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RULES OF THE CITY COUNCIL

A. REGULAR AND SPECIAL MEETINGS:

1. REGULAR MEETINGS

Regular meetings of the City Council will be held on the second and fourth Monday of each month beginning at 6:15 p.m., local prevailing time, at the City Hall, 2724 Peck St, Muskegon Heights. Regular meetings may be rescheduled to other times by a vote of the Council.

2. SPECIAL MEETINGS

A special meeting may be called by the Mayor or any of two (2) or more members-of Council and upon at least eighteen (18) hours-notice to each member.

3. BUSINESS AT SPECIAL MEETINGS

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

4. WORK SESSION MEETINGS

The Work Session meetings will be held on the first and third Monday of each month at 5:30 in City Hall, 2724 Peck St, Muskegon Heights.

5. REGULAR AND SPECIAL MEETING NOTICE (POSTING) REQUIREMENTS.

- a) For regular meetings of the Council, the Clerk shall post at the City Hall, within three (3) days after the first meeting of the Council each calendar year, a public notice stating the dates, times, and places of its regular meeting for the year.
- b) For a rescheduled regular or a special meeting, of the Council, a public notice stating the date, time, place and reason of the meeting shall be posted in City Hall at least 18 hours before the meeting.
- c) However, such notice, as described in 5a and b above, is not required for a meeting of the Council in emergency session in the event of a widespread natural disaster or 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 City's efforts in responding to the threat.

6. SHARING OF MEETING AGENDAS AND PACKETS

City Clerk shall upload every regular City Council meeting packet to the city's website at least 84 hours prior to the start of the meeting. Additionally, upon written request of an individual, organization, firm or corporation, and upon the requesting party's payments of an annual fee of not more than the reasonable estimated cost for printing and postage of such notices, the Clerk shall send to the requesting party by first class mail a copy of regular meeting agendas. Upon written request, the Clerk shall provide a copy of such notices of Meetings to any newspaper published in the City of Muskegon Heights and to any radio and television station located in Muskegon County free of charge.

7. MINUTES OF REGULAR AND SPECIAL MEETINGS

- a) A journal of the proceedings of each regular and special meeting will be kept in the English language by the Clerk and shall be signed by the City Clerk, upon approval of the Council.
- b) Unapproved minutes of regular or special meetings will be available for public inspection not more than eight business days after such meeting.
- c) Approved minutes will be available for public inspection not later than five business days after the meeting at which the minutes were approved.

B. MEETING PROCEDURES:

1. MEETINGS TO BE PUBLIC

All regular and special meetings of the City Council shall be open to the public and citizens shall have a reasonable opportunity to be heard under such rules and regulations as the Council may prescribe.

2. ORDER OF BUSINESS

An agenda for each Regular Council meeting shall be prepared by the Mayor, City Manager, or City Clerk in accordance with the following order of business:

- a. Call Meeting to Order/Welcome
- b. Prayer
- c. Pledge of Allegiance
- d. Roll Call
- e. Honors and Awards
- f. Public Comment on Agenda Items
- g. Consent Agenda
- h. Public Hearings
- i. Unfinished Business
- j. New Business
- k. Any Other Business
- l. Public Comment on Non-Agenda Items
- m. Adjournment

3. QUORUM

Four (4) members of the Council in office at the time shall be a quorum for the transaction of business.

4. PRESIDING OFFICER

The presiding officer shall be responsible for enforcing the Rules of the City Council, contained herein, as well as the Code of Conduct. The Mayor shall be the presiding officer of the Council. In the absence of or disability of the Mayor, the Mayor Pro-Tem shall be the presiding Officer of the Council. In the absence or disability of both, the Council may designate another of its members to serve as presiding during such absence or disability.

C. **CLOSED MEETINGS:**

1. PURPOSE

The City Council may only meet in closed session for purposes defined in the Michigan Open meetings Act as follows:

- a) To consider the dismissal, suspension, or disciplining 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 hearing.
- b) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement or related issues when either negotiating party requests a closed herein
- 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. This does not include the sale, lease or other conveyance of City property to others.

- d) To consult with its 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 the candidate requests that the application remain confidential. All interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.
- f) To consider material exempt from discussion or disclosure by state or federal statute.

