

City of Escanaba

City Council

Rules of Procedure

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CITY COUNCIL
RULES OF PROCEDURE

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RESOLUTION

WHEREAS, a predetermined Rules of Procedure for City Council meetings will be a most expedient means of ensuring the orderly conduct of meetings for the City of Escanaba; and

WHEREAS, it is provided in Chapter II, Section 5 of the Charter of the City of Escanaba that the City Council shall determine its own rules and order of business,

NOW, THEREFORE, BE IT RESOLVED that the following Rules of Procedure shall govern the deliberations and meetings of the Council of the City of Escanaba.

1. **AUTHORITY**

1.1 **CHARTER**: The Escanaba City Council may determine its own rules and order of business for meetings pursuant to the authority of the Escanaba City Charter [Chapter II, Section 5]. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules adopted in the manner provided by these rules. None of the rules herein stated may supersede the City Charter, City Code, or Laws of the State of Michigan.

2. **GENERAL RULES**

2.1 **MEETINGS TO BE PUBLIC**: All official* meetings of the Council shall be open to the public. The journal of proceedings shall be open to public inspection as specified by the City Charter [Chapter II, Section 5].

2.2 **QUORUM**: A Majority of the members of the Council shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

2.3 **JOURNAL OF PROCEEDINGS**: An account of all proceedings of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.

2.4 **RIGHT OF FLOOR**: Any Council Member desiring to speak shall be recognized by the Chairman, and shall confine his or her remarks to one subject under consideration or to be considered.

2.5 **CITY MANAGER**: The City Manager shall attend all meetings of the Council unless excused, and entitled to attend meetings of all City Committees, Boards, or Commissions. The City Manager may make recommendations to the Council and shall have the right to take part in all discussions of the Council, but shall have no vote as specified in the City Charter [Chapter II, Section 16].

*Except where State or local law allows Executive Sessions for certain limited topics.

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- 2.6 **CITY ATTORNEY**: The City Attorney shall attend all regular meetings of the Council unless excused and shall, upon request give an opinion, either written or oral, on questions of law as specified in the City Code [Chapter II, Section 2-24]. The City Attorney shall act as the Council's parliamentarian.
- 2.7 **CITY CLERK**: The City Clerk shall attend all meetings of the Council unless excused and shall keep the official journal (minutes) and perform such other duties as may be requested by the Council as specified in the City Charter [Chapter II, Section 19].
- 2.8 **OFFICERS AND EMPLOYEES**: Department heads of the City, when there is pertinent business from their departments on the Council agenda, shall attend such Council meetings upon request of the City Manager.
- 2.9 **RULES OF ORDER**: The rules contained in the current edition of *Roberts Rules of Order Newly Revised* shall govern the Parliamentary Procedures of the Council in all cases to which they are applicable, unless they are in conflict with these rules, the City Code or Charter, or the laws of the State of Michigan.

3. **MEETINGS**

- 3.1 **PUBLIC NOTICE OF MEETINGS**: The City Clerk shall be responsible for providing the proper notice of all meetings of the Council as specified by the State Open Meetings Act.
- 3.2 **REGULAR MEETING**: The Council shall meet in the Council Chambers for Regular Meetings. The Regular Council Meetings are to be commenced at 7:00 p.m., on the first and third Thursday of each month, unless otherwise announced and as specified by the State Open Meetings Act.*
- 3.3 **SPECIAL MEETING**: Special meetings may be called by the Manager, Mayor or by two members of the Council. The call for a special meeting shall specify the day, the hour, and the location of the special meeting. The City Clerk shall give public notice as specified by the State Open Meetings Act.

*Refer to Section 5.3

- 3.4 **RECESSED MEETINGS**: Any meeting of the Council may be recessed to a later date and time, provided that no adjournment shall be for a longer period than until the next scheduled Meeting.
- 3.5 **STUDY SESSIONS**: The Council may meet informally in Study Sessions (open to the public) at the call of the Mayor or majority of the Council, to review forthcoming programs of the City, receive progress reports on current programs or projects, or receive other similar information from the City Manager, provided that all discussions and conclusions thereon shall be informal.*
- 3.6 **EXECUTIVE SESSIONS**: Executive Sessions or closed meetings may be held in accordance with the provisions of the State Open Meetings Act.
- 3.7 **EMERGENCY MEETINGS**: Emergency Meetings shall be called as specified in the State Open Meetings Act without complying with the notice requirements in the event that it is necessary to hold a meeting to deal with a severe and imminent threat to the health, safety or welfare of the public when two-thirds (2/3) of the Council decide that delay would be detrimental to the efforts to lessen or respond to the threat.

