



**CITY OF ST. IGNACE, MICHIGAN  
CITY COUNCIL RULES OF PROCEDURE**

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## I. AUTHORITY

These rules are adopted by resolution of the St. Ignace City Council under the authority of Section 6.7 of the City Charter. None of the rules stated herein may supersede the City Charter, City Code, or Laws of the State of Michigan. These rules replace any and all prior written and oral City policies, practices, or procedures about the subjects contained herein

## II. MEETINGS

### A. Organizational Meeting; Election of Mayor Pro-Tem.

1. At 8:00 p.m. on the first Monday following the regular municipal election, the Council shall meet at the usual place for holding meetings of the legislative body of the City, for the purpose of organization. (Charter Sec. 6.1)

2. The Council, at its first regular meeting following each municipal election, shall elect one of its members to serve as Mayor Pro-Tem for a term to coincide with the Mayor's two-year term of office. Such election shall be by majority vote of the members of the Council in office at the time. The Mayor Pro-Tem shall, during the absence or disability of the Mayor, act as and exercise all the duties and possess all the powers of the Mayor. (Charter Sec. 4.4, 4.5(e))

### B. Regular Meetings

The Council shall provide by resolution for the time and place of its regular meetings and shall hold at least two regular meetings each month. (Charter Sec. 6.1)

### C. Special Meetings

1. Special Meetings shall be called by the Clerk on the written request of the Mayor, any two members of the Council, or the City Manager, upon at least eighteen hours written notice to each member, served personally or left at their usual place of residence; provided, however, any special meeting at which all members of the Council are present shall be a legal meeting for all purposes without such written notice. (Charter Sec. 6.2) OMA Sec.5(4)

2. No official action shall be transacted at any special meeting unless the item has been stated in the notice of the meeting. However, any business which may lawfully come before a regular meeting may be transacted at a special meeting if all the members of the Council present consent thereto and all the members absent file their written consent. (Charter Sec. 6.3)

3. A public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting at City Hall and on the City's website. (OMA Sec.5(4)).

### D. Closed Meetings

Closed meetings may be scheduled in compliance with the Open Meetings Act. 15.268 Closed sessions; permissible purposes. Sec. 8. A public body may meet in a closed session only for the following purposes:

1. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions. Requires simple majority

vote (4).

2. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing. Requires simple majority vote (4).

3. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. Requires 2/3 majority vote (5).

4. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation. Requires 2/3 majority vote (5).

5. To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. Requires 2/3 majority vote (5).

6. To consider material exempt from discussion or disclosure by state or federal statute. Requires 2/3 majority vote (5).

#### E. Recessed Meetings

Any meeting of the Council may be recessed to a later date and time, provided that no recess shall be for a longer period than until the next scheduled meeting. However, if recessed for more than thirty-six (36) hours, public notice shall first be posted at least eighteen (18) hours before recessed meeting time. OMA Sec. 5(5)

#### F. Work-Sessions

The Council may meet in study sessions at the call of the Mayor or majority of the Council to study difficult issues, gather and analyze information, and clarify problems. Such sessions shall be open to the public and no action shall be taken at such sessions. Notice of the session shall be given to the Council members and to the public at least eighteen (18) hours before the study session meeting time. OMA Sec. 5(4)

#### G. Special Committees

The Mayor may appoint a special committee of no more than three Councilors to study an issue or to work on a special project with City staff. Committee may include staff or other appointed City Board members if it is deemed appropriate by a majority of the Councilors. Special committees are advisory in nature and have no decision-making powers.

#### H. Emergency Meetings

The Council may meet in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public without complying with public notice requirements when two-thirds (2/3) of the members serving on the Council decide that delay would be detrimental to efforts to lessen or respond to the threat. In the absence of such two-thirds (2/3) vote by the City Council, the Council members and the public shall be given notice at least eighteen (18) hours before the emergency meeting time. OMA Sec. 5(5)

#### I. Place of Meetings

All regular and special meetings will be held in the Council Chambers in the City Hall or as may be provided by ordinance or resolution of the Council. If a larger room is needed, a notice of the

change shall be posted on the doors of City Hall with the location of the new meeting place. The ability to virtually attend meetings is not guaranteed. Meetings that have a virtual attendance option will note as such in the notice of the meeting. Technical difficulties may interfere with virtual attendance.

