



## Legislation Details (With Text)

**File #:** 21-0241      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 2/8/2021      **In control:** City Council  
**On agenda:** 2/16/2021      **Final action:** 2/16/2021  
**Title:** Adopt the resolution regarding rules for public comments at City Council meetings  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Public Comment Rules Resolution

Date	Ver.	Action By	Action	Result
2/16/2021	1	City Council	adopted as amended	Pass

### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Adopt the resolution regarding rules for public comments at City Council meetings

**DEPARTMENT:** Legal Department

**SUBMITTED BY:** Michael DiSanto

#### **BOARD/COMMISSION REVIEW:**

N/A

#### **BACKGROUND:**

Under New Business at its February 2, 2021 meeting, the City Council directed staff to draft a resolution clarifying the new/additional rules for public participation during present and future remote Council meeting environments necessitated by the COVID-19 pandemic.

#### **DISCUSSION:**

Public participation must comply with the Illinois Open Meetings Act (OMA) and the rules set forth for public participation in the Naperville Municipal Code.

Following the onset of the COVID-19 pandemic the OMA was amended to allow public bodies to hold meetings electronically in order to mitigate safety concerns related to in-person gatherings.

In addition to the public participation rules set forth in the OMA and in the Naperville Municipal Code, the City established rules that appropriately balance the opportunity for the public to address elected officials at an open meeting with the ability to conduct efficient open meetings. To that end, staff recommends the City Council adopt the resolution establishing the following additional rules for public participation at City Council meetings.

These rules are intended to apply for the duration of the Illinois gubernatorial disaster proclamation in response to the COVID-19 pandemic and related safety mitigations concerning public meetings.

*Public Participation Rules for City Council Meetings*

Notably, the existing public participation rules provided in the City's Municipal Code ([1-5-6-6, NMC <https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT1AD\\_CH5MACO\\_1-5-6-6CIPA>](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT1AD_CH5MACO_1-5-6-6CIPA)), such as the three-minute time limit, speakers called in the order they signed up, and rules regarding appropriate decorum remain in effect and will not be repeated here.

**Beginning with the March 2, 2021 Naperville City Council meeting and continuing until the Council resumes in-person or hybrid (in-person and remote) meetings:**

1. Public participants shall be able to sign-up to provide public comment up until **4 p.m.** on the day of the meeting.
2. Public participants will be able to sign-up to provide public comment via one of the following three methods:
  - a. Speak live before the City Council during the meeting
  - b. Submit a position statement indicating "support" or "oppose"
    - i. During the meeting, the cumulative number of position statements received (in support and in opposition) will be announced to the City Council after the agenda item has been called.
    - ii. The names of those who have submitted position statements will be compiled and posted with the electronic meeting agenda on the City's website prior to the start of the meeting.
    - iii. The names of those who have submitted position statements will **not** be shown or read aloud during the meeting.
  - c. Submit written comments
    - i. During the meeting, the cumulative number of total written comments received will be announced to the City Council after the agenda item has been called.
    - ii. The submitted written comments will be compiled and posted with the electronic meeting agenda on the City's website prior to the start of the meeting.
    - iii. Written comments will **not** be shown or read aloud during the meeting.

**Beginning with the first in-person or hybrid City Council meeting:**

1. Entitles shall be able to sign-up to provide public comment up until **5 p.m.** on the day of the meeting.

2. Public participants will be able to sign-up to provide public comment via one of the following two methods:
  - a. Speak live before the City Council during the meeting
  - b. Submit a position statement indicating “support” or “oppose” (with the same rules as above)

Upon resuming in-person or hybrid City Council meetings, written comments will no longer be accepted via the online speaker sign-up, however, participants may still email councilmembers individually or as a group at [council@naperville.il.us](mailto:council@naperville.il.us) <<mailto:council@naperville.il.us>>

*Public participation rules for municipal Board/Commission meetings*

Boards and Commissions may establish their own rules for public participation in accordance with all legal requirements.

**FISCAL IMPACT:**

N/A