

HUDSON CITY COUNCIL

RULES OF PROCEDURE

1. **AUTHORITY:**

These rules are adopted by Resolution of the City Council pursuant to the authority of the City of Hudson City Charter. None of the rules herein stated may supersede the City Charter, City Code, or Laws of the State of Michigan.

2. **MEETINGS:**

2.1 Regular Meetings:

Per City Charter, the regular meetings of the Council shall be on the first and third Tuesday of each month, unless that day is a Holiday or Election Day. The organizational meeting shall be held at 7:00 P.M. on the first Tuesday in December. The Council will approve by resolution each December the regular meeting schedule for the following calendar year, including any exceptions to the first Tuesday meeting requirements.

2.2 Special Meetings:

Special meetings of the Council shall be called by the City Clerk upon the written request of the Mayor, City Manager, or any two (2) members of the Council. Notice of Special Meetings shall be given to each member of the Council at least 24 hours in advance of the Special Meetings. Such notice shall be emailed to all members by the City Clerk. The notice shall contain the time, place, and purpose of the meeting.

2.3 Emergency Special Meetings:

An emergency meeting may be held 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 serving on the City Council decide that delay would be detrimental to efforts to lessen or respond to a threat.

2.4 Place of Meeting:

All regular or special meetings of the Council will be held in the Council Chambers at City Hall. If the Council Chamber appears to be inadequate for members of the public to attend, the City Clerk may change the meeting to a larger facility, preferably within the city limits. A notice of such change shall be prominently posted on the outside door of the regular meeting place. If time permits, the City Clerk will also publish notice of the change of meeting place in the newspaper of general circulation and the City Website.

2.5 Time of Meetings:

All regular meetings of the Council will begin at 7:00 P.M., unless the Council, by four (4) votes, sets a different starting time. Special meetings may be scheduled at times other than 7:00 P.M. as long as the time is included in the meeting notice. Meetings will not be scheduled at a time that purposely excludes public attendance.

2.6 Changes in Schedule:

Changes in the regular meeting schedule may be made upon the approval of four (4) members of Council. The City Clerk will publish notice of such change as soon as practical in a newspaper of general circulation in the community and the City Website.

3. PUBLIC NOTICE OF MEETINGS:

The City Clerk shall be responsible for providing proper notices of all meetings of the Council.

3.1 Regular Meeting Schedule:

The City Clerk shall post within 10 days after the first Council meeting each calendar year, a notice of the regular meeting schedule for the next calendar year at City Hall and publish said notice in a newspaper of general circulation in the community prior to the beginning of each calendar year. Said notice shall indicate the dates, times, and places of the regularly scheduled meetings.

3.2 Schedule Change:

Whenever the Council shall change its regular meeting date, the City Clerk shall post a notice of the change as soon as practical, but not later than three (3) days following the meeting in which the change was made. The City Clerk will publish notice of such change as soon as practical in a newspaper of general circulation in the community.

3.3 Special Meetings:

If a Special Meeting is called pursuant to Section 2.2 of these rules, the City Clerk shall post notice of such meeting immediately, but no meeting except emergency meetings may be held until such notice has been posted at least 18 hours.

3.4 Emergency Meetings:

No notice is required for an Emergency Special Meeting called pursuant to Section 2.3 of these rules.

4. QUORUM:

Four (4) members shall constitute a quorum for the transaction of business at all meeting of the Council.

5. AGENDA:

The City Manager shall prepare the Agenda of business for all regularly scheduled Council meetings. The City Manager will distribute Agendas to the Council on the Friday afternoon preceding each regular meeting. Anyone may present an item for the Agenda. Only items presented to the City Manager before 4:00 P.M. on the Wednesday before the Friday that Council packets go out will be considered for the Agenda.

5.1 Special Meeting:

The Agenda of a Special Meeting will consist only of the matters so stated in the notice of the meeting.

5.3 Order of Business:

The City Manager shall determine the order of business of the meeting. The City Council may change the order of business upon the approval of four (4) members of Council.

6. CONDUCT OF MEETING:

6.1 Chairperson:

The Mayor shall moderate and chair all meetings of the Council. In the absence of the Mayor, the Mayor Pro-Tem shall assume the duties of the chair. In the absence of both the Mayor and Mayor-Pro Tem, Council shall by a majority of those present, elect a chair for the meeting.

6.2 Members of the Public:

Members of the public at the meeting shall not speak among themselves or otherwise in a manner that disturbs the meeting. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any agenda item under discussion and a maximum of five (5) minutes during any public hearing or public comment. The Council may waive the five (5) minute limit by a majority vote of those present. A person shall not address the Council unless first being recognized by the chair. All speakers who wish to address the chair shall rise, wait to be recognized, state name and address for the public record, and remain standing while addressing Council.

6.3 Disorderly Conduct at Meetings:

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 out of order or not. 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 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. No person shall be removed from a public meeting except for an actual breach of peace committed at the meeting.

