

City of Belding

City Council Rules and Procedure

AUTHORITY

The following Rules and Procedures are hereby adopted by the Belding City Council to facilitate the performance of its duties and responsibilities as provided for by Chapter Four of the City Charter adopted on June 15, 1964.

The City Council shall consist of five members, elected at large. Members of the City Council shall be elected from the general population and shall live within the City of Belding for at least one year prior to their election.

FUNCTIONS

The City Council shall determine all matters of policy of the city and adopt ordinances and necessary rules and regulations to insure they are carried out. Further, the Council shall raise revenues and make appropriations for the operations of the city government, investigate municipal affairs, and perform all acts required of it by the City Charter.

OFFICERS

At the first meeting following an election, the City Council shall organize and elect from within its membership a Mayor and Mayor Pro-Tem.

DUTIES

- **MAYOR.** The Mayor shall serve as the Chief Executive Officer of the city insofar as required by law and for all ceremonial purposes. He or she shall be a conservator of the peace, shall have the powers by law, and shall preserve the public peace, health and safety of persons and property within the city limits. The Mayor shall execute documents on behalf of the City of Belding and shall have an equal vote on matters pertaining to the city as the other members of the Council. He or she shall not have the power to veto action by the City Council.
- **MAYOR PRO-TEM.** The Mayor Pro-Tem shall act in the stead of the Mayor in case of the Mayor's absence or disability. He or she shall succeed to the office of Mayor in the event of a vacancy, thereby creating a vacancy in the office of Mayor Pro-Tem. The senior member of the City Council in terms of continuous service shall automatically become the Mayor Pro-Tem and serve in that position until the next general election. If

existing members of the City Council have identical service records, then the member who received the most votes in the last election shall become Mayor Pro-Tem.

MEETINGS

The City Council shall hold meetings on the first and third Tuesday of each month. Meetings cancelled because of holidays or other special events shall be re-scheduled.

A quorum of the City Council, or three members, shall be required to transact business. In the event that a quorum is not present, the meeting will adjourn and no interested parties shall be heard on any matter.

Meetings without a quorum where public hearings have been scheduled shall be adjourned to the next scheduled, or rescheduled as a Special Meeting of the City Council. No testimony will be taken unless a quorum is present and no additional notice will be required to be posted.

All meetings shall be held in accordance with the provisions of the Michigan Open Meetings Act (Act No. 267 of the Public Acts of 1976, as amended) and shall be governed by Robert's Rules of Order, current edition.

Each member of the City Council shall be allowed to cast one vote on each item presented for action.

Each member of the City Council shall vote on every question unless excused by the affirmative vote of at least three members of the City Council.

Parliamentary procedure shall prevail at all meetings and shall be governed by Robert's Rules of Order, current edition.

Special Meetings of the City Council may be called by the Mayor or by a majority of the entire membership of the City Council. Notice of the Special Meeting shall be provided to the members of the City Council at least eighteen hours in advance of the meeting. Such notice shall state the time, location and purpose of the meeting. Notice of Special Meetings shall also be posted on the City of Belding website and in City Hall as required by the Open Meetings Act.

The City Council shall keep a journal in the English language of all of its proceedings, which journal shall be signed by the Mayor and City Clerk. The vote on the passage of all ordinances and resolution shall be a "yes" or "no" vote and entered into the record.

All City Council minutes, records, documents, correspondence and other material shall be available for public inspection within seven days following adjournment of the meeting, except as may otherwise be required or allowed by the law.

RECORDS

A written record of the proceedings of the City Council shall be maintained by the City Clerk. In addition to those reporting requirement of the Michigan Open Meetings Act, the record shall include a brief synopsis of the meeting but not a verbatim record.

The record of the meeting shall include, but not be limited to, the following:

- A recording of the attendance by members.
- A restatement of all motions.
- A summary of pertinent points and conditions related to the item under consideration.
- A summary of pertinent points of discussion.
- A recording of the votes on the motion.

All records related to the activities of the City Council at Regular Meetings shall be maintained by the Clerk and shall be open to public inspection upon request.

