

AGENDA EXPLANATION (Amended February 3, 2014)

RESOLUTION #2014-06 - RULES REGARDING CITY COUNCIL MEETINGS

WHEREAS, the City Charter under section 5.3(f) shall determine its own rules and order of business, and

WHEREAS, the City Council adopted rules and procedures on June 25, 1990 and has been amended and modified over time, and

WHEREAS, the City Council has been advised by the city attorney in a legal opinion dated 1989, stating that the Michigan Supreme Court has stated "strict parliamentary rules should not be applied to these municipal bodies exercising legislative functions; that if they adopt or pursue a method of proceeding understood by themselves, which arrives at substantial results, their actions should not be overthrown upon any technical rules or strict construction of parliamentary law," and

WHEREAS, the City Council will use Roberts Rules of Order, modified, as a guide in conducting their business, however will not formally adopt any version at the advice of the city attorney, and,

WHEREAS, the City Council chooses to adopt the following rules and procedures:

1. City Council members have the duty to vote on matters of action. No member present shall abstain from voting unless that member has a conflict of interest pursuant to the city's Ethics Ordinance.
 - a. Per the Attorney General of Michigan: A conflict of interest arises when the personal interest of a public official places them in a position where they cannot execute their public duties without affecting their private interests, thus denying the public the fair, impartial and objective judgment to which it is entitled.
2. City Council members may request additions to be added to the agenda 24 hours prior to the meeting by providing the addition and all pertinent information concerning the matter to the City Clerk in writing.
3. City Council will provide two opportunities for citizens to speak on matters during a council meeting. The public is allowed to provide comments on agenda action items ask questions to the Council through the mayor and bring up topics that are not on the agenda. These opportunities will be labeled, Public Comment, on the meeting's agenda.
 - a. All speakers are asked to be considerate of other person(s) and to keep their remarks brief and wait to be recognized by the mayor prior to speaking.
 - b. All speakers are asked to come to the podium, clearly state their name and or group affiliation, address and speak for no more than five minutes. Rebuttals if necessary may be given 2 minutes.
 - c. The City Clerk will only include the speaker's name, address, and subject of their comments in the official records. There will be no summary of the speaker's remarks, unless there is a request to include written comments with the official record.
 - d. It is at the discretion of the mayor to allow public comment at the time of an agenda item prior to a motion being made and seconded.
4. The mayor may call to order any person who is being disorderly by speaking when not recognized by the mayor or otherwise disrupting the proceeding by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such person shall thereupon be seated until the mayor shall have determined whether the person is in order. If a person so engaged in presentation shall be called out of order, he or she shall not be permitted to speak at the same meeting, except upon special leave by the Council. If the person shall continue to be disorderly and disrupt the meeting, the mayor may order the police department to remove the person from the meeting. (Per Section 5.3(g) of City Charter)
5. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting. Any person who shall cause any disturbance at any public meeting shall be guilty of a misdemeanor.

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6. Public hearings provide citizens the opportunity to express their position on a specific issue on the agenda, both pro and con, as mandated by either statute or by order of proper authority after due notice.
7. Consent agenda requires one motion of action by Council and includes regular housekeeping items, such as paying the bills, receiving and filing correspondence and monthly reports. Items can be removed from consent agenda and placed in the business agenda by a member of council.
8. The standard operating procedure will be for city staff to provide City Council members the following items electronically:
 - a. Commissions, Committee and Department head reports
 - b. Regular meeting minutes from the previous meeting for approval

City Council reserves the right to request these documents from the City Clerk in hard copy form. These requests will be considered special and limited and will not affect standard procedure.

9. The business agenda are items that require City Council action. Items may include, but are not limited to, approval, ordinance amendments and adoptions, and appointments. Ordinance changes require two readings and a public hearing prior to adoption. Appointments will follow city ordinance and state law if required. If no direction is given, appointments shall be made by the Council and be subject to the approval of the majority of Council members. Recommendations for appointment may be received, however do not bind Council in their final decision.
10. Items for action will be handled in the following way by City Council:
 - a. A motion of action will be made by a member
 - b. A support for the action will be made by another member
 - c. Discussion on the matter will be had by all members of Council, if no support there will be no discussion
 - d. Any changes, modifications and or amendments will be made to the motion with the permission of the person making the motion and supporter
 - e. A vote will be taken on the supported motion
11. The City Council has the authority under the Open Meetings Act to go into closed session for permissible reasons. A separate set of minutes will be taken by the City Clerk and will be retained by the City Clerk. Closed meeting minutes will be available to Council members prior to the next regular scheduled meeting. After adoption these minutes will not be available for public inspection and will be disclosed only if required by a civil action of the courts.
12. Work sessions (Committee of the Whole) may be convened to exchange of information relating to a matter. No vote shall be taken on any matters under discussion nor shall any formal commitment by a councilmember or a group of councilmembers regarding a future vote.
13. A single councilmember, *excluding the Mayor* is not authorized to contact the city attorney. A majority of Council has to approve and meet as a group collectively to consult the city attorney.
14. A request for information by one councilmember will be shared with all councilmembers, so all will have the information to engage in conversation if deemed necessary about the topic requested.
15. The City Council authorizes the recording and broadcasting of their monthly meetings on the cable access television channel and city website, if technology allows.

Whereas, the Vassar City Council adopted Resolution #2014-06 on Monday, February 3, 2014. Vassar City Council adopted Resolution #2014-06 (amended 2/3/2014) to amend item #13)