

**VILLAGE OF GROSSE POINTE SHORES,
A MICHIGAN CITY**

**RULES AND PROCEDURES FOR
CITY COUNCIL MEETINGS**

As amended April 19, 2011

I. Regular and Special Meetings.

All meetings of the Council shall be held in compliance with state law, including the Open Meetings Act, and these rules.

A. Regular meetings.

The Council will meet monthly, ordinarily on the third Tuesday of each month, beginning at 7:00 p.m. Meetings will ordinarily be held in the Council chambers in the municipal building. Meetings may be rescheduled or relocated upon approval of the Council.

B. Special meetings.

A special meeting shall be called by the Clerk upon the written request of the Mayor, the City Manager, or any two members of the Council on at least 24 hours' written notice to each Council Member served personally or left at the Council Member's usual place of residence. Special meeting notices shall state the purpose of the meeting. 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.

C. Emergency Meetings.

Pursuant to the Open Meetings Act, the Council may meet in emergency session on shorter notice in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds (2/3) of the membership serving on the Council decide that delay would be detrimental to the City's efforts to lessen or respond to the threat.

D. Posting requirements for meetings.

Within 10 days after the first meeting of the Council in a calendar year, a public notice stating the dates, times and places of regular monthly Council meetings for the remainder of the year shall be posted at the City office and on the City website.

For a rescheduled regular meeting 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 the City office and on the City website.

Notice is not required to be posted for a meeting of the Council in emergency session, although notice should be posted at the City office and on the City website if practicable.

E. Minutes of regular and special meetings.

1. The Clerk shall attend Council meetings and record all the proceedings and actions 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.
2. The Council shall make any necessary corrections to the minutes, and approve the minutes, as proposed or as corrected, at the next regular meeting after the meeting to which the minutes refer.
3. Minutes are public records open to public inspection and shall be available at the office.
4. The Clerk shall make proposed minutes available for public inspection within 8 business days after the meeting to which the minutes refer. The Clerk shall make approved minutes available for public inspection within 5 business days after the meeting at which the minutes are approved by the Council.
5. The Clerk, or the Clerk's designee, may audiotape a Council meeting to aid in the preparation of minutes of the meeting. Once the meeting minutes have been approved by the Council, the audiotape of the meeting shall be destroyed, unless the audiotape is subject to a pending request under the Freedom of Information Act. Audio/video recordings of Council meetings made for purposes of public viewing or telecast shall be retained for ten years after the date of the meeting, and may be destroyed thereafter.

II. Conduct of Meetings.

A. Meetings to be public.

1. 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 these rules, except that all or part of a meeting may be closed to the public in accordance with the Open Meetings Act.
2. All non-closed meetings of the Council shall be open to the media, freely subject to recording by radio, television or photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

B. Agenda.

Each meeting shall proceed pursuant to an agenda prepared in advance of the meeting by the Mayor or the Mayor's designee, with the following order of business:

1. Call to Order.
2. Roll Call.
3. Approval of Minutes of Prior Meeting(s).
4. Special agenda items, if any.
5. Public Comments on Agenda Items.
6. Reports by Chairpersons of Boards, Committees and Commissions.
 - a. Budget and Finance.
 - b. Public Safety.
 - c. Public Works.
 - d. Parks and Harbor.
 - e. Other Boards, Committees or Commissions.
 - f. Legal Report.
 - g. Manager's Report.
 - h. Mayor's Report.

7. Old Business.
8. New Business.
9. Public Comment on Non-Agenda Items.
10. Council Members' Comments.
11. Dates of Future Council Meetings.
12. Adjournment.

Public hearings (of the Council, or upon adjournment of the Council meeting, of the Board of Zoning Appeals or the Board of Appeals) may take place during a meeting following the approval of minutes, or at such other time as the Council may determine, and shall be listed on the meeting agenda.

Consideration of other specific items of business may take place at such point in the meeting as the Council may determine, and shall be listed on the meeting agenda.

