

RULES OF THE CITY COMMISSION
(Adopted 11/12/07)

A. REGULAR AND SPECIAL MEETINGS

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.

Section 1. Regular Meetings

The Commission shall hold regular meetings on the second Monday and the fourth Monday of each month in the Commission Chambers, Municipal Memorial Building; both meetings to be held at 5:30 P.M. If the time set for a regular meeting falls on a holiday, the meeting shall be held at the same time and place on the next secular day, which is not a holiday; provided that the place may be changed if necessary, as long as timely notice is furnished to the public. (Charter 4.6(b)).

Section 2. Special Meetings

Special meetings of the City Commission shall be called by the City Clerk on written request of the Mayor, City Manager, or two (2) members of the City Commission. (Charter 4.6(c)).

There shall be at least 18 hours written notice to each member of the Commission, designating the time, place, and purpose of the meeting. Notice shall be served personally or left at his usual place of residence or business (as desired by the individual Commissioner) by the Clerk or an agent appointed by the Clerk (Charter 4.6(c)(1)).

Only the business listed in the call to a special meeting may be transacted at that meeting (Charter 4.6(c)(3)).

Section 3. Posting requirements for Regular and Special Meetings

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 City Commission meetings will be posted at the City offices.

Post rescheduled meetings 18 hours before meeting, not applicable to subcommittees of public bodies MCL 15.265.

The notice described above is not required for a meeting of the Commission in emergency session in the event of a severe and imminent threat to the health, safety, or welfare of the public when two-thirds (2/3) of the members of the Commission determine that delay would be detrimental to the City's efforts in responding to the threat.

Section 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 the Open Meetings Act. In the absence of the clerk, the City Clerk or the City Commission may appoint another person to temporarily perform the clerk's duties.

The Clerk shall prepare the Official Proceedings of each Commission meeting as required by the Charter Section 4.6(f), which shall be the minutes required by the Open Meetings Act. Proposed minutes shall be available for public inspection within eight (8) days after each meeting. The City Clerk shall be clerk of the Commission and shall, with the Mayor, sign and attest all ordinances, and the journal or record of the Commission's proceedings shall be prepared, kept, and signed by the City Clerk and approved by the Commission.

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

Section 5. Work Sessions

Upon the call of the Mayor or the Commission and with appropriate 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. Commission members shall not be paid for attendance at work sessions.

B. CONDUCT OF MEETINGS

Section 1. Meetings to be Public

All regular meetings of the Commission 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 Commission 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 Commission and its committees shall be open to the media, 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.

The Commission shall act only by ordinance or resolution.

Section 2. Agenda Preparation

An agenda for each regular City Commission Meeting shall be prepared by the City Manager with the following Order of Business.

- A. Call to Order
- B. Record the Roll
- C. Approval of Consent Agenda
- D. Approval of Agenda
- E. Citizens wishing to address the Commission on Items on the Agenda, may also reserve time to speak on agenda items (Three Minute Limit)
- F. Old Business
- G. New Business
- H. City Manager's Report
- I. Commissioner Comment (Five Minute Limit)
- J. Citizens wishing to address the Commission on Items not on the Agenda (Five Minute Limit)
- K. Adjournment

The Order of Business shall not be departed from except by the consent of 2/3's of the member of the Commission present.

Section 3. Consent Agenda

A consent agenda may be used to allow the commission to act on numerous administrative or non-controversial items at one time. Included on this agenda can be non-controversial matters such as approval of minutes, payment of bills, approval of recognition resolutions, etc. Upon request by any member of the Commission or citizen, an item shall be removed from the consent agenda and considered separately under New Business.

Section 4. Agenda Distribution

A copy of the agenda shall be delivered to each member of the Commission no later than 4:00 P.M. on the Friday preceding the date of the regular meeting at either the residence or place of business of each member of the Commission.

Section 5. Quorum

Three (3) members of the Commission shall be a quorum, but three members or less may adjourn regular or special meetings to a later date, and may by majority vote of those present compel personal presence and continuous attendance of its members and officers.

Section 6. Attendance at Commission Meetings

Election of the City Commission is a privilege freely sought by the nominee. It carries with it the responsibility to participate in commission activities and represent the residents of the City. Attendance at Commission meetings is critical to fulfilling this responsibility.

Section 7. Presiding Officer

The presiding officer (chairperson) shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Mayor is ordinarily the presiding officer. The council 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 present who has the longest consecutive service on the commission shall preside.

Section 8. Disorderly Conduct

The presiding officer/chairperson may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. 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, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the Commission. 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.

The Ranking Public Safety Officer of the City (or designated alternate) shall serve as Sergeant-at-Arms for enforcement of this provision.

C. CLOSED MEETINGS

Section 1. Purpose

Closed meetings may be held only for the reasons authorized in the Open Meetings Act, PA 267 of 1976 as amended.