2. CALLING CLOSED SESSIONS:

A two-thirds roll call vote of the Council members elected and serving shall be required, except under Sections (a) and (b) above. The roll call vote shall be taken at an open meeting and the purpose for calling the closed session shall be entered into the minutes 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 at the closed session. These minutes will be retained by the Clerk of the Council, shall not be available to the public, and shall be disclosed if required by a civil action. These minutes shall be kept for a period of one year from the date of the closed meeting.

4. CONFIDENTIALITY OF CLOSED MEETING INFORMATION

A City Council member shall not divulge to an unauthorized person confidential information discussed in an executive session in advance of the time prescribed for its authorized release to the public by the City Council. Council members shall honor the confidentiality of the debate, discussion, and preliminary action taken in executive session, and be aware of the potential financial liability and/or harm- to the reputation of the City by premature disclosure.

D. VOTING AND DISCUSSION:

1. ROLL CALL

In all roll call votes, the names of the members of the Council shall be called. A vote must be taken by a roll call vote and entered upon the records.

2. RESULTS OF VOTING

In all cases where a vote is taken, the Chair or Clerk shall declare the result.

3. DUTY TO VOTE

Whenever a question is put before the Chair, every member shall vote, provided however, that no member shall be required to vote if:

- a) That member shall have a conflict of interest and shall state his/her conflict of interest, or.
- b) That member shall state that he/she has inadequate information upon which to base a reasonably informed vote and shall state the particulars of the information desired before a reasonable informed vote can be cast.

Absence from a prior meeting shall not constitute the basis of the lack of information referred to above

If a member is precluded from voting pursuant to a conflict of interest, that member shall refrain from participating in the discussion on the issue.

4. CONDUCT OF DISCUSSION

The maker of the motion shall speak first, and the supporter of the motion shall speak second. During Council discussion and debate, no member shall speak until recognized for the purpose by the Chair. After such recognition the member shall confine discussion to the question at hand. Personal comments about other individuals should be avoided. When addressing other members of the Council they should be addressed by title and/or last name but not by first name. No member should request to speak a second time on a motion as long as another is requesting recognition to speak for a first time. After every member of the Council has had the opportunity to speak on an item for the first time, the Mayor may ask if any member of the Council would like to make a motion to call the question. If a motion is made and seconded, debate shall stop immediately and the Mayor will take a vote on the motion to call the question by a show of hands; if 2/3 of the present Council members agree to end the debate, the Clerk shall immediately take a roll call vote on the underlying motion. If the motion to call the question fails to garner the support of 2/3 of the present Council members, debate will continue; once every member has had an opportunity to speak on the item for a second time, the Council may ask if any member of the Council would like to make a motion to call the question, and the process described above will repeat itself.

5. COUNCIL MEMBER REQUESTS FOR POSTPONEMENTS

Requests for postponements on agenda items from members of Council requires approval by a majority of Council present.

6. RULES OF PARLIAMENTARY PROCEDURE

The rules of parliamentary practice as contained in Robert's Rules of Order, most recent edition, shall govern the Council in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Ordinances and Charter of the City of Muskegon Heights.

7. RECONSIDERATION OF MOTIONS

When a question has been decided, it shall be in order for any Council member who voted on the prevailing side of the question to move the reconsideration at the same meeting or at the next regularly scheduled meeting provided no action has been taken as a result of the previous vote.

8. GENERAL CONSENSUS

General consent or consensus may be used to give direction and the minutes should indicate that a majority consented.

E. CITIZEN PARTICIPATION:

1. GENERAL

Each Council meeting agenda shall provide for reserve time for audience participation, as requested.

2. REQUESTS TO SPEAK, LENGTH OF PRESENTATION - PUBLIC HEARINGS AND PARTICIPATION

Members of the public at the meeting shall not speak unless recognized by the chair. Members of the public shall be limited to speaking for a maximum of three (3) minutes during any public hearing or public comment. A person representing a group and speaking on behalf of the group shall be allowed ten (10) minutes to address Council; they must first submit a written request form with the City Clerk prior to start of the meeting at which they wish to speak.