Council Members wishing to have items placed on the agenda shall make such a request in writing to the Mayor or City Manager and deliver their request, with any necessary supplemental information, to the Clerk no later than 12:00 Noon on the Thursday before a Tuesday meeting. It may be helpful for Council Members to meet with the Mayor and/or City Manager for proper development of their agenda request.

The agenda shall be distributed to Council members in advance of the meeting.

To permit necessary information to be gathered and necessary research to be performed, and as a courtesy to City staff, Council Members who anticipate asking technical questions of City staff at a Council meeting shall make every effort to identify those questions prior to the meeting.

C. Quorum.

Four (4) members of the Council shall be a quorum for the transaction of business at all meetings of the Council. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

D. Absences from Meetings.

Under Section 3.10(c) of the Charter, a Council Member forfeits that office if he or she "fails to attend three consecutive regular meetings of the Council without being excused by the Council." A Council Member's absence from a regular meeting is considered unexcused unless excused by a majority vote of the

remaining Council Members upon motion made at the meeting in which the absence occurs or at a subsequent meeting.

E. Presiding Officer.

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Mayor is ordinarily the presiding officer. The Council shall appoint one of its members Mayor *Pro Tempore*, who shall preside in the absence of the Mayor. In the absence of both the Mayor and the Mayor *Pro Tempore*, the Council Member present who has the longest continuous service on the Council (including the former Village Council) shall preside.

F. Disorderly Conduct.

The presiding officer 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 presiding officer determines whether the person is in order.

If the person so engaged in presentation is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by express leave of the Council. If the person shall continue to be disorderly and disrupt the meeting, the presiding officer may order the removal of the person from the meeting by City law enforcement personnel or other persons as appropriate. No person shall be removed from a public hearing except for an actual breach of the peace committed at the hearing.

III. Closed Meetings.

A. Purpose.

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

1. To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member or individual agent, if the named person requests a closed meeting.
2. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either contracting party requests a closed meeting.
3. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

4. To consult with the City Attorney or another attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the City.
5. To review the specific contents of an application for employment or appointment to a public office if 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.
6. To consider material exempt from discussion or disclosure by state or federal statute (including, without limitation, material protected by the attorney-client privilege).

B. Calling a closed meeting.

At a regular or special meeting, the Council Members, by a majority vote of all Members present (for the reasons identified in subparagraphs (1) and (2), above), or by two-thirds roll call vote of all Council Members elected or appointed and sworn (for all other reasons) may call a closed session. The roll call vote and purpose(s) for calling the meeting shall be entered into the minutes of the open part of the meeting at which the vote is taken.

C. Minutes of closed meeting.

A separate set of minutes shall be taken by the Clerk or designated secretary of the Council at the closed session. These minutes will be retained by the Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the 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.

IV. Discussion and voting.

A. Rules of Order.

Except as provided in this document, procedure during Council meetings shall be governed by the most current edition of *Robert's Rules of Order*, unless such rules are in conflict with state law or City charter or ordinance, in which case the latter shall control.

B. Conduct of discussion.

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

Any Council Member may appeal to the Council a ruling of the presiding officer. If the appeal is seconded, the Council 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 presiding officer be sustained?" If the majority of the Council Members present vote "no," the ruling of the presiding officer is overruled; otherwise, it is sustained.

During Council discussion and debate, no Council Member shall speak until recognized for that purpose by the presiding officer. After such recognition, the Council 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 Council Member. Speakers should address their remarks to the presiding officer, maintain a courteous tone and avoid interjecting a personal note into the debate.

The presiding officer, at his or her discretion and subject to the appeal process described above, may permit any person to address the Council during its deliberations.

C. Voting Method.

The Council shall take action by way of motions. No motion may be acted upon until it has been duly seconded by a Council Member. The vote on motions shall be by "yes" or "no," and will be taken by voice vote or, upon the request of any Council Member or the discretion of the presiding officer, a roll call vote, with names called alphabetically. Following each vote, the presiding officer shall announce that the motion carried or failed by a vote of ___ affirmative votes to ___ negative votes. The minutes shall indicate whether a motion passed or failed. At the discretion of the presiding officer, Council Members may be given the privilege of explaining for the record any vote.