Section 2. Calling Closed Meetings

At a regular or special meeting, the City Commission elected or appointed and serving, by a two thirds vote may call a closed session under the conditions outlines in Section

C.1 of the Open Meetings Act. The roll call 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. Minutes of Closed Meetings

The clerk or the designated secretary of the City Commission shall take a separate set of minutes 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 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.

D. DISCUSSION AND VOTING

Section 1. Rules of Parliamentary Procedures

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 they are not in conflict with these rules, City Ordinances, the City Charter, or applicable state statutes. The Mayor may appoint a parliamentarian.

Action on the passage of all ordinances and adoption of all resolutions shall be taken by "yes" and "no" votes, entered into the record (unless unanimous, in which case a statement to that effect will suffice)(Charter Sec.4.6(h)).

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

The presiding officer/chairperson may make and support motions at all City Commission meetings.

Any member may appeal to the Commission a ruling of the presiding officer/chairperson. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the presiding officer/chairperson may briefly state the ruling. There shall be no debate on the appeal and no other member shall participate in the discussion. The questions shall be "Shall the decision of the chair be sustained?" If the majority of the members present vote "yes", the ruling of the presiding officer/chairperson is sustained; otherwise it is overruled.

Section 2. Conduct of Discussion

During discussion and debate, no person shall speak until recognized for that purpose by the presiding officer/chairperson. 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 presiding officer/chairperson, maintain a courteous tone and avoid interjecting a personal note into debate.

No member shall speak more than once on the same questions unless every member desiring to speak to that question shall have had the opportunity to do so.

The presiding officer/chairperson, at his or her discretion and subject to the appeal process mentioned in Section D.1, may permit any person to address the Commission during its deliberations.

Section 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.

A vote on all ordinances and resolutions shall be taken by 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 commission rules.

The adoption of any ordinance by the Commission shall require for its passage the concurrence of a majority of all members of the Commission, namely three (3) members.

The adoption of any resolution shall be by the affirmative vote of the majority of the Commission present, except that the affirmative vote of 2/3rd of the Commissioners present will be required to adopt any resolution that,

- (a) Prevents the introduction of question for consideration;
- (b) Closes, limits, or extends the limits of debate;
- (c) Limits the freedom of nomination or voting;
- (d) Closes nominations, or
- (e) Deprives one of membership of office.

Section 4. Roll Call

In all roll call votes, the names of the members of the Commission shall be called in rotating order as determined by the clerk.

Section 5. Duty to Vote

Election to a deliberative body carries with it the obligation to vote. Commission members present at the Commission meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law. A Commission 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. Any City officer called on to make an official decision who feels a conflict of interest may exist, should make that feeling known and may abstain from voting on that issue. (Charter Sec. 3.4(b)). A vote may be tabled, if necessary, to obtain the opinion of the City Attorney.

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.

All votes must be held and determined in public; no secret ballots are permitted.

Section 6. Results of voting

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

It shall be in order for any commission 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 Commission. When a motion to reconsider fails, it cannot be renewed.

E. CITIZEN PARTICIPATION

Section 1. General

Each regular City Commission meeting agenda shall provide for reserved time for audience participation.

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

Section 2. Length of Presentation

Any person wishing to address the City Commission during the times set for public comment, shall be limited to three (3) minutes in length for the first Public Comment time and five (5) minutes in length for the second Public Comment time per individual presentation. The Clerk will maintain the official time and notify the speakers when their time is up.

Section 3. Addressing the Commission

When a person addresses the Commission, he or she shall state his or her name and home address. Remarks should be confined to the question at hand and addressed to the presiding officer/chairperson 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.

F. MISCELLANEOUS

Section 1. Adoption and Amendment of Rules of Procedure

These rules of procedure of the Commission will be placed on the agenda of the first meeting of the Commission following the seating of the newly elected Commission members for review and adoption. A copy of the rules adopted shall be distributed to each Commission member.

The Commission may alter or amend its rules at any time by a vote of 4 of the 5 Commissioners after notice has been given of the proposed alteration or amendment.

Section 2. Suspension of Rules

The rules of the Commission may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds (2/3) of the members present except that City Commission action shall conform to state statutes and to the Michigan and the United States Constitutions.

Section 3. Bid Awards

The Commission will award bids during regular or special meetings. A bid award may be made at a special meeting of City Commission if that action is announced in the notice of the Special Meeting.

Section 4. Committees

The Mayor shall appoint all members to committees of the Commission, except the Ironwood Housing Commission, which the City Manager shall appoint according to MCLA 125.654.

Section 5. Commission Mail

That the city Clerk (or an agent appointed by the Clerk) be authorized to open all mail addressed to the City Commission and that the Clerk make a sufficient number of copies of the ordinary mail received to be mailed/delivered with the docket on Friday preceding the meeting. Further, that copies of all urgent correspondence be made and mailed to the Commissioners without delay.