B-02b

RULES OF PROCEDURE FOR THE CITY COUNCIL CITY OF TROY, MICHIGAN

Adopted: November 25, 2013

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1. APPOINTMENT OF MAYOR PRO TEM

The selection of Mayor Pro Tem shall rotate annually in the following order: Henderson, Campbell, Pennington, Hodorek, Fleming, Tietz.

2. CODE OF ETHICS

a) The City Council Code of Ethics shall be reviewed in November of each calendar year, and all City Council members shall agree to abide by the City Council Code of Ethics, and shall evidence this agreement by affixing their signature to a written copy of the Code of Ethics at the earliest opportunity, and providing a copy to the City Clerk.

b) The Board and Committee Code of Ethics shall be reviewed in November of each calendar year, and all Board and Committee members shall agree upon appointment to abide by the Board and Committee Code of Ethics, and shall evidence this agreement by affixing their signature to a written copy of the Code of Ethics at the earliest opportunity, and providing a copy to the City Clerk.

3. DESIGNATION OF ACTING MAYOR

In the absence or disability of the Mayor and the Mayor Pro Tem, the Council Member present who has served longest shall be designated Acting Mayor and shall perform the duties of the Mayor.

4. SPECIAL MEETINGS

Special Meetings shall be held in the Council Boardroom at 6:00 PM unless otherwise noted in the Call of the Meeting.

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A. CALLING OF SPECIAL MEETINGS (Pursuant to City Charter Section 4.2):
Special meetings shall be called by the Clerk on the written request of the Mayor, or any two members of the Council on at least twenty-four hours written notice to each member of the Council, served personally or left at his usual place of residence; but a special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing.

B. DOCUMENTATION:
Special meetings shall be exclusively limited to items specifically referenced in the Call of the Meeting.

- **Special Meeting Posting**: Pursuant to City Charter a printed meeting notice for each specially called meeting shall contain the items indicated in the written notice calling the meeting.
- **Study Session (Special Meeting) Agenda and Posting**: Study Session Agendas shall contain the items as indicated in the motion calling the meeting.

C. POSTING AND DELIVERY:
Special Meeting Calling Notice and/or Agenda shall be personally delivered to each Council Member and posted for public display at least twenty-four (24) hours in advance of the meeting.

D. ORDER OF BUSINESS:
At each Study Session (Special Meeting) of the Council, the business to be considered shall include the items listed and in the following order:

A. Call to Order
B. Roll Call:
1) Listing of Council Members
2) Excuse Absent Council Members pursuant to Rule Number 22.
C. Items as Indicated in the Motion Calling of the Meeting
D. Items Not Indicated in the Motion Call the Meeting (Pursuant to City Charter Section 4.2):
1) Special meetings are limited to what is expressly indicated in the Call of the Meeting (Motion of Council or written notice), except as set forth below.
E. Amendments/Additions to Agenda (Pursuant to City Charter Section 4.3):
In order for City Council to address items at a Special Meeting that are in addition to the Items expressly indicated in the Call of a Special Meeting, all members of City Council must consent to the requested addition(s) in writing and all Council members present at the Special Meeting must consent.
F. Public Comment
G. Adjournment

5. REGULAR MEETINGS

Regular meetings shall be held in the Council Chambers at 7:30 P.M. Meeting dates will be established, by resolution, prior to the end of the preceding calendar year.

6. AGENDA

A. Regular Meeting Agenda: A printed agenda for each regularly scheduled meeting shall be produced at least forty-eight (48) hours in advance of the meeting. Every item of business to come before the Council shall be filed with the City Clerk by noon on the Wednesday preceding the Monday on which the Council meets. It shall be the duty of the City Clerk to have delivered, as soon as practical, to each member of the Council a complete agenda of the items to be considered at the following meeting. Each item on the agenda shall have sufficient explanation to indicate its intent. All items introduced by the City Council members that do not meet the Wednesday noon deadline will be referred to a later meeting, except by suspension of these rules. A packet, excluding all confidential items, will be posted on the City's Website at least 48 hours prior to Council meetings.

B. Closed Session Agenda: Where a Closed Session is requested for a pending casepursuant to MCL 15.268 (e), the specific name(s) of each case is to be identified in the resolution, even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested for any collective bargaining unit discussion pursuant to MCL 15.268 (c), the specific bargaining unit is to be identified pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

7. ORDER OF BUSINESS

At each Regular meeting of the Council, the business to be considered shall be taken up for consideration and disposition in the following order:

Invocation
Pledge of Allegiance

A. **Call to Order**
B. **Roll Call**
   1) Listing of Council Members
   2) Excuse Absent Council Members pursuant to Rule Number 22
C. **Certificates of Recognition and Special Presentations**
D. **Carryover Items**
E. **Public Hearings**
F. **Public Comment for Items On the Agenda from Troy Residents and Businesses** – In accordance with the Rules of Procedure of the City Council, Rule Number 17 - Members of the Public and Visitors
G. **City Council/City Administration Response/Reply to Public Comment**
H. **Postponed Items**
I. **Regular Business**
J. **Consent Agenda**
   1) Approval of "J" Items NOT Removed for Discussion
   2) Address of "J" Items Removed for Discussion
K. **Memorandums and Future Council Agenda Items**
L. **Public Comment for Items Not on the Agenda from Troy Residents and Businesses**– In accordance with the Rules of Procedure of the City Council, Rule Number 17 – Members of the Public and Visitors
M. **Council Referrals** - Items appearing under Council Referrals are items intended for City Council action that are brought forward by the Mayor or Council Members in accordance with Rule 6 (A).
N. **Council Comments** - Items for the good of the order brought forward by Mayor and Council.
O. **Reports**
P. **Comments for Items On or Not On the Agenda from Members of the Public Outside of Troy (Not Residents of Troy and Not From Troy Businesses)**

~~Q. **Study Items**~~
~~R.~~Q. **Closed Session**
~~S.~~R. **Adjournment**

8. CABLE CASTING OF CITY COUNCIL MEETINGS

All City Council Meetings will be broadcast on WTRY, with the exception of Closed sessions and Council retreats.

9. MINUTES

A. **Minutes:** The minutes will be distributed to the Council prior to their approval. The minutes will be placed on the Consent Agenda for approval.
   Closed Session Minutes: No official City Council action will be necessary for closed

session minutes, since the closed session minutes will reflect only the reason for the closed session (in compliance with Section 6 (B), the date, the starting and ending time and the persons in attendance.

10. PROCLAMATIONS

Proclamations, which are formal public announcements made by City Council, shall be included in the agenda under Reports and Communications and may be brought before Council or City Administration for consideration by any member. Proclamations will be placed on the Consent Agenda for approval and may include a presentation listed under *Certificates of Recognition and Special Presentations*.

11. RECONSIDERATION OF QUESTIONS

A motion to reconsider any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members elect. If such a motion to reconsider passes, and new information has been brought forward, then any member of Council may move to take action on the motion that is to be reconsidered, and any such motion would pass by an affirmative vote of the majority of the Council Members elect.

12. RESCISSION OF QUESTIONS

Rescission of any vote of the Council shall require the affirmative vote of the majority of the Council Members. *Charter states “majority of the members elect.”

13. WITHDRAWAL OF MOTIONS PRIOR TO VOTING

Any motion may be withdrawn by its maker prior to voting. A motion to withdraw must receive a second and the affirmative vote of the majority of the Council Members present.

14. PUBLIC HEARING

Public Hearings will be held after required notice has been provided. Notices shall inform recipients of possible continuations of hearings. The City Council may upon affirmative vote of a majority of its members "continue" said hearing at a future date designated in the resolution. If the City Council elects to continue the Public Hearing it will appear in the designated meeting Agenda under the topic of "Public Hearings".

15. CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda and having it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. Public comment on Consent Agenda Items will be permitted under Agenda Item F.

16. APPOINTMENTS

A. Appointments to Boards, Commissions and Committees:

The Mayor shall, with City Council concurrence, appoint members of Boards or Committees

as governed by State Statute or local ordinances.

The Mayor Pro Tem will contact incumbents to determine their interest in being nominated for reappointment.

The Mayor or any Council Member desiring to nominate a person for appointment to a Board, Commission, or Committee shall at the meeting prior to the appointment, submit such name, for nomination. A brief summary of background and personal data as to nominee's qualifications should be presented at the time of nomination, except that such a resume shall not be required for the re-nomination of a current member, or if the Council unanimously agrees that a resume is not necessary. Resumes will be submitted on or before the time of nomination.

Nominations will occur during any regular meeting of the Council. A resolution to nominate will be considered during the "Regular Business" of the agenda. All nominations are subject to Section "B" which appears below.

B. Method of Voting on Nominees:

1) Where the number of nominees does not exceed the number of positions to be filled, a roll call vote shall be used.
2) Where the number of nominations exceeds the number of positions to be filled, voting shall take place by the City Clerk calling the roll of the Council and each Council Member is to indicate the names of the individuals he/she wishes to fill the vacancies
3) When no candidate receives a majority vote, the candidate(s) with the least number of votes shall be eliminated from the ensuing ballot.
4) No member of the City Council shall serve on any committee, commission or board of the City of Troy, except the Retirement System Board of Trustees, Retiree Health Care Benefits Plan and Trust Board, and the Local Development Finance Authority (LDFA) unless membership is required by Statute or the City Charter.
5) Persons nominated, but not appointed during this process will be sent a letter thanking them for their willingness to serve the community.
6) Recognition will be given to persons who have concluded their service to the community on Boards and Commissions.

Appointment of City of Troy Representation to SEMCOG and SOCRRA

SEMCOG (Southeastern Michigan Council of Governments) Representation: The Mayor and City Council shall appoint one Delegate and one Alternate to serve on the SEMCOG General Assembly for a term of two-years expiring at 7:30 PM on the Monday following the Regular City Council Election. The appointments shall be made at the organizational meeting of Council at the first Regular meeting of every odd-year November.