3. PERSONS ADDRESSING THE COUNCIL

Prior to addressing Council, members of the public shall step up to the microphone/podium and state their name and address and, if appropriate, group affiliation. The Council may in its discretion limit public comments to new information or matters not fully addressed at any previous meeting regarding the agenda item at issue.

4. REQUESTS TO SPEAK ON AN AGENDA ITEM

Prior to the start of the meeting, any member of the public may submit a written request form to the City Clerk requesting to speak on an agenda item. All written requests will be honored under Public Comment on Agenda Items.

5. REQUESTS TO SPEAK DURING PUBLIC PARTICIPATION.

- a. Any person who wishes to speak on a subject not on the printed agenda may speak at this time. All rules of conduct still apply.
- b. Candidates or any person(s) working for a candidate shall not be allowed to use public participation time for campaigning.

6. DISORDERLY CONDUCT AT MEETINGS.

Persons addressing the Council shall make responsible comments and shall refrain from making personal, impertinent, slanderous or profane remarks. The Chairperson may call to order any person who is being disorderly by speaking when not recognized by the chair or otherwise disrupting the proceeding by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such persons shall thereupon be seated until the Chair 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 chair may order the Police Department to remove the person from the meeting.

F. AGENDA:

1. PREPARATION

The City Manager and City Clerk shall prepare an agenda for each regular or special meeting of the City Council. The deadline for submitting items for Council agenda is 4:00 p.m. on the Tuesday preceding the Tuesday of the Council meeting to the City Clerk. Agenda items from Council members should be submitted in writing by this same time to the City Manager.

2. DISTRIBUTION

Agendas, ordinances and all related background material will be delivered to City Council members, via email, the Thursday before the scheduled regular meeting, or at least 12 hours before a scheduled special meeting.

3. AGENDA MATERIAL

Department Heads and all others shall submit written requests for inclusion on the agenda to the City Clerk with necessary supporting data. Written presentations shall be submitted by 4:00 p.m. on the Tuesday preceding the Tuesday Council meeting for circulation with agendas. Agenda requests could be delayed to a later meeting if related information is not received by the City Clerk in a timely manner.

G. CONSENT AGENDA:

1. PURPOSE.

Consent agenda will be used to allow the City Council to act on many items at one time.

2. AGENDA ITEMS.

A consent agenda will be developed by the City Clerk and/or City Manager prior to the regular meeting items. Any action items not requiring a formal public hearing may be included in the Consent Agenda. Any member of the Council may request that an item be removed from the consent agenda and placed on the regular agenda for discussion.

H. RECORDING OF COUNCIL MEETINGS:

1. MEETINGS MAY BE RECORDED

All regular or special meetings of the City Council may be recorded through the use of audio/visual electronic devices. Such recordings will be under the control and supervision of the City Clerk. The City Clerk shall provide each member of the City Council with a copy of the audio file from each Worksession meeting.

2. RETENTION OF RECORDS

Any recordings from Council meetings may be retained by the City Clerk until the meeting minutes are approved. Any recordings from Work Session meetings shall be retained for a period of two (2) years from the date of the meeting.

I. **MISCELLANEOUS:**

1. AMENDMENTS TO RULES

The rules of the City Council may be altered or amended by a majority vote of two-thirds of the entire Council.

2. SUSPENSION OF RULES

The rules of the City Council may be suspended for good cause for a specified portion of a meeting by a two-thirds majority of the entire Council.

3. CONTROLLING AUTHORITY

These rules shall control, unless preempted by City Charter, State laws or the Court.

4. REVIEW OF CONSULTANTS

City Council shall make an annual internal evaluation of consultants at the time of review of the City budget to determine if the services being provided are satisfactory and if judged to be inappropriate, will move to proceed with establishing a more formal review process.

J. **COMMITTEE ASSIGNMENTS**

1. ASSIGNMENTS

The Mayor may assign Council members to any committee as is deemed necessary, with approval of the City Council.

2. RESPONSIBILITIES

Council member's responsibilities as committee members will be generally limited to policy and not the administration of a department or appointed organization.