#### J. Time of Meeting

1. All regular meetings, other than the reorganizational meeting, shall begin at 7:00 p.m. unless the Council, by ordinance or resolution, shall establish a different starting time.

2. All other meetings may be scheduled for other times.

3. Time to End Meetings - No agenda item of an open meeting other than one under consideration will be discussed after 10:00 p.m. Any unfinished business will be deferred to the next Council Agenda. The Council shall have the authority to suspend this requirement by majority vote only.

#### K. Public Notice of Meetings

1. Regular Meetings - A public notice shall be posted at the City Hall within ten days after the first meeting of the council in each calendar year stating the dates, times and places of its regular meetings. If there is a change in the schedule of regular meetings, a public notice shall be posted at the City Hall within three days after the meeting at which the change is made stating the new dates, times, and places of its regular meetings. OMA Sec. 5(2)(3)

2. Rescheduled Regular Meetings - A public notice stating the date, time, and place of the meeting shall be posted at the City Hall at least eighteen hours before the meeting. OMA Sec. 5(4).

3. Special Meetings - A public notice stating the date, time, place, and purpose of the meeting shall be posted at City Hall at least eighteen hours before the meeting. OMA Sec.5(4)

### III. MEETING PROCEDURE

#### A. Quorum

A majority of the members of the Council in office at the time shall be a quorum for the transaction of business at all meetings of the Council. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date, and in the absence of all members the Clerk may adjourn any meeting for not longer than one (1) week. (Charter Section 6.5)

#### B. Presiding Officer

The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the Mayor Pro-Tem shall preside. In the absence of both the Mayor and Mayor Pro-Tem, the designated Acting Mayor shall perform such duties. (Charter Section 4.5(e)).

The presiding officer shall be responsible for enforcing these rules of procedure and conducting meetings in a manner which preserves order and decorum, prevents attacks on personalities or the impugning of members' motives, and confine debate or comments to the question under discussion. The presiding official shall endeavor to conduct the meeting in a fashion that draws a balance between the informality and congeniality possible in a small community while also maintaining the decorum and formality necessary to transact business in an orderly fashion.

### C. Compulsory Attendance & Conduct at Meetings

Any two or more members of the Council may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

The presiding officer shall enforce orderly conduct at meetings and any member of the Council or other officer who shall fail to conduct himself in an orderly manner at any meeting shall be deemed guilty of misconduct in office. Any police officer designated by the presiding officer of the meeting shall serve as the Sergeant-at-arms of the Council in the enforcement of the provisions of this section. (Charter Section 6.6)

### D. Agenda Preparation

An agenda for each regular meeting shall be prepared by the City Manager in consultation with the Mayor in accordance with the following order of business: Call to Order, Pledge of Allegiance, Invocation, Roll Call, Public Hearings, Additions to the Agenda, Public Comment, Consideration of Minutes, Old Business, New Business, Consideration of Bills, Public Comment, City Manager's Report, Committee Reports, Council Member Comments, Closed Sessions, Adjournment.

The order of business may be changed at a meeting by the presiding officer or by a majority vote of the Council. A consent agenda may be used to allow the Council to act on numerous administrative or noncontroversial items at one time. Included on this agenda can be noncontroversial matters such as approval of minutes, payment of bills, approval of recognition resolutions, etc. Upon request by any member of the council, an item shall be removed from the consent agenda and placed on the regular agenda for discussion.

### E. Agenda Distribution

Agenda and Council packets will be delivered to each Councilor on the Friday prior to each regular Council meeting. Deadline for Public: Requests for agenda items with supporting documentation is 4:00 pm seven (7) business days prior to each regular Council meeting. The Mayor and City Manager will authorize placement of the request. Deadline for staff: An agenda item with supporting documentation is 4:00 pm Thursday prior to each regular Council meeting.

