

STANDING RESOLUTION NO. 2025-05

COUNCIL RULES OF ORDER AND PROCEDURE

The Lathrup Village City Council meeting is dedicated to the premise that government has a responsibility to the residents of the City and to the media to conduct a well-organized and objective meeting and an obligation to keep them informed. Council meetings should be attractive, interesting and understandable to all in attendance with as much opportunity for audience participation as is possible. Accordingly, the following Rules of Order and Procedure are adopted:

1. Definitions

- A. "Breach of the peace," shall mean seriously disruptive conduct involving abusive, disorderly, dangerous, aggressive, or provocative speech and behaviors tending to threaten or incite violence. "Breach of the peace" goes well beyond behavior acceptable in a civil society and is the only basis to eject, exclude or prevent a participant from attending all or part of a public body meeting.
- B. "Meetings" shall mean all regular meetings, study sessions and all other public hearings of Lathrup Village "public bodies," as defined under the Open Meetings Act, MCL 15.261 et seq. (OMA), including the Lathrup Village City Council.
- C. "Participant" shall mean any person attending and/or addressing the public body at a meeting during public comment but does not include elected public officials.
- D. "Public comment" shall mean the audience communication period(s) prescribed in this ordinance or the approved by way of agenda of a meeting that is intended for members of the public to address a Lathrup Village public body in compliance with the OMA. MCL 15.263(5).
- E. "Out of order," shall mean verbal and/or nonverbal conduct by a participant disrupts the orderly administration of a meeting including but not limited to the interruption of the efficient Order of Business, violation of state or local ordinance at a meeting, use of profanity, shouting, verbal threats of physical violence, or other acts of indecorum.

2. Regular Council Meetings

The Council shall set a regular schedule for its meeting dates (February through January of the following year) as a part of the agenda at its organizational meeting (first meeting in January). The place and time of the meeting shall be decided by the Mayor and shall be included in the agenda calling for the meeting.

3. Special Meetings

According to Section 6.2 of the Charter, special meetings shall be called by the Clerk on the written request of the Mayor, the City Administrator or any two members of the Council on at least 24 hours written notice to each member of the Council, e-mail notice is sufficient; but a special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing.

The City Clerk will also make a diligent effort to notify each member of the Council in person of each special session. At such a meeting only the matters in the notice shall be acted upon.

4. Recessed Meetings

Any session of the Council may be continued to another day, but no such continuation shall be for a longer period than until the next regular meeting thereafter.

5. Study Meetings

A study meeting may be convened on call by the Mayor or by two or more members of the Council. All members of the Council must be notified of the time and place of the meeting as in Rule # 2. Attendance at study meetings and notices calling such meetings shall be in harmony with the provisions of the Michigan Open Meetings Act.

The call for the meeting may also invite such people as may be required for consultation and advice with respect to the matters under discussion. At a study meeting no formal votes may be taken on any matter under discussion nor shall any Council members enter into a commitment with another respecting a vote to be taken subsequently at a public meeting of the Council. All study meetings shall be called by the Mayor at regular Council meetings. A brief confirmation of the time and date may be held at the meeting and all study meetings will be attempted to be held on Monday nights between regular Council dates.

6. Council Meeting Agenda

The agenda for all council and study meetings shall be prepared by the Mayor and/or Mayor Pro-Tem with the assistance of the City Administrator. The City Clerk shall furnish a copy to each member of the Council, the City Administrator, the City Attorney, and all other citizens who are involved in the meeting such as the Chairperson of Advisory Committees or other functions, on the Friday evening of the week preceding the meeting. All reports, communications, ordinances, resolutions, contract documents or other materials to be submitted to the Council shall be delivered to the members of the Council, the City Administrator and the City Attorney by the City Clerk as early as possible but no later than Friday evening.

7. Official Reports

Wherever possible, reports by the City Administrator, City Attorney, Police Department, City Clerk, Advisory Boards and Committees will be made in writing to the Council, submitted prior to the meeting and listed on the agenda. Under such procedure, discussion at an open council meeting will be limited to general questions from the audience or the Council on the subject matter of these reports. Concluding action may be taken at this time. Items requiring action by request of the City Administrator or City Attorney will be listed as regular agenda items and, unless conditions make it impossible, will be submitted to members of the Council with the agenda for the meeting. Copies of other reports will be distributed to the Council for their information.

8. Correspondence

The City Administrator and the Mayor are delegated the responsibility of handling all correspondence. Under this system only those correspondence which necessarily requires Council decision on policy will be brought before the council meeting. Copies of other correspondence may be distributed to the Council for their information.

Correspondence received by all Council Members via e-mail which require council decision on Policy shall be acknowledged and responded to by the Mayor within a reasonable time frame; the correspondence shall then be transmitted to the City Administrator for inclusion on the agenda of the next regular meeting.

Correspondence received by individual Council Members via e-mail which require council decision on Policy shall be forwarded to the Mayor for acknowledgement and response within a reasonable time frame; the correspondence shall then be transmitted to the City Administrator for inclusion on the agenda of the next regular meeting.

Correspondence received by all Council Members via e-mail which does not require council decision on Policy shall be acknowledged and responded to by the Mayor within a reasonable time frame; the correspondence shall then be transmitted to the City Administrator for follow-up and if necessary, action.

