

**CITY OF STANDISH  
RULES OF PROCEDURE FOR  
CITY COUNCIL MEETINGS**

**REGULAR AND SPECIAL MEETINGS**

All meetings of the City Council will be held in compliance with state statutes, including the Open Meetings Act. 1976 PA 267 as amended, and with these rules.

**1. Regular Meetings**

Regular Meetings of the City Council will be held on the third Monday of each month beginning at 7:00 p.m. at City Hall, 399 E. Beaver Street, Standish Michigan, unless otherwise rescheduled by a majority vote of the Council. Council meetings shall conclude no later than 10:00 p.m., subject to extension by majority vote of the Council.

**2. Special Meetings**

A special meeting shall be called by the Clerk upon the written request of the mayor or any two members of the Council on at least 24 hours written notice to each member of the Council served personally or left at the Council member's usual place of residence. Such special meetings may be held on shorter notice if all members of the Council do, in writing, consent thereto. No official action shall be transacted at any special meeting of the Council unless the item has been stated in the notice of such meeting.

**3. Posting Requirements for Regular and Special Meetings**

Within 10 days after the first meeting of the Council following the election, a public notice stating the dates, times and places of the regular monthly Council meetings will be posted at City Hall.

For a rescheduled regular or a special meeting of the Council, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting at City Hall. Such notice is not required for a meeting of the Council in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Council determine that delay would be detrimental to the cities efforts in responding to the threat.

**4. Minutes of Regular and Special Meetings**

The City Clerk shall attend the Council Meetings and record all the proceedings and resolutions of the Council in accordance with the Open Meetings Act. In the absence of the Clerk, the Council may appoint one of its own members or another person to temporarily perform the Clerk's duties.

## CONDUCT OF MEETINGS

### 1. Meeting to be Public

All regular and special meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Council may determine, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act.

All official meetings of the Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

### 2. Agenda Preparation

The City Administrator shall prepare an agenda for each regular City Council meeting. Agenda requests must be made in writing to the City Administrator, with the appropriate detailed supplementary information provided. The agenda deadline is noon on the Wednesday immediately prior to the meeting.

### 3. Agenda Distribution

Agendas, along with appropriate support information, will be provided to the City Council no later than Friday prior to the meeting.

As a professional courtesy to staff, Councilpersons shall make every effort to indicate to staff if technical questions are going to be asked. Councilpersons shall review information regarding the City Council meeting prior to the meeting.

Councilpersons shall direct all inquiries regarding City Council meeting agenda items or City activities, policies, or issues to the City Administrator. The City Administrator may direct other staff persons to respond, unless inquiries are relevant to statutorily required or assigned responsibilities of the staff person.

### 4. Quorum

A majority of the entire elected or appointed and sworn members of the City Council shall constitute a quorum for the transaction of business at all City Council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

### 5. Attendance at City Council Meetings

Election to the City Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in City Council activities and represent the residents of the City of Standish. Attendance at City Council meetings is critical to fulfilling this responsibility.

The City Council may excuse absences for cause. If a City Council member has more than three unexcused successive absences for regular or special City Council meeting, or is absent for over 25% of the meetings in any year of his term of office, the City Council may, after a public hearing, declare a vacancy in his office.

#### **6. Presiding Officer**

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Mayor, and in his absence the Mayor Pro-tempore, shall be the presiding officer.

#### **7. Disorderly Conduct**

The Chair may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the Chair determines whether the person is in order.

If the person shall continue to be disorderly and disrupt the meeting, the Chair may order the sergeant at arms to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

### **CLOSED MEETINGS**

#### **1. Purposes**

Closed meetings may be held only for the reasons authorized in the Open Meetings Act, which are as follows:

- To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent when the named person requests a closed meeting.
- For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.
- To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- To consult with the municipal attorney or another attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the council.
- To review the specific contents of an application for employment or appointment to a public office when a candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting.
- To consider material exempt from discussion or disclosure by state or federal statute.

**2. Calling Closed Meetings**

At a regular or special meeting, the council members, elected or appointed and serving, by a two-thirds roll call vote may call a closed session under the conditions outlined in Section C.1 of the Open Meetings Act. The roll call vote and purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

**3. Minutes of Closed Meetings**

A separate set of minutes shall be taken by the Clerk or the designated secretary of the Council at the Closed Session. These minutes will be retained by the Clerk, and shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

**4. Confidentiality of Closed Meeting Information**

A City Councilperson shall not divulge to an unauthorized person confidential information discussed in a closed session in advance of the time prescribed for its authorized release to the public by the City Council. Councilpersons shall honor the confidentiality of the debate, discussion, and preliminary action taken in closed session, and be aware of the potential financial liability and/or harm to the reputation of the City by premature disclosure.

**DISCUSSION AND VOTING**

**1. Rules of Parliamentary Procedure**

The rules of parliamentary practice as contained in the latest edition of Robert's Rules of Order shall govern the Council in all cases to which they are applicable, provided that they are not in conflict with these rules, City Ordinances or applicable State Statutes.

