

CITY OF HOLLAND
RULES OF THE CITY COUNCIL
(Adopted 11/16/11 C.A. # 11.644)
(Amended 04/18/12 C.A. # 12.196)
(Adopted 01/06/6 C.A. # 16.8)

Chapter I
Sessions of the Council

1.1 The Council shall hold its regular sessions on the first and third Wednesdays of each month at 7 PM, in the Council Room in City Hall, unless the time set shall be a holiday, then such meeting shall be held at the same time and place on the next day which is not a holiday or on another day as determined by the Council. Council shall hold at least 2 regular meetings each month.

1.2 A special meeting may be called in conformity with Section 4.7(b) of the City Charter.

1.3 Except when absent from the City or temporarily unable to perform his or her duties, the Mayor shall preside over all meetings of the Council and preserve order thereat. The Mayor Pro-tem shall preside during the absence of the Mayor, or at the call of the Mayor. In the event of the absence of both the Mayor and Mayor Pro-tem, the Council shall be called to order by the Clerk, and the Council shall immediately select one of its members to serve as Acting Mayor Pro-tem. While serving as chairperson, the Mayor Pro-tem, and/or acting Mayor Pro-tem, shall have the same rights and privileges as other members of the Council.

1.4 In Addition to regular and special meetings, the Council may hold study sessions on the second and fourth Wednesdays of each month or before or after a regular Council meeting for the purpose of deliberating towards a decision on any matter or to adopt a motion as provided in sub-section C of this section. All other decisions as a result of deliberations during study sessions shall be made only at a subsequent regular or special meeting. The study sessions shall be open to the public and shall comply with the posting requirements of Act 267, Michigan Public Acts for 1976, as may be amended. No regular meetings or study sessions of the Council will be scheduled on a fifth Wednesday of a month. For the purpose of posting only, the study sessions provided for herein shall be considered as special meetings. Nothing herein shall preclude the Council from holding a special meeting at the time of or during a study session, provided that all provisions of the charter and state law with respect thereto are complied with. The Rules of the Council shall not apply to study sessions except for the rules contained in this section and except for the following, it being the intent hereof to give the Council complete freedom for discussion just as if it were in a Committee of the Whole:

- A. The presiding officer shall be as provided in Section 1.3 of these rules.
- B. With the consent of the Mayor and a majority of Council Members, persons shall be permitted to address the Council during study sessions in accordance with Chapter VII of these rules.
- C. The Council may adopt a motion to refer any matter brought before it under sub-section B above and may adopt a motion to adjourn at any time.
- D. Minutes of study sessions shall be kept in accordance with the provisions of state law and City Charter and are to be submitted for approval at a subsequent regular meeting under the same procedure outlined in Section 3.3 of these rules.

1.5 In addition to regular and special meetings and study sessions, the Council shall hold a pre-council agenda study session at 5:30 P.M. on the same day that a regular meeting is held, said session to be in City Hall for the purpose of reviewing the items on the agenda and to discuss any matter brought before it, however any decisions as a result of such review or discussion shall be made only at the ensuing

regular meeting or at a subsequent regular or special meeting. Pre-council agenda study sessions shall be open to the public. The Rules of the Council shall not apply to pre-council agenda study sessions except for the rules contained in this section and with the same exceptions as listed in Section 1.4 of these rules, provided, however that any motions or decisions are to be deferred as outlined above in this section. The minutes for pre-council agenda study sessions shall be summarized and incorporated in the minutes of the regular meeting for which the agenda study session was held.

1.6 Closed sessions of the Council may be held at any time in accordance with Act 267, Michigan Public Acts of 1976, as may be amended, upon roll call vote, notwithstanding any Council Rule to the contrary.

1.7 The City Clerk or Deputy Clerk is hereby designated as the person responsible for posting public notice of all Council meetings in City Hall and beyond as required by law.

Chapter II Agenda and Order of Business

2.1 The City Manager and the Deputy City Clerk shall be responsible for the preparation of the agenda and the distribution of same to the Mayor and Council Members prior to each regularly scheduled meeting. Copies of all reports listed under "Reports of Special Committees" and "Reports from Boards and City Officers" shall be included with the agenda to the Mayor and Council Members. The agenda and attachments shall be distributed by electronic transmission. The electronic transmission is to take place on the day after the deadline for submitting agenda items. In the event a regular meeting date is changed, the deadline for agenda items and distribution of agenda materials shall occur within the same time frame as specified in these rules or as determined by the City Manager.

