

## **City of Fitchburg Plan Commission Public Participation**

\* This is a work in progress document and the options are just suggestions being made to help run a more uniform and consistent Plan Commission meeting.

### **Current Format:**

1. Speak on any item on the agenda at its place on the agenda, or on non-agenda items under a specific area on the agenda.
2. Questioning by the Plan Commission and applicants even questioning the Commission.
3. Questioning between applicant and audience.
4. Few, if any time limits, and when limits are imposed seldom regularly followed.
5. Long presentations by applicant, some times 20 to 30 minutes.

**Options:** (These are in no particular order and some may relate to others, but there is not a full dependant relationship among all items)

1. Limit applicant to a maximum five minute presentation, after all they have submitted plans and documents that should fully explain their request.
2. Applicants are encouraged, if they or staff feel there project warrants, to submit a one to two page summary of the project which explains what they are doing.
3. If information is provided at the meeting that is different from that received in the packet it may become grounds for immediate deferral.
4. Applicants will not always alter plans to staff suggestion, and that leaves the opinion to the Plan Commission when a difference exists between staff and the applicant. If differences of opinion are noted within the staff report, Commission discussion is to focus on the differences, not on what is agreed to unless the Commission has new issues that they wish to see addressed beyond what staff has provided.
5. Allow three minutes per public speaker, and enforce the three minutes. If a speaker goes over, the speaker is allowed 15 seconds to complete and if in 3 min 15 seconds the speaker has not concluded the remarks will end at that point. (If each speaker takes on average 3-1/2 minutes to have name called, get to the seat, and speak, that is 10 speakers every 35 minutes.) No questioning by speaker of the Commission or of any member of the audience. No debate between speaker or audience or Plan Commission and speaker. When a hearing is completed the chair will ask one more time if there is any one else to speak who has not spoken. If no one asks to be recognized to speak the hearing is closed and no further public comment shall be received.
6. After a presentation and any comments by the public on an agenda item, the remaining time is for Commission discussion, it is not to begin to solicit additional testimony or questions or debate between the public, applicant, and the Commission. Any questions should be by the Commission and to be direct and based on a specific point of discussion that may be important to a decision.
7. Persons presenting testimony are asked to provide written testimony, and when speaking to summarize what they have written, not to simply read what they have written, unless it takes less than 3 minutes to read.

8. For non-agenda items, speaker has three minutes to make comments. No discussion is allowed, it is not an agenda item and therefore others holding the same or different view may have been present if they knew the issue was to be brought before the Commission. The matter discussed may be placed on a future agenda for discussion, or a report by the Planning Dept.
9. Maintain consistency regardless of number of items on an agenda or number of persons to speak. Only when there is consistency will the levels be truly accepted.
10. Establish a consent agenda, near the top of the agenda, where:
  - a. An item where the applicant agrees to the staff conditions, there exist no staff—applicant issues to be resolved, and the issue and related conditions are accepted as written by the staff.
  - b. If a Commission member disagrees and has some issues, the item may be removed from the consent agenda and discussed as a standard item.
  - c. Consent agenda items will not apply to public hearing items.
11. At non-public hearings, public comments should be brief and to provide only new information. Public comment is limited to three minutes.
12. At public hearings, the comments to be received should be relevant to the topic. If it is a second public hearing the comments should relate to the alterations from what was available at the prior hearing. The Chair is required to ask the speaker to provide new information, not recount previous testimony if repetition is occurring.
13. No clapping, heckling, calling, or other disruptions are allowed, all speakers, regardless of opinion shall be respected. Chair shall gavel for order and request respect from the audience. If another outbreak occurs, the Chair may ask offending person to leave the hearing.
14. The Chair will state the item on the agenda and move to a staff report prior to any discussion or public hearing, planning staff will present any conditions they have outlined for approval.

Public hearings are the only time when the Commission is required to allow any member of the public to speak. Fitchburg has been very generous in allowing persons to speak on any agenda item (and even non-agenda items), although that practice could end if the Commission so chose. The meeting has to be open to the public (provided it is not a closed session meeting certain standards set out in state statutes), but the only right to speak is when a public hearing is noticed.

Public participation is compromised when the meeting length becomes unreasonable, when there is disrespect for a speaker, or when time is dominated by a certain faction or group such that persons with a different opinion feel they are intimidated and then do not speak. Time limits are a recognized way to deal with these issues and to present fairness and equity to all.