### F. Public Comment / Public Hearings

At regular and special meetings of the Council, individuals, attending in-person or virtually, wishing to be heard may address the Council during the public comment/public hearing periods as set forth in the agenda under the following rules:

1. Each speaker will be asked to state his/her name and address for the record.
2. Each speaker is limited to three (3) minutes of comment unless the presiding officer decides more time is necessary. One opportunity for public input will be offered before any items of business are considered by Council, and another opportunity will be offered after items of business have been considered by the Council. This section does not apply to public hearings held by the Council.
3. Each speaker shall try to be concise and refrain from repeating comments already addressed by the Council.
4. Speakers who do not cease speaking when asked to do so will be deemed out of order and will not be allowed to address the Council again for the remainder of the meeting; continued

disruption will warrant removal from the meeting.

5. The Council shall not decide issues that arise during public comment.

6. Speakers should address the Council through the presiding officer.

7. Councilors and staff will not debate with the public.

8. Speakers will not verbally attack City Councilors, City staff, or members of the public attending the meeting. Any such behavior will not be tolerated and any person presenting in this manner will be warned by the Mayor and shall be removed by the Police Department for noncompliance.

9. No vulgar or obscene language will be used by the speakers.

10. Any information the speaker wants to distribute to the Council must first ask the Chair (Mayor) if they may present the Council written comments at the meeting.

11. If a speaker includes specific questions to the Council in their Public Comments, the Council has no obligation to respond.

12. Members of the public are encouraged to contact City Departments during regular business hours to ask questions, raise concerns, and request information about City matters.

13. Members of the public have no right to address the Council or make comments outside of the Public Comment. At any time, the Council, in its discretion, may accept comments from the public. However, outside of the Public Comment time, the Council is under no obligation to hear comments from the public during a meeting.

#### IV. VOTING

A. Duty to Vote: Council members present at a meeting shall vote on every matter before the body unless otherwise excused or prohibited from voting by law. (Charter Section 6.7(c)).

1. A member is excused from voting where the member has a conflict of interest as determined under the conflict-of-interest provision of these rules.

2. A member may abstain from a vote for approval of minutes if the member did not attend the meeting for which the minutes apply.

3. A member, in order to vote, must be present at the time the vote is taken. Voting by proxy or other forms of communication is not permitted.

4. Any member refusing to vote, except when not so required by this section, shall be guilty of misconduct in office.

B. Vote Required for Action: The concurring vote of four members of the Council is required to make any order, recommendation, decision, or determination upon any matter, except as otherwise provided in these Rules or Ordinance or City Code or State law.

1. A simple majority of a quorum is required for procedural motions or resolutions, such as: (a) Motion to approve or amend the minutes (b) Motion to defer (c) Motion to postpone (d) Motion to recess (e) Motion to adjourn (f) Motion to recognize achievement or contribution (g) Motion to add matters to the agenda (h) Motion to approve consent agenda (i) Motion to set Public Hearings.

### C. Calling for the Vote

1. Voting on procedural motions or resolutions described in B above may be a voice vote.
2. In all matters other than procedural, the presiding officer shall call for a voice vote for and against the matter. If on a voice vote no member states opposition to the motion, it shall be deemed to have passed unanimously and shall be so recorded. In the event any member votes in opposition to the motion, a roll call shall be conducted and recorded.
3. In all roll call votes the names of the members of the Council shall be called in alphabetical order and the name to be called first will be advanced one position alphabetically in each successive roll call vote. (Charter Section 6.7(d)).

### D. Debate/Discussion

Debate/Discussion is to occur after a motion has been made on an agenda item. The presiding officer will call for comments on the motion. No Councilor is entitled to speak a second time while any other member wishes to make the first speech.

## V. CONFLICT OF INTEREST

### A. Disclosure

Before participating in a decision or hearing or casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Council. The Council will determine by a vote if a conflict of interest does exist.