2.2 The Council agenda for all items except "Written Petitions and Communications" shall close at 12 o'clock Noon on the Friday immediately preceding each regular Council meeting. Items for "Written Petitions and Communications" received after that time, unless of obvious urgency, shall be held over until the following regular meeting.

2.3 At the regular meetings of the Council, the Order of Business shall be as follows:

1. Roll Call
2. Opening Prayer
3. Pledge of Allegiance
4. Consent Agenda
 - A. Absence of Council Members Excused
 - B. Approval of the Minutes
 - C. Oaths of Office
5. Special Presentations and Recognitions
 - A. By the Mayor and/or Council Members
 - B. By the City Manger
6. Special Order of the Day
7. Unfinished Business
8. Written Petitions and Communications
9. Public Comment from the Audience
10. Adoption of Ordinances
11. Reports from Special Committees
12. Reports from Boards, City Offices and Commissions
13. Communications from City Manager
14. Appointments and Communications from the Mayor

15. Motions and Resolutions by Council Members
16. Communications from Council Members
17. First Reading of Ordinances (if removed from Consent Agenda)
18. Adjournment

Chapter III

Details Pertaining to Order of Business

3.1 Roll shall be called at all regular and special meetings of the Council, to determine if a quorum is present. The Clerk shall announce whether a quorum is present.

3.2 The Opening Prayer shall be offered by a member of the Council or one of the City Officers, as requested by the Mayor. The Mayor shall also have the privilege of calling upon a clergyman who might be in the audience or who is present upon invitation.

3.3 The pledge shall be given by each member of the Council, by facing the flag and placing the hand over the heart. The Mayor shall also have the privilege of inviting an individual or group to lead the pledge.

3.4 The "Consent Agenda" shall include those items on the regular agenda which are considered routine and non-controversial by the City Manager and the City Clerk and shall be italicized. At the time consent agenda items are considered, the Clerk shall give a summary of the items, after which items may be removed upon the request of members of the audience or upon the request of Council Members. The items on the Consent Agenda are to be adopted in one motion without discussion and with a roll call vote. The items so approved will appear in the minutes in the regular sequence in addition to being listed by Council Action Number in the minutes under "Consent Agenda."

3.4.1 Absences for sufficient reasons shall be excused upon motion, and absences and reasons therefor shall be recorded in the minutes.

3.4.2 Approval of minutes shall be upon motion. The Clerk previously shall have sent to each Council Member a copy of the minutes and the reading of such minutes shall not be required, unless the reading of certain articles thereof shall be requested by the Mayor or any Council Member.

3.4.3 Under "Oaths of Office," Council may accept any signed Oaths which have been taken by persons appointed to committees, commissions, or positions.

3.5 Special Presentations and Recognitions presented by Council Members and the City Manager must be pre-approved by the Mayor.

3.6 Under "Special Order of the Day," matters which have been deferred by the Council during previous sessions and set at that time for consideration at this particular meeting are to be brought to the Council for consideration. Hearings set for a particular meeting are to be conducted under this title.

3.7 "Unfinished Business" represents any business which has been tabled indefinitely and which is to be brought before Council for consideration. To consider such matters, a motion is to be passed to take the matter from the table. Matters referred to the "Special Order of the Day" and not treated at the previous meeting or meetings are considered Unfinished Business."

3.8 Under "Written Petitions and Communications," any petitions or communications made to the Council as a whole from citizens or organizations are to be presented and entered into the record,

including any applications for licenses or permits. Communications from anonymous persons are not to be presented or entered into the record.

3.9 "Public Comment from the Audience" shall include such communications either verbal or written, as anyone in the audience may wish to present and which have not been included under item 8 of the Order of Business.

3.10 Adoption of Ordinances. Any ordinance which has been processed as outlined in Section 3.17 of these rules, shall be considered under "Adoption of Ordinances". Prior to any motion being offered, the ordinance shall be summarized by a member of the staff and opportunity given to members of the audience to comment on the ordinance. After summarization and comments from the audience, the Mayor or other presiding officer shall ask for comments and/or amendments from Council Members. All amendments to an ordinance shall be by formal motion. Adoption of any ordinance shall be by resolution. The effective date of any ordinance shall be as prescribed in Section 5.5 of the City Charter.

3.11 Under "Reports of Special Committees," each special committee previously appointed shall be called upon for report on matters assigned to it.

3.12 "Reports from Boards and City Officers" shall include any reports, recommendations or communications of any nature from such Boards and Officers, the Planning Commission and Panels established by Ordinance.

