

Village of Laurium Council

Rules of Procedure

Article I. Regular and Special Meetings

All meetings of the Village Council will adhere to State statutes, including the Open Meetings Act, 1976 PA 267 as amended, and with these rules.

Section 1.01 Regular Meetings

All regular meetings of the Laurium Village Council shall be held on the third Tuesday of each month beginning at 6:00 pm at the Village Hall unless otherwise rescheduled by resolution of the Council.

Section 1.02 Special Meetings

A special meeting shall be called by the Village Clerk upon the written request of the President or any three Council members with at least 18 hours of written notice to each member of the Council served via email. 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.

Section 1.03 Posting Requirements for Regular and Special Meetings

- A. Within 10 days after the first meeting of the Council following the election, a public notice stating the dates, times, and places of the regular monthly Council meetings will be posted at the Village office, on the outermost door.
- B. For rescheduled regular or special meetings of the Council, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meetings at the Village office.
- C. The notice described above is not required for a meeting of the Council 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 Council determine that delay would be detrimental to the Village's efforts in responding to the threat.
- D. The Michigan Open Meetings Act requires that copies of the notice of public meetings be provided by first-class mail upon an individual's request and payment by the requesting individual of a reasonable yearly fee for the costs of printing and postage.

Section 1.04 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 Section 64.5 of the General Law Village Act of 1895 and the Open Meetings Act. In the absence of the Clerk, the Council may appoint one of its members or another person to temporarily perform the Clerk's duties.

Within 15 days of the 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.

A copy of the minutes of each regular or special meeting shall be available for public inspection at the Village office during regular business hours.

Section 1.05 Study Sessions

Upon the call of the President or the Council and with appropriate notice to the Council and to the public, the Council 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 Council member enter into a formal commitment with another member regarding a vote to be taken subsequently.

Article II. Conduct of Meetings

Section 2.01 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 recordings by the radio, television, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

Section 2.02 Agenda Preparation

An agenda for each regular Council meeting shall be prepared by the Village Manager/or other responsible administrative officers or employees of the Village shall prepare the agenda of business for regularly scheduled Council meetings. Any other member or representative of committees, boards, or commissions desiring to place a matter on the agenda shall notify the Village Manager and/or other responsible administrative officers or employees at the Village office of such items by 5:00 pm on the Monday preceding the next meeting. Items that the Village Manager does not receive by the stated deadline shall not be considered by the Council except upon the unanimous consent of the members present. The agenda shall have the following order of business:

- Call to Order and Roll Call of Council
- Public Hearing on Ordinances
- Public Comments
- Approval of Regular Agenda
- Approval of Council Minutes
- Submission of Bills
- Communications to the Council
- Reports from Council Committees
- Reports from the Village Manager
- Unfinished Business
- New Business
- Announcements
- Adjournment

Any Council member shall have the right to add items to the regular agenda before it is approved.

Section 2.03 Agenda Distribution

Upon completion of the agenda, the Village Manager and/or other responsible administrative officer or employee of the Village shall immediately distribute copies of reports, explanations, etc., that relate to business matters coming into the body. The Village Manager and/or other responsible administrative officer or employee at the Village shall distribute such materials by email. Each Council member shall receive the agenda and related material no later than 5:00 pm on the Friday preceding Council meetings.

Section 2.04 Quorum

Four Council members 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.

Section 2.05 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. A general law Village Council is empowered by section 65.5 of the General Law Village Act as amended to adjourn a meeting if quorum is not present, as defined by its ordinance.

The Council may excuse absences for cause. If a Council member has more than three unexcused successive absences for regular or special Council meetings, the Council may enact a resolution of reprimand. In the event that the member's absences continue for more than three additional successive regular or special meetings of the Council, the Council may enact a resolution of censure or request the Council member's resignation or both.

Section 2.06 Presiding Officer

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The President is ordinarily the presiding officer. The Council shall appoint one of its members 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.

Section 2.07 Disorderly Conduct

The President may call to order any person who is being disruptive by speaking out of order, failing to speak on matters germane to Village business, speaking longer than the allotted time, speaking vulgarities, or otherwise disrupting the proceedings. Such person shall be seated until the chair determines whether the person is in order.

