



REGULAR TOWN COUNCIL MEETING

Monday, September 14, 2020 @ 7:00pm
Warren County Government Center

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call
4. Approval of Minutes

Regular and Work Session Council Meeting Minutes of August 24, 2020

5. Receipt of Petitions and/or Correspondence from the Public

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).

--Further Details found on page 2 of this agenda--

6. Reports:

- a. Report of special committees or Town Officials and Interim Town Manager
- b. Requests and inquiries of Council members.
- c. Report of the Mayor
- d. Proposals for addition/deletion of items to the Agenda.

7. CONSENT AGENDA ITEMS – (ROLL CALL VOTE REQUIRED)

- A. COUNCIL APPROVAL – FY2021-2022 Budget Calendar
- B. COUNCIL APPROVAL – Extension of Contract with Business Recovery Consulting Services
- C. COUNCIL APPROVAL – Bid for Various Sizes of Transformers
- D. COUNCIL APPROVAL – Bid for Transformer Replacement at the Kendrick Substation

8. PUBLIC HEARING – Ordinance Amendment to Chapter 138 (1st Reading)

9. COUNCIL APPROVAL – FY21 Budget Amendment for HIDTA Administrative Assistant Position for Police Department

10. COUNCIL APPROVAL – FY21 Budget Transfer for Attrition Position for Police Dept

11. CLOSED MEETING

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