3.13 Under "Communications from the City Manager," any communication reported by the City Manager for which no action is required by the City Council, shall be recorded as information.

3.14 Under "Appointments and Communications from the Mayor," any messages, recommendations, appointments or suggestions, which the Mayor deems appropriate from time to time shall be presented.

3.15 "Motions and Resolutions by Council Members" shall be presented under the title designated in the Order of Business, said motions and resolutions to represent new business. Whenever possible, such motions and resolutions shall be in written form and shall be filed with the Clerk.

3.16 Under "Communications from Council Members," any member of Council shall have the opportunity to present informal suggestions or recommendations for discussion by the Council. Any motions resulting from such discussions are to be presented under "Motions and Resolutions by Council Members."

3.17 "First Reading of Ordinances" shall be by title only, but it is required that when any ordinance is presented for first reading, the ordinance shall be filed with the Clerk in writing, in its entirety and the Clerk shall mail or electronically transmit copies of such ordinance to all members of the Council forthwith, but not later than ten days after presentation. Copies of the ordinance may be presented to each member of the Council at the meeting at which it is first presented. Any ordinance that is accepted for First Reading will automatically be scheduled for the next regular meeting under Adoption of Ordinances, except in cases where a public hearing is required or desired by the Council, in which case that ordinance is to be considered at the next regular meeting first of all under Special Order of the Day for the public hearing. After the public hearing, the ordinance is to be referred to Adoption of Ordinances by appropriate motions. In addition, an ordinance may be adopted at the same meeting it is introduced as an emergency ordinance in accordance with Section 5.4 of the City Charter.

Chapter IV

Motions

4.1 A motion shall be reduced to writing if requested by the Mayor, a Council Member, or the Clerk. When a motion is made in writing and seconded, it shall be stated by the Mayor and handed to the Clerk for recording, before being debated.

4.2 After a motion has been stated by the Mayor, or read by the Clerk, it shall be deemed to be in possession of the Council, but may be withdrawn by the maker at any time before a decision or amendment is made.

4.3 When a question is under discussion, no motion shall be received except one of the following, which shall have precedence in the following order:

1. To adjourn
2. To lay on the table
3. For the previous question
4. To postpone to a certain day
5. To refer to a committee
6. To amend the motion
7. To postpone indefinitely

No motion to postpone to a certain day, to refer to a committee, or to postpone indefinitely, having been decided, shall be made again on the same question at the same meeting.

4.4 A motion to lay on the table shall be decided without debate.

4.5 A motion to adjourn shall always be in order, except upon immediate repetition, or in interruption of a member speaking, or when the previous question has been ordered, or a vote is being taken. A motion to adjourn is not debatable, except as to time.

4.6 The Previous Question, having been moved and seconded, shall be in this form: "Shall the main question be now put?". It shall only be ordered when demanded by a majority of the Council Member present, and if carried, shall close all debate, and the main question shall be put immediately. If the Nays prevail, the main question shall not then be put, and the consideration of the subject shall be resumed, as though no motion for the previous question had been made.

4.7 On demand of any Council Member, before the question is put, the Question shall be divided if it comprehends propositions in substance so distinct, that, one being taken away, a substantive proposition shall remain for the decision of the Council.

4.8 When any motion has been carried or lost, it shall be in order for any member of the majority to move for a reconsideration thereof, on the same, the adjourned, any special meeting called for this purpose, or the next regular meeting of the Council, and such motion shall take precedence of all other questions except a motion to adjourn. A motion to move for reconsideration may be seconded by any member of the Council.

4.9 No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. A substitute motion ranks as an amendment to the main motion. It proposes to strike out the entire original motion and to insert in its place a more satisfactory motion.

4.10 Roll shall be called on the expenditures in the amount of \$10,000 or more and on all contracts and agreements.

4.11 Roll shall be called on any action of the Council, if requested by the Mayor or any Council Member.

4.12 Roll shall be called on any action of any ordinances.

4.13 The rules of parliamentary practice comprised in "Roberts Rules of Order – Revised" shall govern the Council in all cases not covered by these Rules of the Council.

Chapter V Committees of Council

5.1 The Council may, from time to time, establish by ordinance or resolution one or more Committee of Council to carry out its work. Such Committees of Council may be established on a permanent or ad hoc basis. The first named member of any Committee of Council shall be the Chairperson of that committee. Committees of Council may operate in addition to, in conjunction with, or in place of any citizen Board or Commission authorized by statute, the Charter, ordinance, or resolution, subject to any restrictions imposed by statute, the Charter, ordinance, or resolution.

