

# CITY OF MARQUETTE, MICHIGAN

## CITY COMMISSION POLICY

Policy Number: <b>2011-02</b>	Revision Date: 01-01-13 10-14-14
Date Adopted: 04-25-11	
Department: Administrative	

**SUBJECT: CITY-APPOINTED AUTHORITIES, BOARDS AND COMMITTEES' RULES OF PROCEDURE**

**PURPOSE:** The City Commission Rules of Procedure for home rule cities and villages are generally authorized by City Charter. These Rules of Procedure help the Commission to run an efficient meeting and to deal with the public and the media in a positive manner. Similarly, the Commission recognizes the importance of all City-appointed groups to run efficient meetings and interact with the citizens, media and general public in a progressive fashion.

These Rules of Procedure, when not in conflict with the City Charter, may be revised by majority action of the City Commission.

**POLICY:**

**I. REGULAR AND SPECIAL MEETINGS**

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

**A. Regular Meetings**

1. Each City-appointed authority, board and committee will adopt its meeting schedule no later than November 30 for the upcoming calendar year. The schedule will then be provided to the City Clerk for posting.
2. If a regularly-scheduled meeting falls on an official state holiday, it will be scheduled for the next day.

**B. Special Meetings**

1. Special meetings will be called by the City Clerk on the written request of the Chair, the Vice Chair, or any two members of the authority, board or committee, provided that at least twenty-four hours notice to each member of the group will be provided electronically or in writing.
2. No business will be transacted at any special meeting of any authority, board or committee unless the same has been stated in the notice of such meeting. However, any business

which may lawfully come before a regular meeting may be transacted at a special meeting if all the members of the authority, board or committee present consent thereto and all the members absent file their written consent.

**C. Posting requirements for Regular and Special Meetings**

1. No later than the first day of January each year the City Clerk will provide public notice stating the dates, times, and places of the regular meetings of each City-appointed authority, board and committee.
2. For a rescheduled regular or special meeting, a public notice stating the date, time, and place of the meeting will be posted in City Hall at least 18 hours before the meeting, and sent by fax or e-mail to the news media which have requested such notification, and all news media in Marquette County.

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

Each authority, board or committee will record all the proceedings and resolutions of the group in accordance with the Charter and Open Meetings Act. Approved minutes will be filed with the City Clerk and be available for public inspection not later than eight business days after the meeting at which the minutes are approved by the public body. Minutes will also be made available on the City's website, as well as posted in City Hall. A copy of the minutes of each regular or special meeting will be available for public inspection at the City Clerk's office during business hours.

**II. CONDUCT OF MEETINGS**

**A. Meetings to be Public**

1. All regular and special meetings will be open to the public, and all persons will have a reasonable opportunity to be heard in accordance with such rules and regulations as the group may determine, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act.
2. All official meetings and its committees will 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.

**B. Agenda Preparation**

1. An agenda for each regular meeting will be prepared by the group's Chair with the following order of business:
  - a. Call to order and roll call
  - b. Approval of Agenda
  - c. Announcements by the Chair
  - d. Public hearings on ordinances, resolutions or other matters requiring a public hearing.
  - e. Presentations
  - f. Public Comment. May not exceed three minutes per person. A person may reserve time to speak on agenda items. This may result in the item being moved up on the agenda, at the Chair's discretion.
  - g. Consent Agenda
  - h. Unfinished Business. Unfinished Business is intended for items that were on the last meeting agenda and further information was required before taking action.
  - i. New Business. New business is intended to introduce a new topic and should be the

time when members ask questions or seek other clarifications. If need be, the item can be moved to “Unfinished Business” for the next meeting, by a majority vote.

- j. Public Comment. May not exceed three minutes per person.
  - k. Comments from the Members
  - l. Adjournment
2. Any member will have the right to add items to the regular agenda, provided support from one additional member is obtained. Any member will have the right to remove items from the regular agenda by a majority vote.

### **C. Consent Agenda**

A consent agenda may be used to allow the authority, board or committee to act on numerous administrative or non-controversial items at one time. Included on this agenda can be non- controversial matters such as approval of minutes or payment of bills. Upon request by any one (1) member, an item will be removed from the consent agenda and placed on the regular agenda for discussion.

### **D. Quorum**

A majority of the members in office at the time will constitute a quorum for the transaction of business at all meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date.

### **E. Attendance at meetings**

1. Appointment to any City authority, board or committee is a privilege freely sought by the nominee. It carries with it the responsibility to participate in person at meetings. Attendance at meetings is critical to fulfilling this responsibility.
2. Any two or more members of the authority, board or committee may by vote either request or compel the attendance of its members and other officers of the group at any meeting. Any member of the authority, board or committee or other officer who, when notified of such request for their attendance, fails to attend such meeting for reasons other than confining illness or absence from Marquette County, will be deemed guilty of misconduct in office, unless excused by the authority, board or committee. The presiding officer will enforce orderly conduct at meetings and any member of the authority, board or committee or other officer who will fail to conduct himself/herself in an orderly manner at any meeting will be reported to the City Manager and Mayor.

