

Rules for Public Decorum at Town Council Meetings

There have been misunderstandings of the "Public Comment" periods allowed for at Town Council Meetings. "The public must be allowed to attend and listen to deliberations and proceedings taking place in all public meetings, A.R.S. § 38- 431.01(A). However, the Open Meeting Law does not establish a right for the public to participate in the discussion or in the ultimate decision of the public body." [\[AG's Handbook Ch. 7\]](#)

Addressing issues in the most professional manner through discussions with Town Staff or Elected officials, avoids significant time wasted and ill tempers over bad assumptions from misinformation. If you don't know something; ask.

Please always feel free to send me an email, request an in-person meeting, or even a phone conversation. There have been "hurt feelings" and misunderstandings of the facts due to not fully realizing proper legal etiquette. It is my responsibility and goal to follow ALL rules to the best of my abilities.

In this informational I will discuss the types of meetings generally held, rules as stipulated by the State "Open Meeting Laws", and provide additional information on decorum from our own Town Code.

Meeting types:

Council Meetings: A meeting for the "Elected Town Council" to conduct legal business and as required by law, to be held in open and public meetings. Town code allows 'call to the public' comment periods at the beginning and end of normal meetings.

Workshops: A meeting of the Council to conduct "work" and informational discussion on one or more issues but unless specifically noted, there is no legal business conducted (decisions requiring a legal vote). There is no public comment period required.

Executive sessions: Often conducted in conjunction with regular council meetings, the public is NOT allowed. These type of meetings MUST adhere to specific regulations by the state and can only be held for very specific reasons – usually dealing with employee or contract employee issues. There is no public comment period required.

Public Hearing: An official meeting where members of the public hear the facts about a planned project, such as the Landfill expansion, and give their opinions about it.

Comments and questions must still adhere to general rules of decorum.

Open Meeting Laws:

Under my leadership the Council has followed the Open Meeting Laws as closely as possible thus avoiding the legal "problems" like those of previous administrations.

It is not allowable for public to debate the Council or *ask questions during meetings or comment periods (*see public hearings above). Those not understanding this have been wrongfully frustrated when not engaged by the council. For information on the Open Meeting Law visit the [Arizona Attorney General's](#) website and read the Agency Handbook: "Chapter 7: Open Meetings" published by the States Attorney General's office: [\[AG's Handbook Ch. 7\]](#)

Additional info in the Town Code:

Information for the conduct of Council Meetings may found in the Town Code on the [Towns Website: Chapter 2.20 COUNCIL PROCEDURE](#)

Decorum is specifically addressed in [2.20.100- Rules of Decorum for Meetings. - C. Addressing the Council:](#)

5. All remarks shall be addressed to the council as a whole and not to any single member thereof unless in response to a question from such member.

6. No question may be asked of a member of the Council or of the city staff without permission of the presiding member.

7. At the conclusion of an open call to the public, individual members on council may respond up to three minutes (unless further time is granted by the presiding member) to criticism or may ask that a matter be put on a future agenda. However, individual members of the council shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

Anyone who would assume that things are "Business as Usual" and conducted with the same level of selfishness, unlawfulness, and incompetency as has plagued this Town for decades before me, are simply wrong.

I am doing my best to conduct Town Business with integrity just as I said I would, and I have done so very well. I worked to: replace those who did not conduct public affairs in the best interest of this Town, completed the task that "Could not be done" of Town Codification, and have begun the long and tedious task of cleaning up the blight that has been slowly burying us. WE are moving forward morally, honestly, legally, responsibly, professionally; ethically.

References:

Huachuca City Website: <http://www.huachucacityaz.gov/>

Chapter 2.20 COUNCIL PROCEDURE:

<http://www.codepublishing.com/AZ/HuachucaCity/#!/HuachucaCity02/HuachucaCity0220.html>

2.20.100 Rules of decorum for meetings:

<http://www.codepublishing.com/AZ/HuachucaCity/#!/HuachucaCity02/HuachucaCity0220.html#2.20.100>

AZ Attorney General's Open Meeting Law: <https://www.azag.gov/sgo>

AZ AG's Chapter 7: Open Meetings:

<https://www.azag.gov/sites/default/files/sites/all/docs/agency-handbook/ch07-2013.pdf>