



CITY OF HARTFORD
County of Van Buren
State of Michigan

CITY COMMISSION RULES OF ORDER

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COMMISSION RULES OF ORDER

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1. AUTHORITY

- 1.1. CHARTER – The Hartford City Commission may determine its own rules and order of business for meetings pursuant to the authority of the City of Hartford City Charter (Section 3.13B). The Following set of rules shall be in effect upon their adoption by the Commission and until such time as they are amended or new rules adopted in the manner provided by these rules. None of the rules herein stated may supersede the City Charter, City Code, or Laws of the State of Michigan. (Effective January 1, 1992)

2. GENERAL RULES

- 2.1. MEETINGS TO BE PUBLIC – All official meetings of the Commission shall be open to the public. The journal of proceedings shall be open to public inspection as specified by the City Charter and State Law.
- 2.2. QUORUM – A majority of the members of the Commission, including the Mayor, shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to the next regular scheduled meeting date.
- 2.3. JOURNAL OF PROCEEDINGS – An account of all proceedings of the Commission shall be kept by the City Clerk and shall be entered in a book constituting the official record of the commission.
- 2.4. RIGHT OF FLOOR – Any Commissioner desiring to speak shall be recognized by the Chairman, and shall confine his/her remarks to one subject under consideration or to be considered. All discussion/questions must be directed at the presiding officer and council members will refrain from interrupting others except by point of order. Council members shall refrain from asking questions or topics that have already been addressed. No slanderous or intimidating language will be allowed toward fellow Council Members or City Staff.
- 2.5. CITY MANAGER – The City Manager shall attend all meetings of the Commission, unless excused, and entitled to attend meetings of all City Committees, Boards, or Commissions. The City Manager may make recommendations to the Commission and shall have the right to take part in all discussions of the Commission, but shall have no vote. The City Manager may purchase all supplies, including insurance for the City and approve all vouchers for payment of the same.
- 2.6. CITY ATTORNEY – The City Attorney may attend meetings of the Commission and shall, upon request of the Mayor or City Manager give an opinion either written or oral on questions of law.

- 2.7. OFFICERS AND EMPLOYEES – Department Heads of the City, when there is pertinent business from their departments on the Commission agenda, shall attend such Commission meetings upon request of the City Manager.
- 2.8. INTERACTIONS WITH CITY STAFF – City Council Members shall direct all requests regarding City related activities to the City Manager. City Council Members shall not give directions privately or publicly to City Staff. All requests pertaining to the City Assessor, City Attorney and Auditor must be directed to the City Manager. Council must respect the supervisory nature of the City Manager of the City Staff and direct all requests of their time through the City Manager.

3. MEETINGS

- 3.1. PUBLIC NOTICE OF MEETINGS – The City Clerk shall be responsible for providing the proper notice of all meetings of the Commission as specified by the State Open Meetings Act.
- 3.2. REGULAR MEETINGS – All meetings of the City Council will be held in compliance with state statutes, including the Open Meetings Act, 1976 PA 267 as amended and with these rules. Regular meetings of the City Council will be held on the fourth Monday of each month beginning at 7:30pm at City Hall unless otherwise rescheduled by the Council. Changes in the regular meeting schedule may be made with the approval of a majority vote of the City Council and will be posted in accordance with the Michigan Open Meetings Act.
- 3.3. SPECIAL MEETINGS – Special meetings may be called by the mayor or by two members of the Commission. The call for a special meeting shall specify the day, hour, and location of the special meeting. The City Clerk shall give public notice as specified by the State Open Meetings Act and give each Commissioner notice as may be practical. (18 Hour notice required)
- 3.4. ANNUAL ORGANIZATIONAL MEETING – An organizational meeting shall be held in conjunction with or prior to the first regularly scheduled January Council meeting. In addition to any other business, such matters as: selection of a newspaper for public notices, selection of financial depository, review and selection of the City Attorney and review of Commission rules, policies and procedures shall be accomplished.
- 3.5. RECESSED MEETINGS – Any meeting of the Commission may be recessed to a later date and time, provided that no adjournment shall be for a longer period than until the next scheduled meeting. If the meeting is recessed for more than 36 hours then 18 hours' notice is required.
- 3.6. STUDY SESSIONS – The Council may meet informally in Study Sessions (open to the public) at the call of the Mayor or 2 Commissioners to review forthcoming programs of the City, receive progress reports on current programs or projects, or receive other similar

information from the City Manager provided that all discussions and conclusions thereon shall be informal.

