

COMMISSION RULES OF PROCEDURE POLICY

CITY OF STANTON

RULES POLICY OF THE STANTON CITY COMMISSION

A. REGULAR, SPECIAL MEETINGS, and STUDY SESSIONS

All meetings of the City Commission 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 City Commission will be held on the 2nd and 4th Tuesday of each month beginning at 6:30 p.m. in the Community Room at City Hall unless otherwise rescheduled by resolution of the Commission. Commission meetings shall conclude no later than 9:00 p.m., subject to extension by the Commission.

2. Special Meetings

In accordance with Section 7.2 & 7.3 of the City Charter, special meetings shall be called by the clerk on the written request of the mayor or any three members of the commission on at least eighteen (18) hours written notice to each member of the commission served personally or left at the member's usual place of residence. A public notice of any special meeting must be posted 18 hours before the meeting stating the business to be conducted at the special meeting and the date, time, and place of the meeting.

No business shall be transacted at any special meeting of the commission unless the same has been stated in the notice of such meeting.

3. Posting Requirements

- a. At the first meeting of the calendar year the Commission must set the dates, times, and places of the Commission regular meetings for the coming year.
- b. For a rescheduled regular, special meeting, or study session of the Commission, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before meeting at the City Hall and on the City's website.
- c. The notice described above is not required for a meeting of the Commission in an 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 Commission determine that delay would be detrimental to the City's efforts in responding to the threat.
- d. Notice of all meetings shall comply with the Michigan Open Meetings Act.

4. Minutes of Regular and Special Meetings

The clerk shall attend the Commission meetings and record all the proceedings and resolutions of the Commission in accordance with Section 64.5 of the General Law City Act of 1895 as amended and the Open Meetings Act. In the absence of the clerk, the Commission may appoint one of its own members or another person to temporarily perform the clerk's duties.

Minutes showing the discussion topics and indicating the decisions and vote of the Commission members shall be prepared by the clerk by the next regular meeting. After the Commission approves this document, it shall be posted at City Hall and on the City's website.

5. Study Sessions

Upon the call of the Mayor of the Commission with at least 18 hours notice to the Commission members and to the public, the Commission may convene a work session devoted exclusively to the exchange of information relating to municipal affairs. No votes shall be taken on any matters under discussion nor shall any Commission member enter into a formal commitment with another member regarding a vote to be taken subsequently.

B. CONDUCT OF MEETINGS

1. Meetings to be Public

In accordance with Section 7.4 of the City Charter, all regular and special meetings of the commission shall be open to the public in accordance with Public Act 267 of 1976, as amended, of the Michigan Compiled Laws (Open Meetings Act). The rules of the commission shall provide that citizens shall have a reasonable opportunity to be heard at any open meeting on matters within the jurisdiction of the commission. The only exception would be in the event of a closed meeting to the public and the media in accordance with the Open Meetings Act.

All official meetings of the Commission and its committees shall be open and 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.

2. Agenda Preparation

An agenda for each regular Commission meeting shall be prepared by the City Manager with the following order of business:

- a. Call to order, Pledge, and roll call of Commission
- b. Agenda Approval
- c. Public Comments
- d. Standing Items
 - o Approval of Commission minutes
 - o Financial Report
 - o Approval of Bills
- e. Monthly Reports
 - o Monthly reports, (Police, DPW, Clerk/Treasurer, and City Manager)
- f. Existing Business
- g. New Business
- h. Committee Reports

- Attorney/Consultant reports, Committee Reports, etc.
- i. Public Comments.
- j. Commission Comments
- J. Adjournment

With the consent of the Commission, any Commission member shall have the right to request that items be added to or removed from the regular agenda before it is approved.

3. Regular Meeting Commission Packets

The meeting packets shall be delivered to each member by the Friday before each meeting. Information, materials, and agenda requests shall be made or presented to the City Manager on the Wednesday before the meeting, in order to be placed in the commission packet.

4. Quorum

In accordance with Section 7.5 of the City Charter, a majority of the members of the commission in office at the time shall be a quorum (but not less than two) for the transaction of business at all commission meetings but in the absence of a quorum a lesser number may adjourn any meeting to a later time or date, and in the absence of all members the clerk may adjourn any meeting for not longer than one (1) week.

5. Attendance at Commission meetings

The Commission may excuse absences for cause by the second regular meeting following the absence.

In accordance with section 6.2 (d) and (e) of the City Charter, any elected official shall be declared vacant by the commission upon the occurrence of any of the following events before the expiration of the term of such office:

- a. If the officer shall absent himself/herself continuously from the city more than thirty (30) consecutive days in any one year without the permission of the commission.
- b. In the case of any member of the commission, if such officer shall miss all consecutive regular meetings of the commission for a period of two (2) months or twenty-five percent (25%) of such meetings in any fiscal year of the city unless such absences shall be excused by the commission and the reason therefore entered in the proceedings of the commission at the time of such absence.

The only exception to the above policies and procedures shall be in the event of a health or other emergency preventing notification of the City Hall or the Commission. In any event, it is expected that Commissioners make reasonable efforts to inform the City of the circumstances of their absence in a timely fashion.

6. 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 City

Commission 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 member who has the longest consecutive service on the Commission shall preside. The Presiding Officer does not lose their right to vote while presiding over the meeting.

7. Disorderly Conduct

The presiding officer may call to order any person who is being disorderly. Being disorderly shall include, but not be limited to the following:

- a. Speaking or otherwise disrupting the proceedings.
- b. Failing to be germane.
- c. Speaking longer than the allotted time.
- d. Speaking vulgarities.
- e. Breaching the peace.

