



REGULAR TOWN COUNCIL MEETING

Monday, February 22, 2021 @ 7:00pm in Warren County Government Center

Due to Executive Order #72 (Amended 1/27/21) and Order of Public Health Emergency Nine, Common Senses Surge Restrictions, Certain Temporary Restrictions due to COVID-19, from Governor Northam there is limited seating

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL Mayor Holloway __ Vice Mayor Cockrell __ Gillispie __ Lloyd __ McFadden __ Meza __ Thompson __

4. APPROVAL OF MINUTES for Work Session of February 4 and February 8, 2021 as presented.

Moved _____ Second _____ Vice Mayor Cockrell __ Gillispie __ Lloyd __ McFadden __ Meza __ Thompson __

5. RECEIPT OF PETITIONS and/or CORRESPONDENCE FROM THE PUBLIC

Public speakers/Council Members must use the same civility, decorum, orderly behavior, relevancy of comments to the subject at hand, and appropriate language in addressing Town Council as they would use in addressing a Judge in a Court of Law. No profanity, vulgar, or sexist language, or irrelevant commentary, is allowed. (*Robert's Rules, §43, pp. 379-382; Steinburg v. Chesterfield Cty. Planning Com'n. 527, F. 3d (4th Cir.) 2008; Eichenlaub v. Township of Indiana, 385 F. 3d 274 (3d Cir. 2004).*) -see page 2-

6. REPORTS

- a. Report of Special Committees or Town Officials and Town Manager
- b. Requests and inquiries of Councilmembers.
- c. Report of the Mayor

7. PROPOSALS FOR ADDITION/DELETION OF ITEMS

8. APPROVAL OF CONSENT AGENDA ITEMS

- A. Approval – Amendment to Liaison Committee Mission Statement and Policies
- B. Approval – Budget Amendment for Pedestrian Crossing Signal at Warren Memorial Hospital
- C. Approval – Joint Towing Advisory Board Appointment

Moved _____ Second _____ Vice Mayor Cockrell __ Gillispie __ Lloyd __ McFadden __ Meza __ Thompson __

9. **PUBLIC HEARING** – Solicit Input from the Public to Authorize the Passage of an Ordinance for the Sale of the Town's Portion of McKay Springs Property near the Intersection of Reliance Road and Winchester Road and Accept Bids for the Property

10. **APPROVAL** – Ordinance Amendment to Town Code Chapter 4-1, 4-4 and 4-19 (2nd Reading)

11. **APPROVAL** – Order of Business for Regular Meeting Agendas

12. **APPOINTMENT** – Planning Commission

13. **APPOINTMENT** – Board of Architectural Review

WORK SESSION

Immediately following regular meeting

1. **CLOSED MEETING** – Acquisition of Real Property

TOWN COUNCIL AND PUBLIC PRESENTATION DECORUM REQUIREMENTS

During all portions of a Regular Town Council Meeting, including its Public Presentations portion, the following requirements of decorum by both public speakers and Town Council Members must be followed. These are the requirements: Town Code, *Robert's Rules of Order* (incorporated into Town Code), and Federal Court Decisions interpreting First Amendment Constitutional Law on Free Speech.

1. The Mayor, as the presiding officer of Town Council, shall enforce the rules of procedure, preserve order and decorum, and appoint all Committees. (*Town Code 4-8*)
2. Every member of the Council shall address the presiding officer before speaking, confine himself to the question before the body and avoid all personal or indecorous language. (*Town Code 4-12*)
3. Public speakers and Council Members must use the same civility, decorum, orderly behavior, relevancy of comments to the subject at hand, and appropriate language in addressing Town Council as they would use in addressing a Judge in a Court of Law. No profanity, vulgar, or sexist language, or irrelevant commentary, is allowed. (*Robert's Rules, §43, pp. 379-382; Steinburg v. Chesterfield Cty. Planning Com'n. 527, F. 3d (4th Cir.) 2008; Eichenlaub v. Township of Indiana, 385 F. 3d 274 (3d Cir. 2004.)*)
4. There can be no personal attacks. A speaker can condemn the nature or likely consequences of a proposed measure in strong terms, but under no circumstances can he attack or question the personalities or the motives of another member. The measure, but not the man, is the subject of debate. (*Same Authority as above*)
5. A speaker may not speak to any matter that is the subject of a public hearing during that same Regular Meeting. (*Robert's Rules, § 43, pp. 379-382*)
6. A speaker who violates 2., 3., 4., or 5. Above should be promptly asked to stop speaking in that fashion by the Mayor. If such speaker does not promptly so stop, the Mayor should ask the Sergeant at Arms (Police Officer) to remove such speaker, forcibly if necessary, and even charged with a misdemeanor crime. Federal court decisions have established that public policy in maintaining civility and decorum during the public comment sessions of its public meetings, both to ensure the efficient conduct of the people's business and to maximize citizen participation in the discussion, override the speaker's First Amendment rights of free speech. Governmental bodies may enforce policies against personal attacks in furtherance of a legitimate governmental purpose to preserve order and decorum in meetings, so long as they do not use the personal attack policy as a pretext to squelch a particular substantive viewpoint. (*Robert's Rules, § 43, pp. 379-382; Steinburg v. Chesterfield Cty. Planning Com'n. 527, F. 3d (4th Cir.) 2008; Eichenlaub v. Township of Indiana, 385 F. 3d 274 (3d Cir. 2004.)*)

Town Attorney July 2020