

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

RES2022-029

A RESOLUTION TO AMEND RESOLUTION NO. 2018-006 REQUIRING CERTAIN PROTOCOLS FOR MEMBERS OF THE PUBLIC MAKING COMMENTS; AND FOR OTHER LAWFUL PURPOSES.

(Sponsored by Councilmember Williams)

WHEREAS, the City of South Fulton ("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; and

WHEREAS, it is important to provide a fair and open response to questions presented to the Mayor and Council, so that citizens are informed and engaged in our local government.

THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY RESOLVES that Resolution No. 2018-006 is amended as follows:

Section 1. Public Comment Guidelines: The City of South Fulton believes that any member of the general public should be afforded the opportunity to address the Mayor and City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the Mayor and City Council, and offer public comment on items within the Mayor and City Council's jurisdiction, may do so during the Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda.

- a. Members of the general public wishing to make public comments at a City of South Fulton City Council Meeting must be residents of the City of South Fulton, excepting that county, state, and federal elected officials shall be allowed to speak regardless of city of residence.
- b. Comments shall be limited to two (2) minutes per speaker. A bell will signal the end of each speaker's time. In consideration of other persons who are registered

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.

- c. Public comments shall be limited to only those items appearing on the current City Council meeting agenda. Comments on issues/topics not appearing on the current City Council meeting agenda shall not be allowed. Anyone who demonstrates these behaviors shall have their microphone disabled and, if necessary, shall be removed from the meeting.
- d. Each speaker must complete and submit a Request to Speak form in its entirety prior to the beginning of the meeting.
- e. The person desiring to speak should rise, address the City Council, and when recognized, state their name, address, the agenda item that they are addressing, and the City Council district in which they reside.
- f. All remarks shall be addressed to the council as a whole and not to any member.
- g. To ensure the opportunity for all those desiring to speak before the City Council, there is no yielding of time to another speaker.
- h. Speakers may not disrupt a City Council meeting by speaking too long, by being unduly repetitious, or by extending discussion of irrelevancies.
- i. 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 South Fulton Police Department shall escort the speaker out of the meeting and the speaker shall be banned from the next three public meetings.
- j. 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 South Fulton Police Department shall escort the speaker out of the meeting and the speaker shall be banned from the next three public meetings.
- k. 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.

- I. The City Clerk shall provide a copy of these rules to each person prior to or while they are registering to speak at the City Council meeting, 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, the City Manager or his or her designee shall make every reasonable effort to answer the question within two business days. However, this requirement may be waived for dignitaries, elected officials, and other individuals at the discretion of any Councilmember or the Mayor.

If any speaker is a citizen of the City of South Fulton, 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 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 the 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 in the "How Do I" section of the City's website.

Section 4. Severability. To the extent, 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 and voting tabulations appear on the following page]

The foregoing RESOLUTION No. 2022-029, adopted on April 26, 2022 was offered by Councilmember Willis, who moved its approval. The motion was seconded by Councilmember Gumbs, and being put to a vote, the result was as follows:

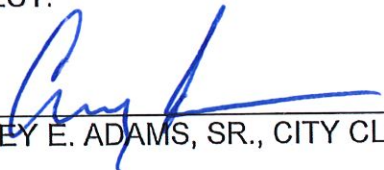
	AYE	NAY
khalid kamau, Mayor	_____	_____
Carmalitha Gumbs	X	_____
Catherine Foster Rowell	X	_____
Helen Zenobia Willis	X	_____
Jacey Sebastian	X	_____
Corey Reeves, Mayor Pro Tem	X	_____
Natasha Williams	X	_____
VACANT	_____	_____

THIS RESOLUTION adopted this 26th day of April 2022.

CITY OF SOUTH FULTON, GEORGIA

khalid kamau, MAYOR

ATTEST:



COREY E. ADAMS, SR., CITY CLERK



APPROVED AS TO FORM:



VINCENT D. HYMAN, CITY ATTORNEY



MAYOR'S SIGNATURE PAGE

The mayor, within ten (10) business days following receipt of an ordinance, resolution, or other action adopted by the city council shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance, resolution, or other action adopted by the city council has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance, resolution, or other action adopted by the city council to the city clerk within ten (10) business days of receipt, it shall become law at 12:00 Midnight on the tenth business day after receipt. If the ordinance, resolution, or other action adopted by the city council is vetoed by the mayor, the mayor shall submit to city council, through the city clerk, the reasons for the mayor's veto. The city clerk shall record upon the ordinance the date of its delivery to and its receipt from the mayor.

The mayor acknowledges receipt of the noted Item listed below:

Date of Adoption: April 26, 2022 **Item Number:** RES2022-029

Subject: A RESOLUTION TO AMEND RESOLUTION NO. 2018-006 REQUIRING CERTAIN PROTOCOLS FOR MEMBERS OF THE PUBLIC MAKING COMMENTS; AND FOR OTHER LAWFUL PURPOSES.

Date Received by Mayor: April 29, 2022

APPROVED

DISAPPROVED

Mayor's Signature: 
khalid kamau

Date to City Clerk' Office: 5 May 2022