



City of Grand Forks
Staff Report
Committee of the Whole – July 14, 2025
City Council – July 21, 2025

APPROVED & ACCEPTED
by City Council

07/21/2025

Maureen Storstad
Maureen Storstad
City Auditor

Agenda Item: Citizen Comment Policy Update

Submitted by: Dan Gaustad, City Attorney

Staff Recommended Action:

Review and approve update to Citizen Comment Policy

Committee Recommended Action: Motion by Osowski to approve as amended with 3 minute cap per speaker, with a total time for comments to 30 minutes, seconded by Weigel. Motion carried 6-1 with Berg dissenting.

Council Action:

Motion by Weigel, second by Berg to approve revision of Citizen Comment Policy with limit of 3 minutes per speaker, total citizen comment time of 30 minutes. 1 comment period immediately prior to Action Items, and removal of reference to qualifications of residency for speakers to be in compliance with newly passed legislation. Motion passed 5-2 with Berg and Weigel dissenting.

BACKGROUND:

Changes to the Citizen Comment Policy are needed to be consistent with the statute passed this past session. The most significant change is to remove language that a person needs to be a resident, own a business or property within the city, or be an employee of a business in the community. The new law only permits certain limitations, and being a resident is not one of the listed allowed limitations. Also, to limit the total time period for each public comment period.

ANALYSIS AND FINDINGS OF FACT:

- City of Grand Forks adopted a Citizen Comment Policy in 2023.
- ND Legislature passed SB2180 requiring a public comment period at regular meetings of various governing bodies and limitations allowed.
- Based on the newly passed legislation, the City's policy needs to be updated to remove language that is not permitted.

SUPPORT MATERIALS:

- SB2180
- Red-lined City of Grand Forks Citizen Comment Policy

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2180
(Senators Paulson, Luick, Weston)
(Representatives Louser, D. Ruby, D. Johnston)

AN ACT to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to the opportunity to provide public comment at a meeting of a public entity.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 44-04 of the North Dakota Century Code is created and enacted as follows:

Public comment - Regular meetings of a public entity.

1. Every regular meeting of a governing body of a city, county, township, school district, park district, or water resource district must include an opportunity for an individual to provide public comment.
2. An individual providing comment at a meeting shall provide to the governing body in writing the individual's name and address. The individual's address is an exempt record.
3. A governing body of a city, county, township, school district, park district, or water resource district:
 - a. May limit a public comment only as follows, except as provided in subdivision b:
 - (1) By time per speaker, total time for public comment, or both.
 - (2) By agenda topic, to the agendas of the current and at least one preceding meeting.
 - b. Shall develop a policy regarding public comment rules for regular meetings. The policy may provide a public comment:
 - (1) Must be pertinent to the public entity.
 - (2) May not interfere with the orderly conduct of the regular meeting.
 - (3) May not be defamatory, abusive, harassing, or unlawful.
 - (4) May be prohibited if an alternative procedure exists to bring that particular type of public comment before the public entity, the public comment includes confidential or exempt information, or the public comment is otherwise prohibited by law.

Lyle Davison
President of the Senate

Phil Weis
Speaker of the House

Sharon Meyer
Secretary of the Senate

Buell F. Reich
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2180.

Senate Vote: Yeas 43 Nays 4 Absent 0

House Vote: Yeas 93 Nays 0 Absent 1

Sharon Meyer
Secretary of the Senate

Received by the Governor at 9:41 A.M. on April 29th, 2025.

Approved at 4:09 P.M. on April 30th, 2025.

[Signature]
Governor

Filed in this office this 1st day of May, 2025,
at 6:53 o'clock P M.

Michael Howe
Secretary of State

Citizen Comment Guideline and Policy

And

Public Meeting Decorum Guideline and Policy

1. Citizen Comments

¶1.1 General public comment and participation, apart from public hearing or comments requested on specific agenda items, will be scheduled for regular City Council meetings and only during the portions of the meeting designated as “Citizen Comment” on the City Council Agenda. Public comment and participation will not be scheduled or permitted during meetings of the Committee of the Whole or special City Council Meetings, except for public hearings or comments that are requested on specific agenda items during such meetings.

~~¶1.2 Only individuals who are (a) residents of, (b) own real property within, (c) operate a business within or (d) an employee of a business or governmental entity operated within, the City of Grand Forks or the extra-territorial zoning area of the City of Grand Forks, will be permitted to speak during the designated “Citizen Comment” portions of the City Council meetings. Students at the University of North Dakota shall be considered residents of the City of Grand Forks. Also, the Grand Forks Air Base will be considered a governmental entity operated within the City of Grand Forks.~~

¶1.32 The City Council Agenda will include two “Citizen Comment” portions of the meeting.