CONFLICT OF INTEREST

Members of the City Council shall not vote on any question in which he or she has a direct or indirect personal financial interest.

ORDER OF BUSINESS

The City Clerk, with input from the City Manager and/or Mayor, shall prepare an agenda for each Regular Meeting of the City Council.

The City Council agenda is finalized at twelve noon on the Thursday preceding the date of the meeting. Items for inclusion on the City Council agenda must be submitted with sufficient time for the city to determine the validity of the matter.

The agenda shall include at least all of the following categories:

- Call To Order/Welcome
- Prayer and Pledge of Allegiance
- Roll Call
- Approval of meeting Agenda

- Public Comments (up to three minutes pertaining only to the items on the agenda)
- Consent Agenda
- Reports by Council Liaisons
- Unfinished Business
- New Business
- Public Comment (up to three minutes pertaining to any topic)
- City Manager Comments
- City Council Comments
- Adjournment

CLOSED MEETINGS

The City Council may meet in Closed Session only for purposes, defined in the Michigan Open Meetings Act (Act No. 267 of the Michigan Public Acts of 1976, as amended) and summarized as follows:

- Consideration of the dismissal, suspension or discipline of, or to hear charges brought against, a public officer, employee, staff member or individual when the person requests a closed hearing.
- Consideration of a strategy and negotiation session necessary to reach a collective bargaining agreement when either party requests a closed hearing.
- Consideration of the purchase or rental of real property up to the time a purchase or option is obtained for the property. This does not include the sale, lease or conveyance of city-owned property to others.
- Consultation with an attorney regarding trial or settlement strategies in connection with a specific pending litigation, but only when discussion of the same in a public meeting would have a detrimental financial effect on the litigating or settlement position of the City.
- Review of 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 the Act.

- Consideration of material exempt from discussion or disclosure by state or federal statute
- Any other legally permissible purpose.

A quorum roll call vote of Council members elected and serving shall be required to call for a closed session. The roll call vote will be taken at an open meeting and the purpose for calling the Closed Meeting entered into the minutes of the meeting at which the vote is taken. The public will then be instructed to leave the chambers until the closed meeting has been completed. The public meeting shall then be re-opened and business transacted as necessary.

A separate set of minutes shall be taken by the City Clerk at the Closed Meeting. These minutes shall be retained by the City Clerk and shall not be available to the public. Minutes of Closed Meetings shall only be produced by order of a court of law.

Members of neither City Council nor staff in attendance shall divulge confidential information discussed at a closed session as potential financial liability and/or harm to the reputation of the city may result from premature disclosure.

Any matters discussed in a Closed Meeting may only be presented for action by the City Council in an open meeting pursuant to the Act.

CONDUCT AT CITY COUNCIL MEETINGS

Public Comment periods at City Council meetings are designed to advise the City Council of questions and/or concerns related to the City of Belding. It is not intended to serve as a question and answer session, nor to open a public dialogue at the meeting on any particular subject.

Comments are to be addressed to the Mayor and shall not exceed three minutes unless the Mayor feels the subject deserves a longer period for sufficient explanation.

Those addressing the City Council are expected to make responsible comments and refrain from personal, impertinent, slanderous or profane remarks. The Mayor may call to order any person who is being disorderly or rude by speaking when not recognized, failing to be germane, speaking longer than the allotted time, or by speaking vulgarities. If a person so engaged persists, and the Mayor is unable to bring order to the assembly, he or she may order the Police Department to forcibly evict the offender from the premises.

APPOINTMENTS TO BOARDS AND COMMISSIONS

The appointment of new members to city boards and commissions is the responsibility of the City Council.

When a vacancy occurs, a notice of the same will be posted on the city's website for one month following the vacancy. Interested persons will be encouraged to submit an application for the position on a form provided by the City Clerk. At the end of the one month period, the City Clerk will provide copies of interested applicants to the members of the subject board or commission and schedule them for a personal interview at their next regularly scheduled meeting. Following the interview process, the subject board or commission will recommend their preferred candidate for approval by the City Council at its next regularly scheduled meeting.

Adopted by the Belding City Council on July 18, 2017.