SOCRRA (South Oakland County Resource Recovery Authority) Representation: The Mayor and City Council shall appoint one delegate and one alternate to serve on the SOCRRA Board for a term of one-year expiring on June 15th.

17. MEMBERS OF THE PUBLIC AND VISITORS

Any person not a member of the City Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry or comment. ***NOTE TO THE PUBLIC:*** *City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items On the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items Not on the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any member of the public who is not a Troy resident or Troy business representative shall be allowed to speak for up to three (3) minutes to address any topic on or not on the Agenda as permitted under the Open Meetings Act during the *Comments for Items On or Not On the Agenda from Members of the Public Outside of Troy (Not Residents of Troy and Not From Troy Businesses)* portion of the Agenda.
- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name and residency status (Troy resident, non-resident, or Troy business owner). If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

Prior to *Public Comment for Items On the Agenda*, the Mayor will provide a verbal notification of the rules of decorum for City Council meetings. In addition, the written Agenda Packet will include the following language, as approved by City Council:

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are three Public Comment portions of the Agenda. For Items On the Agenda, Troy Residents and Business Owners can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the Agenda. Troy Residents and Business Owners can sign up to address all other topics under Items Not on

the Agenda. All Speakers who do not live in Troy or own a Troy business may sign up to speak during the Comments on Items On and Not On the Agenda from Members of the Public Outside of Troy. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up.

In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including having the microphone turned off, being asked to leave the meeting, and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation.

Please avoid these consequences and voluntarily assist us in maintaining the decorum befitting this great City.

18. POSTPONE

A motion to postpone may be made for a definite period of time. Items will automatically appear on the appropriate agenda.

19. RULES OF ORDER

Robert's Rules of Order, current edition, as clarified by the City Clerk, is hereby adopted and made a part hereof, except as modified by these Rules of Procedure, the Charter, and the City Code.

20. MISCELLANEOUS EXPENSES

Reasonable and necessary expenses incurred in service on behalf of the City shall be paid for the Mayor and Council, provided that at the end of each month a detailed expense report is submitted and approved by the City Council.

21. EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS

A. Funds providing for Council representation at State and National conferences sponsored by affiliations of cities will be annually approved in the budget for the subject fiscal year. The City Council will by advance resolution grant authorization for out of town travel to specific places, for conference purposes. Members of the City Council will submit expense vouchers exceeding $50.00 per day to attend out-of-town meetings and conferences, with additional allowances being made for transportation (paid at the air coach rate, City pool car, City Vehicle rental rate, or gas mileage at current IRS guidelines, depending upon the mode of transportation) and lodging. Expenses may be authorized for payment by the City Manager, and a copy of the expense report form will be placed on the Council agenda under Reports and Communications.

B. Detailed and receipted expenses, not to exceed $150.00, to attend legislative committee hearings, legislative meetings, etc., may be authorized for payment by the City Manager without prior authorization by the Council, and a copy of the expense report form, along with receipts, will be placed on the Council agenda under Reports and Communications.

22. ABSENCES AT COUNCIL MEETINGS

A. Council members who are unable to attend a Council meeting and desire an excused absence shall notify the City Manager, City Attorney or City Clerk of their absence in writing prior to the meeting and indicate the reason for the absence. The reason shall be entered in the proceedings of the Council at the time of each absence.

B. In the event of an absence of a Council member at a meeting, the City Manager is directed to supply such absent Council member with information about any special meetings that may have been scheduled.

23. SUSPEND RULES

The Rules of Procedure may be waived by a simple majority.

24. COUNCIL DISCUSSION

No member of Council shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard. No member of Council shall be allowed to speak for more than five (5) minutes at a time.

25. AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS

Mayor and Council Members submitting an agenda item that calls for a vote shall send the item to the City Manager in a timely manner in writing. Staff professional opinion may be written to accompany the item. Rule 17 would govern, limiting any presentations to 15 minutes.

26. VIDEO AND AUDIO PRESENTATIONS

Video and Audio Presentations may not be submitted for presentation at a Council meeting unless submitted to the Troy City Clerk by noon on the day of the meeting. Inappropriate material will be prohibited.

27. CONTINUED AGENDA ITEMS NOT CONSIDERED BEFORE 12:00 AM

Any item on the Council agenda that has not been discussed by 12:00 AM of the morning following the beginning of the meeting shall be continued to the next regular meeting as a Carryover Item, unless City Council takes action to the contrary.

28. VIOLATIONS

The City Clerk shall be responsible for reporting violations of time limitations or speaking sequence to the Chair.

29. WIRE COMMUNICATIONS BY AND TO COUNCIL MEMBERS DURING ANY MEETING OF COUNCIL

All communications are subject to the Michigan Open Meetings Act, therefore members of the City Council shall not engage in any form of wire communication, as defined by U.S. Code Title 18, Part I, Chapter 119, Section 2510, during any meeting of the Council.