4. **CHAIRMAN AND DUTIES**

- 4.1 **CHAIRMAN**: The Mayor, if present, shall preside as Chairman at all meetings of the Council. In the absence of the Mayor, the Mayor Pro-Tem shall preside. In the absence of both the Mayor and the Mayor Pro-Tem, the Council shall elect a Chairman.
- 4.2 **CALL TO ORDER**: The meetings of the Council shall be called to order by the Mayor or, in his/her absence, by the Mayor Pro-Tem. In the absence of both the Mayor and the Mayor Pro-Tem, the meeting shall be called to order by the City Clerk for the election of a temporary Chairman.

*Refer to Section 5.3

4.3 PRESERVATION OF ORDER: The Chairman shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives, and confine members in debate to the question under discussion.

5. ORDER OF BUSINESS AND AGENDA

5.1 ORDER OF BUSINESS: The general rule as to the order of business in regular meetings shall be as follows:

1. Call to Order
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Approval and/or Correction to Minutes of Previous Meeting
6. Conflict of Interest declaration
7. Brief Public Comment
8. Unfinished Business
9. Public Hearings
10. Agenda Adjustment
11. New Business
(Approval of Consent Agenda)
12. Committee Reports
13. Communications
14. General Public Comments
15. Announcements
16. Adjournment

5.2 AGENDA: The order of business of each meeting shall be as contained in the Agenda prepared by the Manager and Mayor. Agenda items must be submitted one week prior to the meeting. The Agenda shall be a listing by topic of subjects to be considered by the Council, and shall be delivered to members of the Council the Friday prior to the Thursday Council Meeting, and when possible preceding a Special Council Meeting to which it pertains.

5.2.1 CONSENT AGENDA DEFINED: Items on the Consent Agenda are to be considered routine by the City Manager and City Clerk. Consent Agenda items shall be marked with an asterisk (*) and, unless the Mayor, Council, or citizen specifically requests that such item on the Consent Agenda be considered under "New Business", the Consent Agenda item shall be removed from the Consent Agenda, and Council action taken

separately on said item in the order appearing on the Agenda. Consent Agenda items approved, adopted, and accepted by motion of the Council shall be taken by roll call vote. Those items so approved under the heading "Consent Agenda" will appear in the council minutes in their proper resolution form.

- 5.3 PRESENTATION BY MEMBERS OF COUNCIL: The Agenda shall provide a time when the Mayor or any Council Member may bring before the Council any concerns or business that he/she feels should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda, but formal action on such matters shall be deferred until a subsequent Council meeting, except when immediate action need be taken upon a majority vote of Council Members present.

6. VOTING

- 6.1 ROLL CALL VOTES: Roll call votes shall be taken when required by policy/law, at the request of any member of Council, or when the Chairman cannot determine the results of a voice vote.

7. CITIZENS' RIGHTS

- 7.1 BRIEF PUBLIC COMMENT: Brief Public Comment, as specified under rule 5.1 Order of Business, the public shall be restricted to comment on Agenda items only, with a two (2) minute time restriction.
- 7.2 PUBLIC HEARING COMMENT: Where the Agenda provides Public Hearing comment, each person addressing the council shall be limited to five (5) minutes regarding the specific agenda Public Hearing item.
- 7.3 GENERAL PUBLIC COMMENT: General Public Comment, as specified under rule 5.1 Order of Business, shall be restricted to comment on Non-Agenda items with only a three (3) minute time restriction.
- 7.4 ADDRESSING THE COUNCIL: Members of the public desiring to address the Council by oral communication shall first secure the permission of the Chairman. Preference will be given to those persons who have notified the City Clerk in advance of Regular Council Meeting of their desire to speak in order that their name may be placed

on the agenda and they will be recognized by the presiding officer without further action.

7.5 MANNER OF ADDRESSING THE COUNCIL: Each person addressing the Council shall approach the lectern, and may give his/her name in an audible tone of voice for the record. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked the Council Members, except through the Chairman.

7.6 PERSONAL AND SLANDEROUS REMARKS: Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing the Council, may be requested to leave the lectern.

7.7 MAYOR MAY APPOINT COMMITTEE OR REFER CITIZEN'S COMPLAINTS: The Mayor may appoint a committee of two members of the City Council and/or various members of City Administration to hear Citizens' complaints as the same are referred thereto by the Mayor or may refer Citizens' complaints to a Citizen Board, Committee, or Commission.

7.8 WRITTEN COMMUNICATIONS: Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council has control at anytime by direct mail or by addressing the City Clerk, and copies will be distributed to Council Members.

8. SUSPENSION, AND THE AMENDMENT OF THESE RULES

8.1 SUSPENSION OF THESE RULES: Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Council. The vote on any such suspension shall be taken by ayes and nays and entered upon the record.

8.2 AMENDMENT OF THESE RULES: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council.

9. **POLITICAL ACTIVITY**

9.1 **Be it resolved,** It shall be the policy of this Council not to limit the participation of City employees outside of assigned working hours in the democratic process in any manner. Furthermore, Council Members shall limit contact with City employees during their assigned working hours to official business. (Resolution adopted at the April 18, 1996, City Council Meeting)