

January 30, 2020

TO: Mayor Julie Moore Wolfe & Members of the Decatur City Council

FROM: Scot Wrighton, City Manager 

RE: City Council Policies

On September 23, 2019 the City Council conducted a study session on Draft City Council Policies. The proposed policies reviewed/amended by the council were not formally approved. Budget process policies were approved during adoption of the budget system late last year.

Formal actions by the City Council to facilitate the equitable operations of municipal government often require the adoption of ordinances and various forms of contracts because they require the force of law. However, other times the consistent extension of governing body policy simply requires a majority vote to clarify its policy position, does not require the force of law, and does not require entering into a contractual relationship. City Council policy statements can, in this way, be used to consistently articulate the governing body's position on a variety of topics, such as: broad methods and decision-rules for delivering services, financial management policies, how public meetings are conducted, how property is disposed of, what and where development practices and incentive measures are deployed, how bid awards and change orders are made and governed (insofar as all of these first comply with all existing local, state and federal laws), etc.

It is proposed that these and subsequently adopted City Council Policies be maintained by the Office of the City Clerk, and updated as needed, as additional policies are created, using the organizational system suggested by the City Attorney in the attached document.

Brand new language is underlined. The initial batch of policies include all those previously reviewed by the City Council, either in September or during the budget review sessions (i.e., the General Fund reserve policy), PLUS three areas of substantive revision or insertion of NEW language which have not been reviewed previously by the City Council:

1. Language on public contracts (Financial Policies C.4)
2. Language on sale and purchase of land (Property & Land Uses Policies D.3.d & D.4)
3. Additional rules and procedures for public participation at meetings (Sec. 2.4.b)

#1 reflects legal guidance from the State, and the desire to give greater clarity about change orders requiring City Council approval.

#2 reflects a policy position that all sales or purchases of real estate—no matter how large or small—should be approved by the City Council.

#3 is an attempt to make public meetings more efficient, and to maintain civility and decorum throughout public meetings—and do so in a manner that encourages opinions from all sides of an issue; minimizes potential disruptions that distract city boards, councils and commissions from their legislative or advisory work; prevent audience members from intimidating others; and discourage, to the fullest extent possible, a hostile or toxic environment in public meetings. The proposed revisions set a maximum time for citizen participation at the beginning of the meeting at 30 minutes; provide a mechanism for extending this aggregate total when circumstances are appropriate; and give guidance to the presiding officer in how to deal with speakers who are profane, vulgar, disruptive, or threatening. The proposed revisions decrease comments pertaining to items included on the regular action agenda, but still provide a mechanism for submission of written comments, and an option to call on persons who have made written submittals in advance of a meeting. The policy specifies that such decisions about calling on speakers seeking to comment on regular agenda items must be evaluated in a manner that remains content neutral.

The City Council is free to make amendments to these recommended policy statements prior to final adoption, or to postpone action to a later time. Additional City Council statements will be brought to the council in the future.