7. RECORD OF MEETINGS:

7.1 Recording Responsibility:

The City Clerk shall be responsible for maintaining the official records and minutes of each meeting of the Council. The minutes shall include all actions of the Council with respect to motions, including the names of who made the motion and who supported it. If the vote is by roll call, the minutes shall show who voted "YES", "NO" or abstained.

The City Clerk shall also maintain in the City Hall a file of each Resolution and Ordinance acted upon by Council.

7.2 Record of Discussion:

The City Clerk shall not be responsible for maintaining a written record or summary of all the discussion or comments of the Council or members of the public made at Council Meeting.

7.3 Public Access to Meeting Records:

The City Clerk shall make available to members of the public the minutes of all meetings of the Council except for minutes of closed sessions. Proposed minutes prepared by the City Clerk, but not approved by Council, shall be available for public inspection not more than eight (8) business days following the meeting. Minutes approved by the Council shall be available within five (5) business days after the meeting at which they were approved.

7.4 Publication of the Minutes:

The City Clerk shall be responsible for the publication of a summary of the proposed minutes of any Council meeting within fifteen (15) business days of the meeting. The Hudson Post Gazette shall be designated as the official newspaper for purposes of publication, however, any other newspaper of general circulation may be used.

8. CLOSED SESSIONS:

8.1 Purpose and Procedure:

Upon a 2/3 roll call vote of the total number of members of the Council (not just the quorum present), the meeting may go into a closed session for any of the following reasons:

- A. To consider the purchase or lease of real property, provided the City is the purchaser or lessee.
- B. To consult with their attorney regarding trial or settlement strategy in connection with specific litigation.
- C. To review contents of an application for employment or appointment, but only when the candidate requests confidentiality. However, an interview must be in an open meeting.
- D. To consider material specifically exempt from discussion or disclosure by state or federal statute.

Upon a simple majority roll call vote of the total number of members of Council (not just the quorum present), the meeting may go into a closed session for the following reasons:

- A. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against an employee, but only when the named person requests a closed hearing.
- B. For strategy and negotiation sessions connected with negotiation of a collective bargaining agreement.

The roll call vote to go into a closed session must be recorded in the regular minutes of the meeting with reference to the specific section exempt number found in the Open Meetings Act that permits the closed session.

8.2 Minutes of the Closed Sessions:

A separate set of minutes must be kept for the closed session. However, the minutes of closed sessions are not to be made available to the public, unless required under MCL 15.267: MSA 4.1800(7). The City Clerk should retain the minutes of a closed session meeting for one (1) year and one (1) day after approval of the minutes of the regular meeting at which the closed session was approved.

9. PARLIAMENTARY PROCEDURE:

The rules of Parliamentary Procedure, as contained in Robert's Rules of Order, shall govern the Council in all cases to which they are applicable, unless they are in conflict with these rules, the City Code or Charter, or the laws of the State of Michigan.

10. MOTIONS AND RESOLUTIONS:

10.1 Statement of the Motion:

All motions, resolutions, or ordinances shall be reduced to the written word and restated by the City Clerk prior to the vote of the Council.

10.2 Non-Debatable Motions:

A motion to adjourn, recess, lay on the table, or to vote immediately shall be voted upon without further debate.

11. VOTING:

11.1 Duty to Vote:

Whenever the chair asks a question, every member present shall vote. No member present shall abstain from voting unless that member states his or her conflict of interest. Conflict of interest shall be the sole reason for a request to abstain from voting. If a question of conflict of interest arises, the Council shall by a simple majority vote of the remaining members determine whether a conflict exists.

11.2 Roll Call Votes:

Votes on ordinances and resolutions shall be taken by a roll call vote and entered in the minutes, except that where the vote is unanimous it shall only be necessary to so state. Votes on motions may be by roll call or show of hands at the option of the presiding officer, however, if the Clerk or person keeping the minutes cannot determine if the motion has passed or failed, the presiding officer shall conduct a roll call vote.

12. APPOINTMENTS:

Where no appointment procedure is defined by law, the City Charter, or ordinance, such appointments will be made by the Mayor and be subject to the approval of a majority of the full Council. Boards and Commissions operating under the jurisdiction of the City Council may make recommendations to the Council regarding appointment, but the Mayor or Council shall not be bound by such recommendations.

13. MODIFYING RULES OF PROCEDURE:

At the meeting of the new Council held on the first meeting in December, Council shall review and confirm the Rules of Procedure by a majority vote of the full Council. If the Council wishes to modify the Rules of Procedure it has adopted or confirmed, it may do so upon the approval of four (4) members of Council.

14. SUSPENDING THE RULES OF PROCEDURE:

Upon the approval of five (5) members of Council, these rules may be suspended, however, to the extent any of the rules are superceded or mandated by law or the City Charter or City Code, such suspension shall have no effect.

15. LIMITATIONS ON EFFECT OF RULES:

These rules shall not be interpreted or construed in any manner that would create a conflict between the rules and any applicable law or Charter provision to the contrary. These rules are subservient to any law or City Charter or City Code provision to the contrary.