

**RULES OF ORDER
OF THE COUNCIL OF THE
CITY OF SAGINAW
AMENDED 2006**

Section 1: Schedule

1. The Council shall hold regular sessions in the official Council Chamber upon Monday of every other week at 6:30 p.m., except the first meeting after an election when the meeting shall begin at 7:30 p.m., as provided by the Charter of the City of Saginaw, and unless otherwise ordered by the Council. When the regular meeting of the Council falls on a legal holiday, the Council schedule shall be adjusted to meet the two-week meeting requirement of the City Charter.

Section 2: Notice and Minutes

1. The City Clerk is designated as the person who shall give notice of all meetings of the Council whether regular, rescheduled regular (recessed for more than 36 hours) or special meeting and shall keep minutes thereof, as required by 1976 PA 267 ("Open Meetings Act").

2. Notices of meetings shall be posted in the Office of the City Clerk in the City Hall which is hereby designated the principal office of the Council.

3. In addition, the Clerk shall give the required notice of all meetings of the Committee of the Whole and the Clerk shall be given sufficient advance notice of the Committee of the Whole meeting to permit compliance with 1976 PA 267 as amended.

Section 3: Audience

1. Except in the case of closed sessions, all City Council meetings are open to the public, and citizens are encouraged to attend and participate.

2. When in the Council Chamber, or location in which a special meeting is held, members of the public shall show their respect for the institution by:

- (a) Maintaining order
- (b) Remaining quiet and refraining from speaking, cheering, booing or rude or obnoxious behavior
- (c) Removing hats, if they are men
- (d) Turning cell phones, pagers and other electronic devices off or to "silent" modes

3. A person may be removed or excluded from a Council meeting only for a breach of the peace actually committed at the meeting, but the presiding officer may admonish any person guilty of lesser misconduct.

Section 4: Order of Business

1. The regular order of business shall be as follows:

- (a) Roll Call
- (b) Correction and approval of minutes of preceding sessions
- (c) Announcements (awards/proclamations/recognitions/presentations)
- (d) Public Hearings
- (e) Personal Appearances
- (f) Remarks of Council
- (g) Petitions
- (h) Reports from Boards, Commissions and Committees and appointment of Board and Commission Members

- (i) Reports from Manager
- (j) Introduction of Ordinances
- (k) Consideration and Passing of Ordinances
- (l) Resolutions
- (m) Unfinished Business
- (n) Motions and Miscellaneous Business
- (o) Adjournment

2. The presiding officer may refer to any order of business upon a motion by any Councilmember, duly supported and approved by a majority of the members present. In the case of a tie vote, the regular order of business will be followed.

Section 5: Public Hearings

1. Speakers appearing before Council for Public Hearings must limit their remarks to the subject of the Hearing.

2. Each speaker shall begin by stating his or her name.

3. During a Public Hearing, the Applicant, Appellant, or main presenter, or his or her designated representative, will be allowed fifteen (15) minutes for his or her presentation unless the Council shall by majority vote extend that time. Each speaker addressing the issue is limited to five (5) minutes unless the Council shall by majority vote extend that time.

4. Speakers appearing before Council for Public Hearings may ask general questions about the subject of the hearing, but shall not ask questions of specific Councilmembers.

5. The purpose of a Public Hearing is to address Council. Speakers shall address their remarks to the Council as a whole. Remarks shall not be ad-

ressed to individual Councilmembers, City staff or the audience.

6. During Public Hearings, Councilmembers shall maintain a neutral or objective manner as much as possible.

7. At the conclusion of a speaker's remarks, the Mayor or presiding officer, or Councilmembers or City staff, with recognition by the presiding officer, may answer specific questions posed by the speaker and/or clarify points as deemed necessary. Neither the presiding officer, other Councilmembers or City staff shall engage in debate with speakers or other members of the public.

8. The purpose of a Public Hearing before City Council meeting is discuss City business and not to deal with individual personalities. Consequently, during any portion of any City Council meeting, including Public Hearings, the Council shall not permit personally abusive attacks or slanderous or profane remarks about any person. Nothing herein is intended to limit or restrain negative, positive or neutral comment about the manner in which an individual employee, officer, official or Councilmember carries out his or her duties in public office or employment.

9. Violation of any of these rules will be considered a breach of order, for which the speaker's appearance will be terminated. Refusal to yield the floor will be considered a breach of peace and subject the violator to removal from Council Chambers.

Section 6: Personal Appearances

1. Speakers appearing before Council for Personal Appearances shall limit

their remarks to business that is within the City of Saginaw's jurisdiction.

2. Any person (other than Councilmember or City Manager) desiring to address the Council shall file with the Clerk by 1 p.m. on the day of the Council meeting a request for personal appearance in writing, by telephone, or by fax. The request shall include the requestor's residence address and subject matter of the appearance. For special meetings and meetings held at times other than 6:30 p.m., the deadline is 6 hours prior to the meeting.