The Chair shall preserve order and decorum and may speak to points of order in preference to other Council Members. The Chair shall decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the Council Members present.

Any member may appeal to the Council a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the presiding officer may briefly state the ruling. There shall be no debate on the appeal and no other member shall participate in the discussion. The question shall be, "Shall the decision of the chair be sustained?" If the majority of the members present vote "yes," the ruling of the Chair is sustained; otherwise it is overruled.

**2. Conduct of Discussion**

During the Council discussion and debate, no member shall speak until recognized for that purpose by the Chair. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the Chair, maintain a courteous tone and avoid interjecting a personal note into debate.

No member shall speak more than once on the same question unless every member desiring to speak to that question shall have had the opportunity to do so.

The Chair, at his discretion and subject to the appeal process mentioned herein may permit any person to address the Council during its deliberations.

**3. Ordinance and Resolutions**

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes as such.

**4. Roll Call**

In all roll call votes, the City Clerk shall rotate the roll call, with the presiding officer voting last.

**5. Duty to Vote**

Election to a deliberative body carries with it the obligation to vote. Council members present at a Council meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law. A Council member who is present and abstains or does not respond to a roll call vote shall be counted as voting with the prevailing side and shall be so recorded, unless otherwise excused or prohibited by law from voting.

Conflict of interest, as defined by law, shall be the sole reason for a member to abstain from voting. The opinion of the City Attorney shall be binding on the Council with respect to the existence of a conflict of interest. A vote may be tabled, if necessary, to obtain the opinion of the City Attorney.

The right to vote is limited to the members of Council present at the time the vote is taken. Voting by proxy or telephone is not permitted.

**6. Results of Voting**

In all cases where a vote is taken, the Chair shall declare the result. It shall be in order for any Council Member voting in the majority to move for a reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the Council. When a motion to reconsider fails, it cannot be renewed.

## **CITIZEN PARTICIPATION**

### **1. General**

Each regular City Council meeting agenda shall provide for reserved time for audience participation. The presiding officer shall have discretion to allow a member of the audience to speak at times other than reserved time for audience participation.

### **2. Length of Presentation**

Any person who addresses the City Council during a council meeting or public hearing shall be limited to three (3) minutes in length per individual presentation. The Clerk will maintain the official time and notify the speakers when their time is up. The presiding officer reserves the right to extend the comment time.

### **3. Addressing the Council**

When a person addresses the Council, he shall state his or her name and home address. Remarks should be confined to the question at hand and addressed to the Chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

## **MISCELLANEOUS**

### **1. Guidelines of Conduct**

Members of Council shall refrain from argument with a member of the public or staff at City Council meetings since these arguments seldom resolve concerns and many times inflame feelings at a public meeting. Any concerns by a member of Council over the behavior or work of a City employee during a Council meeting should be directed to the City Administrator to ensure the concern is addressed.

There shall be mutual respect from both Staff and Councilpersons of their respective roles and responsibilities when and if expressing criticism in public session.

### **2. Adoption and Amendment of Rules of Procedure**

City Council may alter or amend these rules at any time by a majority vote.

### **3. Suspension of Rules**

The rules of the City Council may be suspended for a specified portion of a meeting by a majority vote, except that Council shall conform to state statutes and to the Michigan and the United States Constitutions.

### **4. Committees**

Special committees may be established for a specific period of time by the Mayor that specifies the task of the special committee.

## **5. Minutes**

Minutes are recorded to provide an accurate written history of the proceedings of a board, commission, or committee meeting. They are not transcripts of the meeting or verbatim renderings or summaries.

The Clerk shall obtain the names of members of the public and guests attending the meeting by having them sign in as they enter the room and indicate if they desire to provide public comment.

The only actions that must be recorded in the minutes are motions made, seconds to motions, and votes taken. Although motions that are withdrawn are not required to be recorded, they shall be recorded to assure accuracy and a consistent record of Council deliberations.

The record of each motion will include the name of the person making the motion, and the name of the seconder. The minutes must also indicate the action taken on the motion, generally “carried” or “defeated.”

Amendments to motions will be entered in the order in which they are made. They must be voted on in reverse order with the last amendment being voted on before the first amendment. When the first amendment is voted on, it includes amendments made after it. After all amendments have been voted on, the main motion is voted on “as amended.” The entire motion, including all of the motions passed, must be voted on as a total unit.

Unapproved minutes of regular or special meetings shall be available for public inspection not more than eight business days after such meeting. Approved minutes shall be available for public inspection not later than five business days after the meeting at which the minutes were approved.

## **6. Tape Recordings, Videotaping, Telecasting, Media**

In accordance with the Michigan Open Meetings Act, the right of a person to attend a public meeting includes the right to tape record, videotape or telecast the proceedings. However, Council requires that this not be done in a disruptive or intimidating manner.