

CITY COUNCIL STRATEGIC PLANNING MEETING
300 WEST CROWELL STREET
MONROE, NORTH CAROLINA 28112
MAY 14, 2024– 4:30 P.M.
AGENDA
www.monroenc.org

1. Amendments to Rules Governing Public Comment Period During City Council Regular Meetings
2. Ordinance Amending Code of Ordinances to add Section 30.08 titled Electronic Media to Chapter 30 titled City Council
3. Call for City Council Special Strategic Planning Retreat to be Held September 12 and 13, 2024
4. Senate Bill 166 Building Code Regulatory Reform Overview

- **Agenda** is tentative and is subject to change up to and including the time of the meeting.
- At the discretion of City Council, **Agenda Items** listed above that are not discussed at the Strategic Planning Meeting or moved at the request of Council, may be carried forward to the City Council Regular Meeting at 6:00 p.m. to be considered.
- **Cell Phones/Pagers:** As a courtesy, please turn off cell phones and pagers while Meeting is in progress.



STAFF REPORT

TO: City Council

VIA: Mark Watson, City Manager

DATE: May 14, 2024

FROM: Terry Sholar, Senior Staff Attorney

PREPARED BY: Terry Sholar, Senior Staff Attorney

SUBJECT: Proposed Amendments to Rules Governing Conduct of Public Comments during City Council Regular Meetings

SUMMARY STATEMENT

Request to amend the Rules on Public Comment during City Council Meetings.

REVIEW

At its April 23, 2024 special council meeting, City Council discussed and made suggestions on changes to the Rules On Public Comments during City Council Meetings. Proposed changes in the Rules include changes to the sign up process, prioritizing speakers, time for each speaker, proper decorum for both speakers and audience, etc. All of the rules are intended to provide a consistent, reasonable approach for orderly comments while allowing members of the public ample opportunity to address City Council on matters of concern or interest.

RECOMMENDATION

Staff recommends City Council consider and adopt the attached Rules Governing Public Comment Period During City Council Regular Meetings.

Attachment: Proposed Rules Governing Public Comment Period During City Council Regular Meetings

RULES GOVERNING PUBLIC COMMENT PERIOD DURING CITY COUNCIL REGULAR MEETINGS

1. A Public Comment Period shall be placed on the Agenda of each City Council Regular Meeting. Said agenda item shall occur on the Regular Meeting Agenda immediately after the invocation and pledge of allegiance. When adopting the Agenda, City Council may move the Public Comment Period to another location on the Agenda solely at City Council's discretion. Such change is effective only during that meeting. In addition, City Council may, upon motion to suspend the rules during a Regular Meeting, approve moving the Public Comment Period to another location on the Agenda at any point during the meeting.
2. Each person desiring to speak during the Public Comment Period shall sign up to speak prior to the start of the meeting on the form provided by listing their name, full street address, topic on which he or she will speak, and whether a City of Monroe resident, Union County resident, or other place of residency. An individual may only sign up for themselves and not sign up or place another individual's name on the Signup Sheet. Any speaker that signs up and fails or refuses to give the required information will not be called on to comment. A speaker shall verbally state their name and whether a city or county resident when called to speak.
3. A total time of thirty (30) minutes will be allotted for the Public Comment Period on the Regular Agenda. Any speaker that signs up to speak and does not get a chance to speak during the Public Comment Period will be given an opportunity to speak at the conclusion of the Regular Agenda. A speaker that signed up to speak and not available for public comments at the end of the Regular Agenda will be given priority to speak during the next City Council Public Comment Period. City Council, in its discretion, may extend the thirty (30) minutes allotted for the Public Comment Period during any meeting.
4. City of Monroe residents will be given the opportunity to speak first, followed by Union County residents, followed by residents of other areas. The Mayor, or presiding officer, shall determine the order in which speakers are called to comment.
5. Each speaker shall be allotted up to two (2) minutes to speak which shall be strictly observed at all times. Speakers shall immediately cease speaking when their allotted time is over. Groups of persons speaking on the same topic are strongly encouraged to designate a spokesperson to speak on their behalf. As an incentive, a spokesperson making comments for two (2) to five (5) individuals that signed up to speak will be given up to three (3) minutes, and for six (6) or more, a spokesperson will be given up to five (5) minutes to speak.
6. Speakers and audience members shall maintain proper decorum, etiquette, and civility at all times. Speakers shall remain at the podium to make comments and not approach City Council or City staff. No one can accompany the speaker at the podium. The speaker may use visual aids but shall not engage in demonstrations or inappropriate theatrics. Yelling, making threats, insulting, or rude comments directed towards the Mayor, City Council, City staff or a member of the public will not be tolerated. Profanity, abusive language, public ridicule, or personal attacks will not be tolerated. A speaker that fails to maintain proper decorum may be sanctioned including