A Council Member voting in the majority on an issue may move for a reconsideration of the vote on that question at that meeting or the next succeeding regular meeting of the Council. When a motion to reconsider fails, it cannot be renewed.

D. Duty to Vote.

Under Section 3.21(c) of the Charter, “all members of the Council, including the Mayor, shall vote on all questions before Council except in the case of a conflict of interest or as otherwise provided by law.” Conflicts of interest are governed by MCL §15.321, *et seq.* Generally, no Council Member shall vote on any question in which he or she has a financial interest, other than the common public interest, or on any question concerning his or her own conduct. If a question of conflict of interest arises, the Council shall by simple majority vote of the remaining Members determine whether a conflict exists. Any Council Member abstaining from a vote shall not participate in the discussion of that item.

V. Citizen Participation.

The following rules govern statements by members of the public during the periods of Council meetings reserved for such comments:

- A. The presiding officer shall recognize members of the public who indicate a desire to address the Council. Where a large number of speakers is expected, a sign-up system may be employed to insure that all are provided with the opportunity to speak.
- B. Comments on agenda items should be limited to agenda items. Comments on non-agenda items should be limited to matters within the jurisdiction of City government.
- C. No individual’s comment shall exceed three minutes without the express permission of the presiding officer. If an individual indicates he or she is speaking on behalf of an organization, such individual may speak for up to five minutes, but no other representative of such organization will be recognized.
- D. Each speaker shall begin his or her comments by identifying himself or herself by name and address.
- E. Individuals addressing the Council shall take into consideration and be governed by the rules of common courtesy. The presiding officer may terminate the comments of a person who violates such rules. The public comments portions of the meeting should not be used to make personal comments about a Council Member or City employee or contractor that are unrelated to the manner in which such person performs his or her duties to the City.
- F. Public comments, including questions, should be addressed to the presiding officer. Council Members may question or respond to speakers, but are not obligated to do so. The presiding officer may, but is not obligated to, call upon a City officer or department head to respond to a question or comment from a member of the public, or may refer such questions or comments to a City officer or department head for consideration.

VI. Miscellaneous.

A. Amendment of rules.

The Council may alter or amend these rules at any time by a majority vote of its members.

B. Suspension of rules.

These rules may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the Council Members present, except that Council actions shall conform to the City charter and ordinances, state statutes, and the Michigan and United States Constitutions.

C. Confidential Information.

A Council Member shall not divulge to an unauthorized person confidential or privileged information acquired during the course of his or her duties as a Council Member, including, without limitation, information imparted or discussed during or in connection with a closed meeting of the Council.

D. Personal Opinion.

The Mayor or designee functions as the official spokesperson for the Council. From time to time, however, individual Council Members make public statements on City matters to local media or to other public officials and/or state or federal officials. Sometimes the statements imply, or the readers or listeners infer, that the opinions expressed or statements made are the official positions of the Council. The misunderstandings that can result from these incidents can embarrass both the member and the Council. Therefore, when writing or speaking on City matters to the media, legislators, and other officials, Council Members should make it clear that their views do not necessarily reflect the views of the Council or of their colleagues on the Council unless they have been specifically authorized or designated by the Council or the mayor to speak on behalf of the Council.

Approved at the meeting of the City Council held on December 21, 2010:

Yes: Council Members Boyce, Galbenski, Geraghty, Graziani, Kedzierski, Schulte and Mayor Cooper.

No: None.

Absent: None.

Amendment (to Section II(B)(12), ¶3, p.4) approved at the meeting of the City Council held on April 19, 2011:

Yes: Council Members Boyce, Geraghty, Graziani, Kedzierski, Schulte and Mayor Cooper.

No: None.

Absent: Council Member Galbenski.