If a person is determined to be disorderly by the presiding officer, that person shall be seated and shall not continue to speak unless otherwise allowed by the Commission. If the disorderly person continues to be disorderly, the presiding officer shall order the Chief of Police or any other peace officer to remove that 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 provided in the Michigan Open Meetings Act.

2. Calling Closed Meeting

At a regular or special meeting, Commission members elected or appointed and serving may call a closed session by a two-thirds vote under the conditions outlined in the Open Meetings Act. The roll call vote and purpose for calling the closed meeting shall be entered into the minutes of the meeting at which the vote is taken.

3. Minutes of Closed Meeting

The clerk or the designated secretary of the Commission at the closed session shall take a separate set of minutes. 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 (unless there are legal proceedings active or pending).

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 Commission in all cases to which they are applicable, provided that they are not in conflict with these rules, the Charter, and the ordinances of the City of Stanton, or state statutes applicable to the City of Stanton. The mayor may appoint a parliamentarian.

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

Any member may appeal to the Commission from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and presiding officer may briefly state the ruling. There shall be no debate on the appeal and none other shall participate in the discussion. The question shall be "Shall the decision of the chair be sustained?" If the majority of the members present vote "aye", the ruling of the presiding officer is sustained; otherwise it is overruled.

2. Conduct of Discussion

Speakers should address their remarks to the presiding officer, maintain a courteous tone, avoid interjecting a personal note into the debate, treat others with respect, and refrain from vulgar language. During the Commission discussion and debate, the following rules shall apply:

- a. Members first obtain the floor.
- b. The maker of the motion may speak first.
- c. Debate is made to the chair; it is confined to the merits of the motion and not the motives or personalities of other members.
- d. Amendments may be offered to improve the motion. They must be approved by the body, and the motion must be adopted as amended.
- e. Debate can be closed only by the assembly (2/3 vote) or by the chair if no one seeks the floor for further debate.

The presiding officer may permit any person to address the Commission during its deliberations, subject to the appeal process in Section D.1.

3. Ordinances and Resolutions

No ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code or an ordinance adopting a code of ordinances, shall relate to more than one subject, and that subject shall be clearly stated in its title.

All legislative actions shall comply with Chapter 8 of the City Charter.

4. Roll Call

In all roll call votes, the names of the members of the Commission shall be called in alphabetical order.

5. Duty to Vote

Commission members present at a Commission meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law.

Conflict of interest, as defined by statute (Public Act 317 of 1968 as amended) shall be the sole reason for a member to abstain from voting. No member shall abstain from voting unless the member states his or her conflict of interest. If a question of conflict of interest arises, the Commission shall by a simple majority vote of those present determine whether a conflict exists.

The right to vote is limited to the members of Commission present at the time the vote is taken. Voting by proxy or by telephone is not permitted.

6. Results of Voting

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

Any Commission member who voted in the majority on any question may move to reconsider that vote at that meeting or at the next succeeding meeting of the Commission. If a motion to reconsider fails, it cannot be renewed.

E. CITIZEN PARTICIPATION

1. General

Each Commission meeting agenda shall provide for time for general audience participation.

If requested by a member of the Commission, the presiding officer shall have the discretion to allow a member of the audience to speak at times other than reserved time for audience participation.

2. Length of Public Comments

Any person who addresses the City Commission during a public comment portion of a Commission meeting or public hearing shall be limited to three (3) minutes in length per individual. The Clerk will maintain the official time and prompt the presiding officer to notify the speaker when the time is up.

3. Addressing the Commission

When a person addresses the City Commission, he or she shall stand, if able, and are requested to begin by stating their name. Remarks shall be addressed to the presiding officer in a courteous tone and avoid interjecting a personal note into debate. No person shall have the right to speak more than once, unless approved by the presiding officer, on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

F. MISCELLANEOUS

1. Adoptions and Amendment of Rules and Procedures

These rules of procedures of the City Commission will be placed on the agenda of the first

meeting of the Commission following the seating of the newly elected Commissioners for review and adoption. A copy of the rules adopted shall be distributed to each Commissioner.

The Commission may alter or amend its rules at any time by a vote of a majority of its members after notice has been given of the proposed alteration or amendment.

2. Suspension of Rules

The rules of the City Commission may be suspended pursuant to Michigan law for a specific portion of a meeting by an affirmative vote of two-thirds of the members present.

3. Bid Awards

The City Commission will award bids during regular or special meetings. However, bid awards may only be made at a special meeting if that action is stated in the notice of such meeting, as explained in Section A.2.

4. Committees

a. Special Committees of Commission

Special committees may be established for a specific period of time by the Mayor or by resolution of the Commission, which specifies the task of the special committee, and the date of its dissolution. The mayor, subject to the approval of the Commission, shall appoint members and fill any vacancies of such committees.

b. Citizen Task Forces

Citizen task forces may be established by the mayor or by a resolution of the Commission, which specifies the task to be accomplished, and the date of its dissolution. The mayor, subject to the approval of the Commission, shall appoint members and fill any vacancies of such committees.

5. Authorization for Contacting City Attorney

In the event that the City hires outside legal services, only the Mayor, Mayor pro tempore, or City Manager, in the course of their duty, have the authority to contact said attorney.

This Policy of Commission Procedure is declared adopted by City Commission at a regular meeting on this date March 14, 2023 and is to become effective immediately.

William Ferguson, Mayor

Rachael Coffey, City Clerk