

# **Rules of Procedure**

## **Village of Grand Beach**

### **A. Regular and Special Meetings**

All meetings of the Village 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 Village Council will normally be held on the third Wednesday of each month beginning at 7:30 p.m. EST at the Village Hall unless rescheduled by the council.

#### **2. Special Meetings**

A Special Meeting shall be called by the clerk upon the request of the council president or any two members of the council on at least 18 hours written notice to each member of the council 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. No changes may be made to a Special Meeting unless all members are present and consent to the change.

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

- a. Within 10 days after the first meeting of the council in each fiscal year, or calendar year, a public notice stating the dates, times and places of the regular monthly council meetings will be posted at the Village office.
- b. 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 the Village office.
- c. The notice described above 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 Village's efforts in responding to the threat.

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

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

Within eight days of a council meeting, a synopsis showing the substance of each separate decision of the council or the entirety of the council proceedings shall be prepared by the clerk and shall indicate the vote of the council members. Within five days of the council approving the minutes, the approved minutes shall be made available to the public.

### **B. Conduct of Meetings**

#### **1. Meetings 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.

Following any motion that has been seconded, complete council discussion, and prior to council vote being taken, any audience member wishing to comment must first be recognized by the president, he/she must stand, state his/her name and home address (for recording purposes) and limit his/her questions and statements to the discretion of the president. Only comments directly pertinent to the motion on the table will be considered.

## **2. Agenda Preparation**

An agenda for each Regular Council Meeting shall be prepared by the Village Clerk with assistance from the Council President with the following order of business:

- a. Call to order
- b. Adopt agenda
- c. Consent agenda (if used)
- d. Approval of minutes
- e. Commission Reports
- f. Personnel Reports
- g. Submission of bills
- h. Unfinished Business
- i. New Business
- j. Audience Recognition
- k. Correspondence
- l. Adjournment

The agenda deadline is 3:30 on the Wednesday prior to the meeting. Any council member shall have the right to add items to the regular agenda with a majority vote of the council before the agenda is approved.

## **3. Consent agenda**

A consent agenda may be used to allow the council to act on numerous administrative or noncontroversial items at one time. Included on this agenda can be noncontroversial matters such as approval of minutes, payment of bills, approval of recognition resolutions, etc. Upon request by any member of the council, an item shall be removed from the consent agenda and placed on the regular agenda for discussion.

#### **4. Agenda Distribution**

Agendas, along with appropriate support information, will be provided to the Village Council by the Village Clerk as soon as possible after the agenda has been set so that the council has time to review agenda items prior to the meeting.

#### **5. Quorum**

A majority of the entire elected or appointed and sworn members of the council shall constitute a quorum for the transaction of business at all 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.

#### **6. Attendance at Council Meetings**

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

Absence from three consecutive regular meetings shall operate to vacate the seat of a member, unless the absence is excused by the council by resolution setting forth such excuse.

#### **7. Presiding Officer**

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The president of the council is ordinarily the presiding officer. The council shall appoint one of its members as president pro tempore, who shall preside in the absence of the president. In the absence of both the president and the president pro tempore, the member present who has the longest consecutive service on the council shall preside.

#### **8. Disorderly Conduct**

The president may call to order any person who is being disorderly by speaking out of order, interrupting, speaking without being recognized or otherwise disrupting the proceedings, failing to be germane to the agenda, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the president 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 motion of the council. If the person shall continue to be disorderly and disrupt the meeting, the president may order the removal of 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.

### **C. Closed Meetings**

#### **1. Purpose**

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

- a. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic evaluation of a public officer, employee, staff member or individual agent when the named person requests a closed meeting.
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that

real property is obtained.

- d. 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 public body.
- e. 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.
- f. 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, 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 Village Council member 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 Village Council. Council members 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 Village by premature disclosure.

## **D. 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, Village ordinances or applicable state statutes.

### **2. Conduct of discussion**

Speakers should address their remarks to the president, 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.

### **3. Ordinances and Resolutions**

Every ordinance and resolution shall be adopted or passed by the affirmative vote of three members of the council.

#### **4. Roll call**

In all roll call votes, the names of the members of the council shall be rotated.

#### **5. Duty to Vote**

Election to a deliberative body carries with it the obligation to vote. No member of the council shall vote on any question in which he or she is financially interested or any question concerning his or her own official conduct, but on all other questions every member of the council present shall vote and any member who refuses to vote on any question shall forfeit his or her office.

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.

The opinion of the Village 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 Village Attorney.

The right to vote is limited to the members of council present at the time the vote is taken. Voting by proxy or by any manner of telecommunications is not permitted.

All votes must be held and determined in public; no secret ballots are permitted.

#### **6. Results of Voting**

In all cases where a vote is taken, the president shall declare the result.

If a motion has been either adopted or defeated during a meeting, 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. When a motion to reconsider fails, it cannot be renewed.

### **E. Citizen Participation**

#### **1. General**

Each regular council meeting agenda shall provide for reserved time for audience participation.

If requested by a member of the council, the president 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 council during a Council Meeting or Public Hearing shall be limited to five minutes in length per individual presentation. The clerk will maintain the official time and notify the speakers when their time is up.

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

Following any motion that has been seconded, complete council discussion, and prior to council vote being taken, any audience member wishing to comment must first be recognized by the president, he/she must stand, state his/her name and home address (for recording purposes) and limit his/her questions and statements to the discretion of the president. Only comments directly pertinent to the motion on the table will be considered.

When a person addresses the council, he or she shall state his or her name and home address. Remarks should be confined to the question at hand and addressed to the president 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.

**F. Miscellaneous**

**1. Amendment of Rules of Procedure**

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

**2. Suspension of Rules**

The rules of the council may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members present except that council actions shall conform to state statutes and to the Michigan and the United States Constitutions.

**3. Guidelines of Conduct**

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

**4. Bid Awards**

Bids will be awarded by the council during Regular or Special Meetings. A bid award may be made at a Special Meeting of the council if that action is announced in the notice of the special meeting.

**5. Authorization for Contacting the Village Attorney**

The following officials (by title) are authorized to contact the Village Attorney regarding municipal matters:

- Village Clerk-Treasurer
- Deputy Clerk-Treasurer
- Council President
- Council President Pro Tem