forfeiting the remainder of their time or, in especially egregious cases, be asked to leave the City Council Meeting.

7. Members of the audience shall also maintain proper decorum, etiquette, and civility at all times. Audience members shall refrain from commenting, jeering, clapping, or cheering in response to comments. Audience members shall not engage in demonstrations or theatrics and shall remain seated at all times unless called on to be identified from their seat when designating a spokesperson and immediately be seated. Audience members shall never approach the podium or dais. Improper decorum by a member of the audience will not be tolerated and may result in sanctions up to and including being asked to leave the meeting.

8. Members of the audience may hold signs of proper decorum but shall not raise them above their heads or so as to block the view of those behind them.

9. The Mayor, as the presiding officer, has the authority to enforce and carry out these Rules. However, any member of City Council may identify improper conduct as a point of order during the meeting.

10. Anyone that willfully interrupts, disturbs, or disrupts a City Council Meeting may be asked to leave the meeting immediately by the Mayor and upon failure to leave may be cited for violating NC General Statute §14-318.17.

11. Speakers shall not speak on any topic which is the subject of a public hearing on the same Agenda.

12. City Council will refrain from engaging in a dialogue with speakers except to the extent necessary to clarify the speaker's position.

13. No formal action will be taken by City Council during the same meeting on any matter which was initially introduced during the Public Comment Period.

14. City Council shall not restrict the subject matter of any comment based on content in any way except as provided herein.

Adopted: September 6, 2005 (R-2005-35)

Amended: April 2, 2023 (R-2019-23); February 13, 2024; May 14, 2024



STAFF REPORT

TO: City Council

VIA: Mark Watson, City Manager

DATE: May 14, 2024

FROM: Terry Sholar, Senior Staff Attorney

PREPARED BY: Terry Sholar, Senior Staff Attorney

SUBJECT: Proposed Adoption of Electronic Media Ordinance

SUMMARY STATEMENT

Request to amend Chapter 30 of the City Code to add new Section 30.08 Electronic Media

REVIEW

Recent court rulings changed how public officials can treat social media and other communications in regard to US First Amendment requirements. City Council may now designate what sites are official sites of the City and who has actual authority to make official comments on behalf of the City of Monroe. Certain City of Monroe employees or officials are designated with authority to speak on behalf of the City due to their position. This includes the City Manager, Police Chief, Fire Chief, and most of the Department Directors in their area of expertise.

The proposed Electronic Media Ordinance identifies “Authorized Electronic Media” which are designated by City Council as being official communications with authority to comment on behalf of the City of Monroe. Other communications are designated “Unauthorized Electronic Media” and are not authorized by City Council. City Council members’ social media accounts are considered personal accounts although they may be identified as an individual’s site. Such sites are Unauthorized and are to contain the disclaimer contained in the ordinance.

RECOMMENDATION

Staff recommends City Council consider and adopt the attached Chapter 30: Section 30.08 Electronic Media Ordinance.

Attachment: Proposed Chapter 30: Section 30.08 Electronic Media Ordinance O-2024-23

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE III: ADMINISTRATION
CHAPTER 30: CITY COUNCIL
O-2024-23

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE III, CHAPTER 30 OF THE MONROE ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

Section 1. Amend the Chapter 30 by adding Section 30.08 to read as follows:

§ 30.08 ELECTRONIC MEDIA.