### **F. Presiding Chairman**

The presiding Chair will be responsible for enforcing these Rules of Procedure and for enforcing orderly conduct at meetings. The authority, board or committee will appoint one of its members Vice Chair who will preside in the absence of the Chair. In the event of absence or disability of both, the Chair may designate another of its members to serve as Acting Chair during such absence or disability.

### **G. Disorderly Conduct**

1. The Chair may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings such as walking about or whispering, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person

will be seated until the Chair determines whether the person is in order.

2. If the person so engaged in presentation is called out of order, he or she will not be permitted to continue to speak at the same meeting except by special leave of the authority, board or committee. If the person will continue to be disorderly and disrupt the meeting, the Chair may order the person from the meeting. No person will be removed from a public meeting except for an actual breach of the peace committed at the meeting.
3. Any police officer will enforce the provision of this section.

### **III. DISCUSSION AND VOTING**

#### **A. Rules of Parliamentary Procedure**

1. The rules of parliamentary practice as contained in the latest edition of *Robert's Rules of Order* will govern the group in all cases to which they are applicable, provided that they are not in conflict with these Rules, City ordinances, the City Charter, or applicable state statutes.
2. A vote upon all motions and resolutions will be taken by "Yes" and "No" vote and entered upon the records; except that where the vote is unanimous, it will only be necessary to so state.
3. The Chair will preserve order and decorum and may speak to points of order in preference to other members. The Chair will decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the members present.
4. Any member may appeal to the authority, board or committee a ruling of the Chair. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the Chair may briefly state the ruling. There will be no debate on the appeal and no other member will participate in the discussion. The question will be, "Will 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.

#### **B. Conduct of Discussion**

1. During discussion and debate, no person will speak until recognized for that purpose by the Chair. After such recognition, the member will confine discussion to the question at hand and to its merits and will 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.
2. No member will speak more than once on the same question unless every member desiring to speak to that question will have had the opportunity to do so.
3. The Chair, at his or her discretion and subject to the appeal process mentioned in A. 4. above, may permit any person to address the group during its deliberations.

#### **C. Duty to Vote**

Election to a deliberative body carries with it the obligation to vote. Authority, board or

committee members present at the meeting will vote on every matter before the body, unless otherwise excused or prohibited from voting by law or Charter.

1. Conflict of interest, as defined by law, will be the sole reason for a member to abstain from voting. The opinion of the City Attorney will be binding 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. No member will vote on any question concerning their own conduct.
2. On all other questions each member who is present will vote when their name is called unless excused by the unanimous consent of the remaining members present. Any member refusing to vote except when not so required by this paragraph will be guilty of misconduct in office.
3. The right to vote is limited to the members present at the time the vote is taken. Voting by proxy or by telephone is not permitted.
4. All votes must be held and determined in public; no secret ballots are permitted.
5. Prior to calling for a vote, the presiding Chair should state the question being voted upon.

**D. Results of Voting**

1. In all cases where a vote is taken, the Chair will declare the result.
2. It will be in order for any 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 authority, board or committee. When a motion to reconsider fails, it cannot be renewed.

**IV. PUBLIC PARTICIPATION**

**A. General**

1. Each regular meeting, the agenda will provide for reserved time for public comment. During public comment a member of the public may request permission to speak at the time an agenda item comes before the authority, board or committee.
2. If requested by a member of the authority, board or committee, the Chair will have discretion to allow a member of the audience to speak at times other than reserved time for audience participation.
  - a. No person will speak until recognized for that purpose by the Chair. After such recognition, the person will confine discussion to the question at hand and to its merits, and will not be interrupted except by a point of order or privilege raised by a member of the authority, board or committee. Speakers should address their remarks to the Chair, maintain a courteous tone and avoid interjecting a personal note into debate.

**B. Length of Presentation**

Any person who addresses the group during the times set for public comment time, will be limited to three minutes in length for the first Public Comment time and three minutes in length for the

second Public Comment time, per individual presentation. The Secretary will maintain the official time and notify the speakers when their time is up.

**C. Addressing the Authority, Board or Committee**

When a person addresses the authority, board or committee, he or she will 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 will 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.

**V. MISCELLANEOUS**

**A. Adoption and Amendment of Rules of Procedure**

1. A copy of the Rules adopted will be distributed to each authority, board or committee member.
2. The City Commission may alter or amend its rules at any time, when not in conflict with the City Charter, by a vote of a majority of its members, after notice has been given of the proposed alteration or amendment.

**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 members present except that members' actions will conform to state statutes and to the Michigan and the United States Constitutions.

**C. Committees**

1. Standing and special committees
  - a. There will be no standing committees
  - b. The authority, board or committee may create a subcommittee of up to three members to examine a specific subject for a specific period of time.
2. Ad Hoc Committee

Ad Hoc committees may be formed for a specific purpose and for a specific period of time as approved by the group. A broad diversity of experts and/or interests may be represented on an Ad Hoc committee. Only a majority of ad-hoc committee members need to be City residents.