3. Each speaker is limited to three (3) minutes unless the Council shall by majority vote extend that time.

4. Speakers appearing before Council during Special Single-Subject meetings must limit their remarks to the single subject of the meeting.

5. The purpose of a Personal Appearance is to address Council. Speakers shall address their remarks to the Council as a whole. Remarks shall not be addressed to individual Councilmembers, City staff or the audience.

6. Speakers appearing before Council during Personal Appearances may ask general questions about the topic of their presentation. All such questions will be referred to City Staff for appropriate follow up. Speakers shall not ask questions of specific Councilmembers.

7. During Personal Appearances, Councilmembers shall maintain a neutral or objective manner as much as possible.

8. At the conclusion of a speaker's remarks, the Mayor or presiding officer shall, if applicable, refer questions to City staff and thank the speaker for his or her remarks. Neither the presiding officer nor other Councilmembers shall engage in debate with speakers or other members of the public.

9. Personal Appearances will not be granted while the Council is convened in the Committee of the Whole unless that person is invited by the Council to address the committee.

10. The purpose of a City Council meeting is to discuss City business and not to deal with individual personalities. Consequently, during any portion of any City Council meeting, including Personal Appearances before Council, the Council shall not permit personally abusive attacks or slanderous or profane remarks about any person. Nothing herein is intended to limit or restrain negative, positive or neutral comment about the manner in which an individual employee, officer, official or Councilmember carries out his or her duties in public office or employment.

11. Violation of any of these rules will be considered a breach of order, for which the speaker's appearance will be terminated. Refusal to yield the floor will be considered a breach of peace and subject the violator to removal from Council Chambers.

Section 7: Council Remarks

1. Upon recognition by the presiding officer, members of Council may make remarks to other Council members, City staff and the public.

2. Council remarks shall be limited to five (5) minutes and shall relate to

issues affecting the City of Saginaw and falling within the jurisdiction of City government.

Section 8: Presiding Officer

1. The presiding officer shall preserve order and decorum and shall decide all questions of order, subject to an appeal to the Council. When any member has made an appeal of the decision of the presiding officer and has been properly supported, the presiding officer shall call for a vote to sustain the chair. The presiding officer shall have a vote in case of appeal of his or her own decision. A tie vote shall sustain the presiding officer on the principle that the decision of the presiding officer stands until reversed by a majority.

2. The Mayor or presiding officer should expedite business and guide the discussion so as to allow full expression of views, but also move business along as quickly as possible.

3. Except as otherwise ordered by the Council, it shall be the duty of the presiding officer to refer all petitions, communications or other business that may come before the Council to the City Manager or other appropriate committee, commission or official.

4. Discussion on all subjects shall be free and open and under moderation of the presiding officer. The presiding officer shall request any member who is repetitive to yield the floor and when necessary, a move for the previous question shall be made to terminate debate. The presiding officer may address the Council and make a motion

for Council consideration in the same manner as any other Council member.

Section 9: Committee of the Whole

1. When the Council shall resolve into the Committee of the Whole, the presiding officer shall name a chairman to preside therein, and these rules shall be observed in the Committee of the Whole, so far as they are applicable. When the Committee shall rise, the chairman shall report its action to the Council, which report only shall be recorded.

2. When the Council meets as the Committee of the Whole at a time other than during a regular or special meeting of the Council, it shall not make any determination nor adopt any recommendation for transmission to the Council at such meeting. It may recess such meeting to a regular or special Council meeting, at which it shall not make any determination or adopt any recommendation as the Committee of the Whole prior to the conclusion of the fifth order of business, "Personal Appearances."

Section 10: Closed Session

1. If the Council is to meet in closed session, the applicable provision of MCL 15.267 and 268, as amended, shall be observed.

Section 11: Agenda

1. The City Manager shall prepare an agenda for each regular meeting of the Council and deliver a copy of the same to each Councilmember on the evening of the business day not sooner than seven days nor less than four days prior to the scheduled meeting.

2. The agenda shall contain a summary of each item of business to come before the Council. Any items originated by the City Manager or other member of the administrative service of the City, or any City board, bureau or commission not on the agenda may be considered under "Motions and Miscellaneous Business."

Section 12: Parliamentary Rules

1. Oral motions shall be stated by the presiding officer or, at his or her direction, by the Clerk. Written motions shall be read by the Clerk. All motions shall be seconded before being considered. At the request of any member, any motion shall be reduced to writing.

2. Any member may call for a division of the question or the presiding officer may direct the same. In either case it shall be divided providing it comprehends questions so distinct that, if one is taken away, the other will stand as an entire question for decision.