If the person so engaged in presentation is called out of order, they shall not be permitted to continue to speak at the same meeting except by special leave of the Council. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the sergeant at arms to remove 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.

Article III. Closed Meetings

Section 3.01 Purpose

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

- A. To consider the dismissal, suspension, or discipline of, or to hear complaints or charges brought against 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 Council.
- 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.

Section 3.02 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 3.01 above. The 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.

Section 3.03 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 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.

Article IV. Discussion and Voting

Section 4.01 Rules of Parliamentary Procedure

The rules of parliamentary practice as contained in the latest edition of Robert's Rules of Order or an alternative source of procedural rules 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. The President may appoint a parliamentarian.

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

Any member may appeal a ruling of the President to the Council. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the President may briefly state the ruling. There shall be no debate on the appeal and no other member shall participate in the discussion. The question shall be, "Shall the decision of the President be sustained?" If the majority of the members present vote "aye," the ruling of the President is sustained; otherwise, it is overruled.

Section 4.02 Conduct of Discussion

During the Council discussion and debate, no member shall speak until recognized for that purpose by the President. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. 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.

The chair, at his or her discretion and subject to the appeal process mentioned in Section 4.1., may permit any person to address the Council during its deliberations.

Section 4.03 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 ordinance, shall relate to more than one subject, and that subject shall be clearly stated in its title.

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes unless a roll call vote is required by law or by Council rules.

Section 4.04 Roll Call

In all roll call votes, the names of the members of the Council shall be so called the member making the motion votes first and the member seconding the motion votes second. The remaining names are called in an orderly fashion down the table with the President voting last.

Section 4.05 Duty to Vote

Election to a deliberative body carries with it the obligation to vote. Council members present at a Council meeting shall vote on every matter before the body unless otherwise excused or prohibited from voting by law. 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.

Conflict of interest, as defined by law, shall be the sole reason for a member to abstain 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 that the vote is taken. Voting by proxy or by telephone is not permitted. All votes must be held and determined in public; no secret ballots are permitted.

Section 4.06 Results of Voting

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

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 or at the next succeeding meeting of the Council. When a motion to reconsider fails, it cannot be renewed.

Article V. Citizen Participation

Section 5.01 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 the discretion to allow a member of the audience to speak at times other than the reserved time for audience participation.

Section 5.02 Length of Presentation

Any person who addresses the 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.

Section 5.03 Addressing the Council

When a person addresses the Council, they shall state their name and home address. Remarks should be confined to the question at hand and addressed to the chair 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.

Article VI. Miscellaneous

Section 6.01 Adoption of the Amendment of Rules of Procedure

These rules of procedure of the Council will be placed on the agenda of the first meeting of the Council following the seating of the newly elected Council members for review and adoption. A copy of the rules adopted shall be distributed to each Council member. The Council may alter or amend its rules at any time by a vote of majority of its members after notice has been given of the proposed alteration or amendment.

Section 6.02 Suspension of Rules

The rules of the Council may be suspended for a specific 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 of the Michigan and United States Constitutions.

Section 6.03 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.

Section 6.04 Committees

A. Standing and special committees of the Council:

The Village shall have the following standing committees:

- i) Finance
- ii) Recreation/Parks
- iii) Public Safety (Police/Fire)
- iv) Streets/Equipment/Sanitation
- v) Property/Building/Ordinance
- vi) Beautification
- vii) Community Relations

The President will appoint members of the Council as committee members. The President shall fill any committee vacancies. The committee member shall serve for a term of one year and may be re-appointed.

Special committees may be established for a specific period of time by the President or by a resolution of the Council that specifies the task of the special committee and the date of its dissolution.

B. Citizen task forces:

Citizen task forces may be established by a resolution of the Council, which specifies the tasks to be accomplished and the date of dissolution. Members of such committees will be appointed by the President, subject to approval by a majority vote of the Council and must be residents of the Village. Vacancies will be filled by a majority vote of the Council in the same way that appointment are made.

Section 6.05 Authorization for Contacting the Village Attorney

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

- President
- President Pro-Tempore
- Village Manager