

APPROVED MINUTES OF THE COMMITTEE OF THE WHOLE

January 17, 2023
Conference Room #119
6:15 P.M.

Present: Commissioners: Mayor Pro-Tem Robert Coughlin, Betsy Artz, Ron Draayer, Maurice Groce, Clarkston Morgan, Jessica Ann Tyson, and Mayor Stephen Kepley.

Staff present: Deputy City Administrator Shay Gallagher, DPW Director Chad Griffin, Deputy Fire Chief Mike Hipp, City Clerk Dan Kasunic, Police Chief Bryan Litwin, Fire Chief Brent Looman, Parks & Recreation Director Val Romeo, Fire Department Administrative Assistant Nancy Shane, City Attorney Jeff Sluggett and Sabo Representative Lisa Taylor.

MAYOR'S OFFICE:

A. USE OF CITY FACILITIES POLICY DISCUSSION.

Mayor Kepley opened the meeting stating this issue is to understand what can and what can not be done at events and what is the line between free speech and enjoying an event.

City Attorney Sluggett provided some background stating there are three principal laws.

- 1) the Michigan Finance Act, prohibiting the use of city funds towards a political campaign and to treat all the same.
- 2) open to everyone. If you allow of a facility to one, then you must allow to everyone. The equal protection clause.
- 3) the first amendment Free Speech in public forums such as parks and the right to speak. He noted these areas are highly litigated and the city needs to tread carefully.

Attorney Sluggett highlighted different sections of interest. In section five, in which the city could regulate the times of a public forum, noting the sidewalk can not be regulated but during an event you could limit where a person could be located.

Three different subsections were noted: the event, the permitted booths and the restrictions within the proposed policy.

The committee asked questions of the different sections and requested clarifications on items, along with the ramifications of this policy.

Attorney Sluggett will make changes to the proposed policy as suggested and be this policy back for further review and consideration.

Committee of the Whole
January 17, 2023.

The meeting was adjourned at 7:01 P.M.

Dan Kasunic
City Clerk

Robert Coughlin
Mayor Pro-Tem