3. On any voice vote for which the majority is not clear, or for which the clerk is unable to determine which members have voted "yea" or "nay," a roll call vote shall be recorded. Any vote may be recorded by roll call upon the request of the presiding officer.

4. When a question is under discussion, no motion shall be entertained except:

- (a) To amend or substitute
- (b) To refer
- (c) To postpone to a day certain
- (d) To lay on the table
- (e) To move the previous question
- (f) To adjourn

5. A motion to adjourn shall always be in order (except when a vote is being taken or when a member has the floor), provided that there shall be some intervening business proposed between two motions to adjourn. Motions to adjourn, to lay on the table, for the previous question, and all motions relating to questions of order shall be decided without debate.

6. Should any member of Council wish to end debate, he or she, upon recognition by the presiding officer, may "move to call (or put) the previous question" and restate the original question. This motion must be seconded and adopted by a two-thirds vote. Adoption shall preclude all amendments and debate on the main question.

7. When a question has been acted upon, it shall be in order for any member who voted with the prevailing side to move a reconsideration thereof at the same or at the next succeeding regular meeting; but no question shall be twice reconsidered without the consent of two-thirds of the Council.

8. When taking roll call votes, roll will be called in a rotating order rather than alphabetical order, with the order of rotation noted by the Clerk.

8. The rules of parliamentary practice comprised in "Roberts Rules of Order, Revised" shall govern the Council in all cases to which they are applicable, provided they are not in conflict with the constitution or laws of the State of Michigan, the Charter of the City of Saginaw or these rules.

Section 13: Staff

1. It shall be the duty of the Manager and City Attorney to attend all regular meetings of the Council.
2. The Chief of Police or a member of the police force in full uniform shall attend the sessions of the Council, and shall execute its command and shall serve any process issued by authority of the Council, as may be directed to him by the presiding officer, and keep order in the Council chamber.

Section 14: Council Vacancy

1. When a vacancy shall occur on the City Council, the Council shall forthwith accept written applications from interested citizens to fill said vacancy. Applications shall be on a form approved by the Council, obtainable at the City Clerk's office and shall be filed with the City Clerk no later than 5 p.m. on the Friday next preceding the regular Council meeting occurring two weeks after the vacancy.
2. The City Clerk shall certify on the application as to the qualification of the applicant:
 - (a) That the applicant is a registered voter in the City of Saginaw
 - (b) That the applicant is not in default to the City of Saginaw in accordance with Section 91 of the City Charter
3. The City Clerk shall transmit all certified applications to the City Council at the next regular Council meeting following the deadline for filing. At this meeting the Council shall set a date and time for a Committee of the Whole meeting, which meeting shall be held not later than two weeks after receipt of

applications by the Council. The Council shall invite those persons whose applications it has received to attend said Committee of the Whole meeting to address the Council and submit to questions of any Councilmember who desires.

4. The Committee of the Whole shall recess to a regular or special Council meeting and following the thirteenth order of business, "Motions and Miscellaneous Business," may proceed to nominate a candidate or candidates.

5. Voting on candidates shall be by roll call vote with each Councilmember naming the candidates of his or her choice. In the event no candidate receives five votes on the first ballot, candidates receiving no votes or a number of votes less than the candidate receiving the second highest number of votes shall be eliminated. If the two top candidates are tied, those with a fewer number of votes shall be eliminated. Candidates tied for second place shall remain in the running and voting shall continue until a candidate receives five votes.

6. Should all candidates be tied for first place, voting shall continue until the tie is broken and the process outlined in the preceding paragraph shall be followed.

7. The candidate appointed shall take office at the next regularly scheduled Council meeting.

Section 15: Election of Mayor

1. In the event of the election of Mayor, the City Clerk shall serve as temporary Chair of the Council meeting until a Mayor is elected.

2. The Clerk shall entertain nomination for the office of Mayor. Those persons nominated will be excluded from voting for themselves or any other nominee. No Councilmember may vote on any question in which he or she has a financial interest, which financial interest arises because of the additional monthly salary paid to the Mayor.

3. Upon roll call vote, each Councilmember will indicate his or her choice. The candidate receiving the greatest number of votes is elected. In the case of three or more candidates, the candidate with the fewer number of votes will be eliminated from the contest.

4. The same procedures outlined in the above paragraphs will be followed for the election of the Mayor Pro tem, except candidates may vote for themselves because there is no financial interest involved.

Section 16: Suspension

1. These rules or any part thereof may be temporarily suspended at any session, except insofar as they embody mandatory provisions of state law or the charter, by a majority vote of the members present.

Section 17: Amendment

1. These rules may be amended by the affirmative vote of six Councilmembers, notice having been given in writing of proposed alteration or amendment at a previous session.

AMENDED 2006