- 3.7. CLOSED MEETINGS – Executive Sessions or closed meetings shall be held in accordance with the provisions of the State Open Meetings Act.
- 3.8. EMERGENCY MEETINGS – Emergency Meetings shall be called as specified in the State Open Meetings Act without complying with the notice requirements in the event that it is necessary to hold a meeting to deal with a severe and imminent threat to the health, safety or welfare of the public when two thirds (2/3) of the Council decide that delay would be detrimental to the efforts to lessen or respond to the threat.
- 3.9. PUBLIC HEARINGS – Public hearings shall be called as directed by the Charter, State Law, or a decision of a majority of the Commission. The procedure for conducting the hearing shall be posted at the time of the hearing and available to the public.
- 3.10. NEW MEMBER ORIENTATION – After the official canvas of the vote and before their first meeting as an elected official the City Manager shall provide newly elected officials the information necessary to assume the responsibility of their office and update them on matters pending before the Commission. All Commissioners will receive copies of the following documents: City Charter, Ordinance Book, Zoning Ordinance, Rules of Order, MML Newly Elected Officials Handbook, US and Michigan Constitutions. These documents will be returned to the City offices one month prior to the expiration of the Commissioners term of office. New and existing council members are strongly encouraged to attend Newly Elected and Advanced training through Michigan Municipal League courses. It is in the best interest of the Council Members to stay updated on changing and on-going rules, regulations and standards that will allow them to make informed decisions for the citizens they serve.
- 3.11. ATTENDANCE OF MEDIA – All official meetings of the City Commission and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.
- 3.12. VIRTUAL/ABSENTEE MEETING – The City of Hartford is not able to feasibly provide recorded, virtual or zoom meetings to the public. All reasonable accommodations will be considered per ADA rules and the Open Meetings Act to accommodate those with specific needs wanting to address the meetings.

4. CHAIRMAN AND DUTIES

- 4.1 CHAIRMAN – The Mayor, if present, shall preside as Chairman at all meetings of the Commission. In the absence of the Mayor, the Mayor-Pro-Tem shall preside. In the absence of both the Mayor and the Mayor Pro-Tem, the Commission shall elect a Chairman.

- 4.2 CALL TO ORDER – The meetings of the Commission shall be called to order by the Mayor or in his/her absence by the Mayor-Pro-Tem. In the absence of both the Mayor and the Mayor-Pro-Tem the City Clerk shall call the meeting to order, call the roll and preside over the election of a temporary Chairman.
- 4.3 PRESERVATION OF ORDER –The Mayor or presiding officers shall endeavor to conduct the meeting in a fashion that strikes a balance between the informality and congeniality associated with the size of the City of Hartford and the decorum and formality necessary to conduct business in an orderly manner. Discussion of agenda items will be limited to the topic at hand. Council members may not carry-on sidebar discussions during council proceedings. At the Chairman's request a recess may be called in order to have the Hartford Police Department stand by to assist the Commission in maintaining order. (Reference 3.5 and 8.3)
- 4.4 RESTRICTIONS – The presiding officer of the Commission (Mayor, Mayor-Pro-Tem or temporary Chair) may debate from the Chair, subject only to such limitations of debate as are imposed on all members; however, the presiding officer shall not move or second a motion without first vacating the chair to the Mayor-Pro-Tem or temporary Chair.