K. **CITY MANAGER EVALUATION PROCESS**

The City Manager will be evaluated by the members of the City Council before July 1st each year. Forms and materials will be sent out by the City Clerk and all completed forms will be returned to the City Clerk for compiling. A report will be generated by the City Clerk with the results of the evaluations. A meeting with the City Manager and City Council members will be scheduled to review the evaluations.

L. ITEMS REQUIRING CITY COUNCIL APPROVAL

The City Council authorizes the City Clerk, City Manager, and Department Heads to exercise discretion when determining which items require formal City Council approval and must be included on a City Council Agenda. Regardless of such discretion, the following items must be presented to the City Council for formal action:

1. All items in which City Charter, State, or Federal rules/regulations require legislative body approval.
2. The annual operating budget and amendments thereto.
3. All formal City policies and procedures and amendments thereto.
4. All Ordinances and amendments thereto.
5. All purchases over \$5,000 for which an appropriation has been not previously established as part of the adopted or amended annual budget.
6. The purchase or sale of real property.
7. Borrowing of funds.
8. All formal agreements between the City and another party that extend beyond one year in duration or result in expenses to the City in excess of \$5,000 annually.

Employment: List your three most recent employment experiences.

Dates of Employment	Company Name/Location	Position	Job Description

Education: List your most recent educational experiences.

Educational Institution/School	Certificate/Degree Received	Area(s) of Study

Supplemental Information: Please review the attached "Boards and Commissions Application Attachment" for the desired qualifications for each board and commission. Check the appropriate box or boxes to indicate whether you have experience or professional credentials that may be needed to fill a specific seat.

Some boards and commissions are a mix of citizens with certain qualifications and others are citizens representing the general public. Even if you do not have any of the experience or professional background listed below, the community urges you to apply for consideration. The community needs citizens with diverse backgrounds on its boards and commissions.

Important Public Records Information: All information submitted in this application is public information and subject to disclosure in response to a public records request made pursuant to the Freedom of Information Act. Please contact the Clerk at (231) 733-8820 if you have any questions or concerns about the disclosure of specific information.

Truth and Accuracy: I certify that the information contained on this form is accurate and complete to the best of my knowledge. I understand that all information disclosed on this form will be available to the public as part of a Freedom of Information Act request.

Applicant's Signature

Date

Return Completed Forms To: Sharon Gibbs, Clerk, City of Muskegon Heights.

Boards and Commissions Application Attachment

Zoning Board of Appeals

Members are appointed by the mayor. Members must be city residents qualified by experience and/or training in matters related to construction, land use planning and/or zoning. Please check below if you have experience in:

- Architecture
- Building Construction/Engineering
- GIS/AutoCAD
- Land Use Planning
- Real Estate/Development/Law
- Zoning

Brownfield Redevelopment Authority

Members are appointed by the mayor. Members are not required to be city residents but must be qualified by experience and/or training in matters related to redevelopment. Please check below if you have experience in:

- Chemical Engineering
- Commercial Banking
- Commercial Real Estate/Development/Law
- Economic Development
- Environmental Engineering/Consulting/Law
- Property Appraisal/Assessing

Civil Service Board

Members are appointed by the mayor. Members must be city residents qualified by experience and/or training in personnel/governmental administration. Please check below if you have experience in:

- Employment/Labor Law
- Human Resources/Personnel
- Labor Relations
- Public Administration

Construction Board of Appeals

Members are appointed by the city council. Members must be city residents qualified by experience and/or training in matters relating to construction. Please check below if you have experience in:

- Architecture
- Banking/Financing
- Building Construction
- Engineering
- Real Estate/Development/Law

Housing Commission

Members are appointed by the city manager. Members must be city residents qualified by experience and/or training in matters related to the housing industry. Please check below if you have experience in:

- Banking/Finance
- Building Construction/Engineering
- Housing Development/Law
- Property Appraisal/Assessing

Planning Commission

Members are appointed by the mayor. Members must be city residents qualified by experience and/or training in matters related to land use planning. Please check below if you have experience in:

- Architecture
- Building Construction
- Civil Engineering
- Facilities Management
- GIS/AutoCAD
- Historic Preservation
- Land Use Planning
- Landscape Architecture
- Property Maintenance/Management
- Real Estate/Development/Law