5.2 No Committee of Council, citizen Board or Commission, other committee, or task force established by the Council, Charter, or state or other law shall convene during the sessions of the Council without special permission from the Council.

5.3 All reports of Committees of Council, citizen Boards or Commissions, other committees or task forces shall be presented in writing so far as possible, and a summary of the same shall be included in the Minutes. When specific action is recommended, the report shall be accompanied by the necessary ordinance or resolution in proper form.

5.4 Any recommendation of a City Officer, citizen Board or Commission, or Committee of Council, other committees or task forces may be adopted by motion, which motion shall have the effect of incorporation of such recommendation by reference without such recommendation being recited in full in such motion. Such recommendation may, however, be subject to a motion to refer, to lay on the table, to indefinitely postpone, or to make a special order to some future date.

5.5 When a report is made by any Special Committee, or the Committee of the Whole, and presented to the Council, it becomes a matter for consideration without any motion to accept the same.

5.6 When the Council refers any matter to any Committee of Council, citizen Board or Commission, other committee or task force the chairperson of said committee shall confer with the other members of that committee forthwith and report to the Council regarding the matter referred to that committee as soon as practicable.

5.7 All Committees of Council and citizen Boards or Commissions shall comply with the provisions of Act 267, Michigan Public Acts of 1976, as may be amended.

Chapter VI
Rights and Duties of Council Member

6.1 When any Council Member is about to speak, he/she shall address the Mayor, confine comments to the question under discussion, and avoid personalities.

6.2 If any Council Member, in speaking or otherwise, transgresses against the Rules of the Council, the Mayor or any member may call him/her to order, in which case the Council Member so called to order shall immediately refrain from continuing except to proceed in order. An appeal may be made to the Council on the ruling and the ruling shall stand unless nullified by a majority vote of the Council Members present.

6.3 When two or more Council Members request at the same time to speak on a question, the Mayor shall name the Council Member who is first to speak. The other shall be given the opportunity to speak next.

6.4 While a member is speaking, other members shall not hold private discussions or in any other manner interrupt the speaker.

6.5 No Council Member shall leave any meeting without first having obtained permission from the Mayor to do so.

6.6 Unless specifically otherwise provided in the Charter, the Mayor and each Council Member shall vote on each question before the Council for a determination unless recused by a 2/3 vote of the Council Members present.

Chapter VII
Rights of Participating Audience

7.1 When any member of the audience has a matter to bring before the Council, he/she shall address the Mayor, giving their name and residential address and present the matter either verbally or in writing. If the matter presented is presented in writing, the petition or communication shall be filed with the Clerk for the records of the Council.

7.2 No member of the audience shall speak more than once on any agenda item unless every other member of the audience or Council has had the opportunity to speak on such item, and in no case shall a member of the audience speak more than twice to the same agenda item without the consent of the Council. The total time for speaking by any member of the audience shall be limited to five minutes per agenda item. For purposes of this section, "Public Comment from the Audience" as described in section 3.11 of these Rules of Council is not an agenda item. Members of the audience wishing to address the Council in "Public Comment from the Audience" in section 3.9 shall have one opportunity to speak for up to five minutes unless the Council permits otherwise by suspension of the rules in Chapter IX.

7.3 When two or more members of the audience rise at the same time, the Mayor shall name the one to speak first. The other shall be given the opportunity to speak next.

7.4 If any member of the audience speaks or conducts themselves in an unbecoming manner, the Mayor shall have the right to call the person to order and the person shall immediately thereupon be seated and shall not speak further unless they conduct themselves in an orderly manner.

7.5 Members of the audience shall address all remarks to the Mayor and Council and shall not hold conversations or discussions with other members of the audience.

7.6 In addition to addressing the Council during public hearings and under "Public Comment from the Audience," members of the audience may address the Council for up to five minutes on items on the agenda under "Reports from Boards, City Offices and Commissions," after a motion is pending on a particular item, by approaching the designated microphone and waiting to be recognized by the Mayor.

Chapter VIII Sergeant-at-Arms

8.1 The Sergeant-at-Arms (being the Public Safety Chief or designee) shall attend any meeting of the Council upon the request of the presiding officer of the Council or any Council Member.

8.2 It shall be the duty of the Sergeant-at-Arms to enforce any written order of the Council or the presiding officer.

Chapter IX Suspension and Amendment of Rules

9.1 The Council may suspend any specific rule of the Council upon a 2/3 vote of the members present. After having given notice at a previous regular meeting, these rules may be amended at any regular meeting by a 2/3 vote of the members elect.