5. ORDER OF BUSINESS AND AGENDA

- 5.1 ORDER OF BUSINESS – The order of business in the regular meeting shall be as follows:

A. The Order of business in the Regular Meeting, shall be as follows:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Hearings
6. Guests
7. Public Comment
8. Approval of Previous Meetings Minutes
9. Communications
10. Goals and Objectives
11. Reports of Officers, Boards and Committees, Routine Monthly Reports from Departments
12. Old Business
13. New Business
14. Instruction and/or Adoption of Ordinances and Resolutions;
15. Close Session
16. Adjournment

B. The Order of business at a Workshop Meeting, will be as follows:

1. Call to Order
2. Roll Call

3. Approval of Agenda
4. Guests
5. Public Comment
6. Communications
7. Goals and Objectives
8. Reports of Officers, Boards and Committees, routine monthly reports from departments.
9. Old Business
10. New Business
11. Introduction of Ordinances and Resolutions; Public Hearings
12. Adjournment

C. The Order of business at a Special Meeting, will be as follows:

1. Call to Order
2. Roll Call
3. Action Item
4. Adjournment

5.2 AGENDA – The order of business of each meeting shall be as contained in the Agenda prepared by the Manager and Mayor: Agenda items may be submitted until the typing of the Agenda. The Agenda shall be a listing by topic of subjects to be considered by the Commission Meeting and when possible, preceding a Special Commission Meeting to which it pertains.

5.3 REPORTS AND WRITTEN INFORMATION – Reports and written information pertaining to items on the Agenda shall be included with the delivery of the Agenda.

6. **ORDINANCES, RESOLUTIONS, MOTIONS AND VOTING**

6.1. FORM – Ordinances and resolutions shall be presented to the Commission only in printed or typewritten form. Ordinances must include a title.

6.2. REVIEW – All proposed ordinances and resolutions shall be reviewed by the City Manager. All proposed ordinances shall be approved as to form and legality by the City Attorney.

6.3. DISTRIBUTION OF ORDINANCES AND RESOLUTIONS – The City Clerk shall prepare copies of all proposed ordinances for distribution to all members of the Commission at least 24 hours before the Commission meeting at which the ordinance is to be introduced. If the ordinance carries an emergency clause, copies of the ordinance must be distributed at least 12 hours prior to the meeting of the Commission at which said ordinance is to be considered.

6.4. INTRODUCTION OF ORDINANCES AND AMENDMENTS – A proposed ordinance shall be introduced by the reading of the title only. A full reading of a proposed ordinance

or amendment shall be done at the request of any member. Amendments or modifications to ordinances must be referenced by ordinance number.

- 6.5. RECORDING OF VOTES – A voice vote shall be taken, unless required by policy or law, requested by a Commissioner, or when the Chairman cannot determine the results of a voice vote. Roll call votes shall be called in random order, with the Mayor always voting last. Responses are “Yes”, or “No”, or “Abstain”. The only acceptable reason for abstaining shall be “Conflict of Interest”, with stated conflict entered into the record. All votes shall be specifically entered into the record.
- 6.6. MAJORITY VOTE REQUIRED – A majority of membership (4 Votes) shall be required on the voting of ordinances and amendments, votes changing these Rules of Order, excusing a member’s absence, abolishment of a board or commission, removing a member of a board or commission, or calling a public hearing. A 2/3 majority (5 Votes) is required to call a closed meeting, as stated in the Open Meetings Act, call an emergency meeting, or to dismiss a Commissioner for misconduct as defined in the Charter (section 3.10F). (Reference: Open Meetings Act, Section 8). A unanimous vote is required to appoint a relative of a sitting Commissioner to a City Office (Defined in Section 4.1.C). All other votes require a majority of member attending. In the event of a tie vote, the motion shall be considered failed.
- 6.7. CONFLICT OF INTEREST – The procedure for determining a conflict of interest can be initiated by any Member. The steps shall be:
1. Presentation to the City Manager for an opinion.
 2. Notification of conflicted Member, if being brought to the Commission for a decision.
 3. Obtain an opinion from the City Attorney, if needed.
- If a conflict of interest is determined to exist that Member shall in no way enter discussion on the specific or related issue and shall abstain from voting if a vote is taken.
- 6.8. ORDINANCE AND RESOLUTION NUMBERING – Ordinances and Resolutions shall be numbered consecutively by the City Clerk.
- 6.9. ORDINANCE PASSAGE PROCEDURE – When passed by the City Commission, an ordinance shall be signed by the Mayor, attested by the City Clerk and shall immediately be filed and thereafter preserved in the office of the City Clerk. The Ordinance will be immediately published in the local newspaper and will take effect 15 days after passage or the day of publication whichever comes first unless passed as an emergency measure in which case it will have immediate effect.