¶1.43 The first “Citizen Comment” portion will be immediately before the Action Item portion of the Agenda and will be labelled “Citizen Comments – Action Items.”

¶1.54 The second “Citizen Comment” portion will be at the end of the meeting and immediately before agenda items for comments by City Administrator, Mayor and City Council members and will be labelled “Citizen Comments – General.”

¶1.65 During each of the two Citizen Comment portions of the City Council Agenda, each speaker will be limited to five minutes and the time from one speaker cannot be used by another speaker. The five-minute time allotted for Citizens Comments – Action Items and Citizens Comments – General are separate time allotments and cannot be accumulated or added together to increase the time of speaking during these respective Citizen Comment portions of the meeting. The total amount of time public comment during the Citizens Comments – Actions Item shall be _____ minutes, and for the Citizens Comments – General shall be _____ minutes.

¶1.76 Comments during the Citizens Comments – Action Items portion of the meeting are limited solely to the items listed as an Action Item on the Agenda. If a speaker does not limit comments to Action Items during the Citizens Comments – Action Items, the speaker will be requested to leave the podium and the speaker’s five-minute time allotment will end. If the speaker refuses to leave the podium, this will be considered disruptive behavior.

¶1.87 Comments during the Citizens Comments – General portion of the meeting are open to any topic the speaker wishes to comment on that is pertinent to the City.

¶1.98 Individuals who wish to speak during the Citizen Comments – Action portion of the Agenda must place their name, address, and the subject to be addressed on a comment card prior to the Citizens Comments – Action portion of the City Council meeting.

¶1.109 Individuals who wish to speak during the Citizen Comments – General portion must place their name, address, and the subject to be addressed on a comment card prior to the Citizens Comments – General portion of the City Council meeting.

~~¶1.11 Individuals who are not a residents of the City of Grand Forks must list the address of the City of Grand Forks business he/she operates or is an employee of, or the City of Grand Forks real property he/she owns.~~

¶1.1210 Individuals who do not submit a comment card prior to the start of the Citizen Comments – Action or the Citizen Comments – General portions of the City Council meetings will not be permitted to speak during these respective times.

¶1.1311 Individuals who wish to submit a written statement may do so, but written statements are limited to two and a half pages.

¶1.12 A individual may not disrupt the orderly conduct of the meeting.

¶1.13 An individual may not make comments that are defamatory, abusive, harassing or unlawful.

¶1.14 Comments may be limited if an alternative procedure exists to bring that particular type of comment before the City, the public comment includes confidential or exempt information or the public comment is otherwise prohibited by law.

2. **Public decorum**

¶2.1 The following public decorum rules and guidelines shall apply to all attending or participating in meetings of the City Council, Committee of the Whole, and other City Council committees (including planning and zoning committee meetings), and violation of these public decorum rules and guidelines will be considered disruptive conduct, adverse to the legitimate government interest of conducting orderly, efficient, effective, and dignified public meetings:

- (A) An individual, during the Citizens Comments – Action Items and Citizens Comments – General, refuses to leave the podium after being requested to do so because the individual is not within those that may provide public comment (i.e. not a resident or business owner within the City of Grand Forks), the individual’s five-minute time allotment has ended, or the speaker during the Citizens Comments – Action Items period did not limit comments to an Action Item.
- (B) Outbursts, shouting, clapping, booing, hissing, interruptions, loud noises, and comments during presentation of any agenda item, discussion by the members of the public body that are meeting.

- (C) Behavior or conduct that disturbs, disrupts, impedes or interrupts presenters of an agenda item, discussion by the members of the public body or the orderly conduct of the meeting.
- (D) Behavior or conduct that creates, provokes or causes disturbances involving unwelcome physical contact or verbal abuse.

¶2.2 If, in the opinion of the presiding officer of the meeting, that any of the above behavior or conduct has occurred or other conduct or behavior that disrupts or impedes the orderly and efficient conduct of the meeting has occurred, the presiding officer may provide a warning indicating the individual's conduct is considered by the presiding officer to be disruptive conduct and further disruptive conduct by any individual in attendance at the meeting may result in the meeting being recessed until order is restored in the Council Chambers.

¶2.3 If, in the opinion of the presiding officer, the disruptive conduct is so severe, the presiding officer may request the sergeant at arms or police officer in attendance to immediately remove the individual from the meeting.

¶2.4 The general public is reminded, pursuant to City Code § 2-0104(30), "[n]o person . . . shall be admitted upon the dais unless at the request of the mayor, but the right of such admission shall not extend beyond that meeting." A violation of City Code is subject to punishment pursuant to City Code § 23-0101.

Adopted and Effective: _____, 2023~~5~~