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

Adopted: November 9, 2009

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1. APPOINTMENT OF MAYOR PRO TEM

The Mayor Pro Tem shall be elected by the Council from among its members, annually in November.

2. 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.

3. SPECIAL MEETINGS

A. CALLING OF SPECIAL MEETINGS: (Pursuant to City Charter Section 4.2)

Section 4.2 - Special Meetings:

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 21.
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
E. **See Charter Article 6 Amendments/Additions to Agenda**
F. **Public Comment**
G. **Adjournment**

E. AMENDMENTS/ADDITIONS TO AGENDA:

(1) By Charter, special meetings are limited to what is expressly indicated in the Call of the Meeting (Motion of Council or written notice, per Charter).

(2) If all members of City Council approve of agenda amendments or additions in writing prior to the desired action, then Council can entertain such desired action only when all members present at the meeting consent to allow the amendment/addition to the agenda.

4. 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.

5. 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 questions introduced that do not appear on the agenda 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 of a pending case, the specific name(s) is to be included pursuant to MCL 15.268 (e), even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested of any collective bargaining unit, the specific name(s) is to be included pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

6. 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 21.
C. **Certificates of Recognition and Special Presentations**
D. **Carryover Items**
E. **Public Hearings**
F. **Public Comment** – In accordance with the Rules of Procedure of the City Council, Article 16 - Members of the Public and Visitors.

G. **Postponed Items**
H. **Regular Business** - Council will move forward all of the "H" items as requested by members of the audience. Remaining "H" Items will be addressed in order of appearance following the addressing of the "H" Items moved forward.
I. Consent Agenda
(1) Approval of "I" Items NOT Removed for Discussion
(2) Address of "I" Items Removed for Discussion
J. **Memorandums and Future Council Agenda Items**
K. **Council Referrals** - Items appearing under Council Referrals are items brought forward by the Mayor or Council Members before the City Manager's agenda deadline for consideration at the next regular meeting.
L. **Council Comments** - Items brought forward by Mayor and Council will be placed on the next Regular Meeting Agenda for Action. Items appearing under Council Comments are not intended for discussion or action at the meeting at which they first appear.
M. **Reports**
N. Closed Session – Council will call a Closed Session (if needed) to be conducted after scheduled Study Items (if applicable). If there are no Study Items, Council may proceed directly into Closed Session. Council may also schedule a Closed Sessions for a future Regular or Special meeting date.
O. **Study Items**
~~O~~P. **Closed Session**
~~P~~Q. **Adjournment**

7. CABLE CASTING OF CITY COUNCIL MEETINGS

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

8. 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.
B. Closed Session Minutes: Where a Closed Session is requested for discussion of a pending case, the specific name(s) is to be included pursuant to MCL 15.268 (e), even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested of any collective bargaining unit, the specific name(s) of a collective bargaining unit is to be included pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

9. PROCLAMATIONS

Proclamations shall be included in the agenda under Reports and Communications and may be brought before Council for consideration by any member. Proclamations will be placed on the Consent Agenda for approval.

10. RECONSIDERATION OF QUESTIONS

Reconsideration of 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*. Reconsideration of any vote of the Council may further be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members provided

that new information has been brought forward. *Charter states “majority of the members elect.”

11. 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.”

12. WITHDRAWAL OF MOTIONS PRIOR TO VOTING

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

13. 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".

14. 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 have 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.

15. 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, into 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, 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.

15.1 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.

16. 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. *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 five (5) minutes to address any Public Hearing item.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to five (5) minutes to address Postponed, Regular Business or Consent Agenda items or any

other item as permitted under the Open Meetings Act during the Public Comment portion of the agenda.

- City Council may waive the requirements of this section by a majority 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.
- Through a request of the Chair and a majority vote of City Council, public Comment may be limited when there are fifteen (15) or more people signed up to speak either on a Public Hearing item or for the Public Comment period of the agenda.

17. POSTPONE

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

18. RULES OF ORDER

Robert's Rules of Order, Newly Revised 10th 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.

19. MISCELLANEOUS EXPENSES

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

20. 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 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.

21. ABSENCES AT COUNCIL MEETINGS

A. Council members who are unable to attend a Council meeting and desiring an excused absence shall notify the City Manager, City Attorney and City Clerk of their absence in writing prior to the meeting and indicate the reason for the 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.

22. SUSPEND RULES

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

23. 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.

24. AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS:

Mayor and Council Members submitting an item for a vote shall send the item to the City Manager in a timely manner in writing. Staff professional opinion will be written to accompany the item for discussion and a vote on the matter. Presentations at the Council table shall be limited to 15 minutes.

25. VIDEO AND AUDIO PRESENTATIONS

Video and Audio Presentations may not be submitted for presentation at a Council meeting unless submitted by 12:00 Noon prior to the meeting. Inappropriate material will be prohibited.

26. 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.

27. VIOLATIONS

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

28. WIRE COMMUNICATIONS BETWEEN 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.