7. CREATION OF COMMITTEES, BOARDS AND COMMISSIONS

- 7.1. CREATION – The City Commission may create committees, boards and commissions to assist in the conduct of the operation of the City government with such duties as the City

Commission may specify while remaining consistent with the City Charter. Currently there are the Board of Review, Planning Commission and Zoning Board of Appeals.

- 7.2. MEMBERSHIPS AND SELECTIONS – Membership requirement and selection of members shall be as provided by the City Commission, if not specified by the City Charter of State Law. Any committee, board or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by the majority vote of the City Commission. No committee so appointed shall have the powers other than advisory to the City Commission or to the City Manager, except as otherwise specified by the City Charter or State Law. Board members will be selected by the Mayor and approved by the City Commission.
- 7.3. INDEPENDENT BOARDS – A City Representative may be appointed by the City Commission to any board independent of the Commission at the independent boards request. These representatives should give an annual oral or written report to the Commission, which should include any actions, issues, or information of interest to the Commission or the City as a whole. Current independent boards with City Commission appointed representatives are the Fire Board, Library and Hartford Recreation Council Board of Directors.
- 7.4. REMOVAL OF MEMBERS OF BOARDS AND COMMISSIONS – The City Commission may remove any member of any board of commission which it has created or as created by the City Charter, or any City Representative appointed to an independent board, by a vote of a majority of the City Commission. Any board or commission may request removal of any appointee by stating in writing the reasons for removal.
- 7.5. TERMS FOR COMMITTEES AND BOARDS – Attached to these rules of order as addendum “A” is the current list of all Boards and Committees and the terms associated with each.

8. CITIZEN’S RIGHTS

- 8.1. ADDRESSING THE COUNCIL – Members of the public desiring to address the Commission by oral communication shall first secure the permission. Preference will be given to those persons who have notified the City Clerk in advance of the Regular Meeting of their desire to speak in order that their name may be place on the agenda and they will be recognized by the presiding officer without further notice.
- 8.2. MANNER OF ADDRESSING THE COMMISSION – Each person addressing the Commission shall give his/her name and address in an audible tone of voice for the record. Unless further time is granted by the Commission, their address shall be limited to three (3) minutes. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than members of the Commission and the person having the floor shall be permitted to enter into any discussion. No questions shall be asked the Commissioners except through the Chairman. If a group of citizens of the organization

would like to address the Council, they will be asked to appoint one person to address the Council once they have been recognized by the presiding officer. The City Clerk shall advise the speaker of end of their allotted time. Questions and/or concerns will be directed to the presiding officer and not a single Council Member. Council Members will refrain from discussions with members of the public. Council Members will refrain from slanderous or detrimental language towards a member of the public. The presiding officer may ask for a recess of the meeting if order needs to be obtained. City of Hartford Police Officers may remove those who are being disruptive.

8.3. PERSONAL AND SLANDEROUS REMARKS – Any person making personal, impertinent slanderous remarks, or who shall become boisterous while addressing the Commission may be requested to leave the meeting. (Reference 3.5 and 4.3)

8.4. WRITTEN COMMUNICATIONS – Interested parties, or authorized representatives, may address the Commission by written communication in regard to any matter concerning the City's business or over which the Commission has control at anytime by direct mail or by addressing the City Clerk and copies will be distributed to Commissioners.

9. SUSPENSION AND AMENDMENT OF THESE RULES

9.1. SUSPENSION OF THESE RULES – Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Commission. The vote on any such suspension shall be taken by roll call and entered upon the record.

9.2. AMENDING OF THESE RULES – These rules may be amended, or new rules adopted, by a majority vote of all members of the Commission.