### B. Definition

A conflict of interest for a member of the Council shall include, but not necessarily be limited to, a matter pending before the Council which:

1. Concerns the member himself or herself.
2. Concerns work on land owned by the member or which is adjacent to land owned by the member.
3. Involves a corporation, company, partnership or other entity in which the member is a part owner or any other relationship where the member may stand to have a financial gain or loss.
4. Results in a pecuniary benefit to the member.
5. Concerns the member's spouse, children, stepchildren, grandchildren, parents, brothers, sisters, grandparents, parent's in-law, or members of the member's household.
6. The member's employee or employer is an applicant, or agent for the applicant; or has a direct interest in the outcome.
7. The member has a close business or family relationship with an applicant, the applicant's attorney or another representative, or any expert witness.
8. A conflict of interest shall not include an interest the member may have in common with the general public interest.

9. If such a conflict of interest is identified, the member shall disqualify himself or herself at the outset of the hearing or discussion and shall not participate in the discussion or decision.

10. If there is a question whether a conflict of interest exists or not, the question shall be determined by a majority vote of the remaining members of the Council.

## VI. GENERAL RULES

### A. Attendance at Meetings

1. Council members shall use their best efforts to attend all meetings of the Council. Pursuant to the City Charter provisions, the absence of a member from three consecutive regular meetings or  $\frac{1}{4}$  of meetings in any fiscal year shall operate to vacate the seat of the member, unless the absence is excused by the Council. (Charter Section 5.3(c)).

2. The City Manager shall attend all meetings of the Council and shall be entitled to attend meetings of all of its committees and to take part in all discussions but shall have no vote. (Charter Section 4.7(e)).

3. The City Clerk shall attend all meetings of the Council and keep a permanent journal of its proceedings. (Charter Sec. 4.12(a))

### B. Filling Council Vacancy

Vacancies in the offices of Mayor and Councilmembers shall, within thirty days, be filled for the unexpired term of the officer whose office has become vacant, by appointment by a majority vote of the members of the Council then in office. (Charter Section 5.7(a)).

If any vacancy in the office of Mayor or Councilmembers is not so filled within the said thirty days after such vacancy occurs, or if four or five simultaneous vacancies in the offices of Mayor and Councilmembers, such vacancies shall be filled for the respective unexpired terms at a special election. (Charter Section 5.7(b)).

### C. Record of Meetings

1. Recording Responsibilities: The City Clerk shall keep a journal of the Council proceedings, in English, which shall be published within ten (10) days following each meeting. The journal shall be signed by the City Clerk and approved in writing by the Mayor. (Charter Sec. 6.7(e))

2. Contents of Minutes: The minutes of each meeting shall show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes shall include a record of all votes taken at the meeting. Corrections in the minutes shall be made not later than the next meeting after the meeting to which the minutes refer. Corrected minutes shall be available no later than the next subsequent meeting after correction. The corrected minutes shall show both the original entry and the correction. OMA Sec. 9

3. Public Inspection: Minutes shall be public records open to public inspection and shall be available at the address designated on posted public notices. Copies of the minutes shall be available to the public at the reasonably estimated cost for printing and copying. Proposed minutes shall be available for public inspection not more than ten (10) business days after the meeting to which the minutes refer. Approved minutes shall be available for public inspection not



later than five (5) business days after the meeting at which the minutes are approved by the public body; except those minutes of a closed session are not available to the public unless disclosure is required by a civil action, as provided in the Open Meetings Act. OMA Sec. 7(2), 9.

#### D. Suspension of Rules

Any provision of these rules not governed by City Charter, City Code, or State law may be temporarily suspended by a concurring vote of three members of the Council. Such suspension must be for good cause and for a specified portion of a meeting.

#### E. Amendment of Rules

The Council may amend these Rules of Procedure by a concurring vote of three members during any regular meeting or special meeting, provided that all members have received an advance copy of the proposed amendments at least ten (10) hours prior to the meeting at which such amendments are to be considered.

Adopted: May 1, 2023