Preamble: The proliferation of forms of electronic media including email, social media, web sites, etc. has resulted in an explosion in the sources and forms of communication available regarding the City of Monroe. While elected and public officials are perceived by the public to comment officially on behalf of the City, they also have personal rights guaranteed as citizens by the U.S. Constitution including the First Amendment right of freedom of speech. The proliferation in the sources and forms of communications often result in confusion by the citizens of the City of Monroe as to what constitutes official statements, public notice, and official positions of the City versus personal opinions of City elected and public officials. The purpose of this ordinance is to identify what are official communications regarding the City, what communications are expressly authorized by City Council, and what communications are personal opinions or statements of elected or public officials. It is the intent of the Monroe City Council, through this ordinance, to allow open dialogue in all forms and content of communications between the City, its elected officials, and City staff while, at the same time, protecting the First Amendment rights of all individuals including City elected officials and City staff. It is also the intent of this ordinance to clearly identify what sources of electronic media communications are official communications with actual authority to provide official statements, notices, positions, and policies of the City of Monroe.

A. Authorized Electronic Media. The City of Monroe shall maintain official City of Monroe electronic media sites and accounts including but not limited to web sites, social media sites and accounts, and email addresses which shall be clearly identified as sites with expressed authority to make official communications on behalf of the City of Monroe. Such Authorized Electronic Media sites include the following:

1. Official City of Monroe web site and social media sites,
2. Official City of Monroe Departmental web sites and social media sites and accounts within the subject matter of each City department,
3. Each email address assigned to a City of Monroe employee but only for matters within the individual employee's duties.

Any Electronic Media Communication on a Departmental site or contained in a City employee's email that is outside the subject matter of a Department or outside the scope of an individual

employee's duties are not authorized communications on behalf of the City or viewpoints of the City.

B. Unauthorized Electronic Media. All web sites, social media sites, emails or other forms of electronic media of an elected official, including Mayor and City Council Members, City staff, or other City public official, other than the Authorized Electronic Media identified above, are personal only and are not officially authorized communications on behalf of the City of Monroe. Such Unofficial Electronic Media sites shall be clearly identified as personal sites and not officially authorized to communicate or express viewpoints on behalf of the City. The sites of elected officials, including the Mayor and City Council Members shall clearly post and maintain the following language: **"This site or email is the personal site or email of _____ [name and office], and the content or views expressed herein are strictly my own and not the views of the City of Monroe."**

C. City Seal, Logos, Address. No person or entity may use or attach the City Seal or a City logo to any Electronic Media. In addition, no City email addresses, City web site links, mailing addresses, or telephone numbers may be used, attached, or associated with any Electronic Media except as used for official business of the City of Monroe. City Council Members, including the Mayor, are authorized to display their title and City Logos on their personal social media accounts and email provided the social media account or email contain the disclaimer set out in Subsection B above.

Section 2. This Ordinance shall be effective upon adoption.

Attest:

Robert A. Burns, Mayor

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: City Council

VIA: Mark Watson, City Manager

DATE: May 14, 2024

FROM: Lisa Hollowell, Assistant to the City Manager

PREPARED BY: Bridgette H. Robinson, City Clerk

SUBJECT: Call for City Council Special Strategic Planning Retreat to be Held September 12 and 13, 2024

SUMMARY STATEMENT

This is a request to call for a City Council Special Strategic Planning Retreat to be held September 12 and 13, 2024.

REVIEW

City Manager Mark Watson is requesting City Council call for a Special Strategic Planning Retreat to be held on September 12 and 13, 2024. The special meeting will begin at 8:00 a.m. on September 12, 2024 and will continue until adjourned by the City Council on September 13, 2024, subject to recesses as declared by the Mayor or (in the absence of the Mayor) the Mayor Pro Tem. The purpose of the meeting is educational about specific City services and needs. Topics include, but are not limited to: revaluation of property and tax revenue impacts for the 2025-26 fiscal year, water/sewer, Energy Services, streets maintenance, community redevelopment of Winchester, Concord Avenue, and Five Points; Downtown, Historic District, Downtown Tax, Airport, and Enterprise services.

The meeting will be held at the Union County Agriculture Center located at 3230-D Presson Road in Monroe, North Carolina.

RECOMMENDATION

Staff recommends City Council call for a Special Strategic Planning Retreat to be held on September 12, 2024 beginning at 8:00 a.m. and adjourning on September 13, 2024 at the Union County Agriculture Center located at 3230-D Presson Road in Monroe, North Carolina.

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