
AGENDA ITEM

TO: Mayor McNeill, Lansing City Council
FROM: Tim Vandall, City Administrator
DATE: April 16, 2025
SUBJECT: Motion to Reconsider Amendment to Lansing's Zoning Map

A motion to amend Lansing's zoning map was included on the agenda on March 20th. Due to a procedural error by staff inadvertently allowing the Mayor to vote on the matter, the motion failed. Attorney General Opinion 92-41 states the Mayor does not vote in the Council-Manager form of government on valid protest petitions. The amendment to the zoning map had a valid protest petition, which required a 6-2 passage for approval. Had the procedural error not occurred, the motion would have passed.

Section 37.1 of the 12th Edition of Robert's Rules of Order allow for a governing body to reconsider a vote to "*permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote.*" The method of voting from March 20th was a recognized erroneous action per Attorney General Opinion 92-41.

Robert's Rules of Order, in an effort to protect against abuse, require the motion to reconsider be made by a person who voted with the prevailing side on March 20th.

As there are time considerations regarding the Motion to Reconsider per Roberts Rules of Order, the City considers March meetings as one session and April meetings as the subsequent session.

Motions to reconsider are only allowable in certain circumstances. For instance, a motion to reconsider cannot be made for an election that has become final, an item which is impossible to undo, or if a contract with a party has been notified of the outcome. A governing body also cannot make a motion to reconsider on a previous motion to reconsider.

It should be noted that this motion is not to review the merits of the previous rezoning application, but instead, to retabulate the vote from the March 20th meeting in accordance with Attorney General Opinion 92-41.

Action:

A Motion to Reconsider the Amendment to Lansing's Zoning Map from March 20th and retabulate the original vote from the governing body per Attorney General Opinion 92-41. Ordinance No. 1128.