Correspondence received by individual Council Members via e-mail which does not require council decision on Policy shall be acknowledged and responded to within a reasonable time frame; the correspondence shall then be transmitted to the City Administrator for follow-up and if necessary, action.

Correspondence from any Council Member to the City Administrator shall also cc the Mayor as part of that communication.

9. Attendance at Conferences

The selection of the City's representative at conferences and meetings with outside organizations and officials, where official designation is required, is delegated to the Mayor, with concurrence of Council if substantial expense is involved.

Newly elected officials shall be required to attend the ‘Newly Elected’ training offered through the Michigan Municipal League within the first six (6) months of being sworn in.

10. Presiding Officer

The Mayor shall take the chair at the time appointed for the Council to meet and call the members to order. The Role will be noted by the Mayor and recorded by the Clerk for the minutes. The Mayor Pro-tem shall take the chair as presiding officer in the absence of the Mayor.

11. Temporary Chairperson

In case of absence of the Mayor and Mayor Pro-tem, the Clerk shall call the Council to order and call the roll. If a quorum is found to be present, the Clerk shall appoint a Chairperson to act until the Mayor or Mayor Pro-Tem appears.

12. Council Privileges

The presiding officer may move, second, and debate from the chair, subject only to such limitations on debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Council member by reason of his/her acting as the presiding officer.

13. Decorum and Order

Meetings are to be formal with the enforcement of stringent rules for debate which will control the expenditure of valuable time. The presiding officer shall preserve decorum and decide all questions of order, subject to formal appeal to the Council as a whole.

Every person desiring to speak shall address the chair and shall wait to be recognized by the chair. They shall then confine himself/herself to the question under debate. Every Council member desiring to question the administrative staff shall address their questions to the City Administrator, who may either answer the inquiries or designate some member of staff for that purpose. A Council member, once recognized, shall not be interrupted while speaking unless a point of order is raised.

14. Quorum

The majority of the Council members elected shall constitute a quorum. In the case that a lesser number than a quorum shall convene at a regular or special meeting, the majority of the members present may send for any or all absent members by agreement. In the event a quorum cannot be obtained, the meeting must be adjourned. It is the duty of each Council member to notify the Mayor or Administrator if he/she cannot attend any Council meeting a minimum of 2 hours prior to the start of the meeting. A Council member who has provided

timely notice shall be excused from attendance. A Council member that fails to provide timely notification shall not be excused. Any member of Council that fails to provide timely notice of absence may, at the next regular meeting, present an explanation of absence and if warranted may have their absence excused.

15. City Administrator

The City Administrator shall attend all meetings of the Council unless excused by the Mayor. He/she shall keep the Council fully advised as to the needs of the City and make recommendations to the Council; they may take part in discussions on all matters concerning the welfare of the City and shall have a seat but no vote in the Council meetings.

16. City Clerk

The City Clerk shall be the Clerk for the City Council and shall attend all regular and special Council meetings unless excused by the Administrator, wherein the Administrator shall provide for the recording of minutes. The Clerk shall be responsible for keeping the minutes of the meetings and shall perform such other duties in the meeting as may be in order. Within one week after the meeting, the Clerk shall make available upon request a copy of the minutes of the preceding meeting. Each member shall be furnished a copy of the preceding meeting minutes no later than the next regular meeting.

17. City Attorney

The City Attorney shall attend all regular and special meetings of the Council unless excused by the Mayor. Any member of the Council may at any time call upon the City Attorney for an oral or written opinion concerning routine questions of law with respect to the City which do not require extensive research.

18. Right of Appeal

Any Council member may appeal to the full Council from a ruling of the Presiding Officer. If the appeal is seconded, the Presiding Officer shall immediately put the question of sustaining the decision of the chair to a vote.

19. Voting

Every Council member present when an ordinance or resolution is put to a vote shall vote, whether "yes" or "no", on a question during roll call. The only exception to this requirement for voting shall be in the case of a con-flict of interest which shall preclude a Council member from voting.

20. Personal Privilege

The right of a Council member to address the Council on a question of personal privilege in cases where his integrity or motives are questioned, shall be given preference over other discussions. Any member shall have the right to express dissent against any ordinance or resolution of the Council and have the reason therefore entered upon the official minutes, and whenever possible shall present to the City Clerk his expression in written form for the official records.

21. Code of Ethics

City Council members occupy positions of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly, must be subject to the scrutiny of public opinion both as to the legality and to the propriety of such transactions. Council members shall not have a pecuniary interest either directly or indirectly in contracts of any character with the City, unless fully and publicly disclosed to the full Council and handled in accordance with proper legal procedures.

Council members shall conduct themselves so as to bring credit upon the City as a whole and so as to set an example of good ethical conduct for all citizens of the community. Council members shall always bear in mind their responsibility to the entire electorate, shall refrain from actions benefiting special interest groups at the expense of the City as a whole, and shall do everything in their power to ensure equal and impartial law enforcement throughout the City at large.

Council members shall conduct themselves in accordance with City Charter and all ordinances of the City.

22. Order of Business

The business of all regular meetings of the Council shall be generally transacted in the following order at the discretion of the Mayor:

1. Call to Order
2. Roll Call of Council
3. Pledge of Allegiance
4. Approval of Agenda
5. Presentations
6. Public Comment for Agenda Items
7. Consent Agenda
 - a. Approval of Minutes
 - b. Approval of Disbursement Reports
 - c. Acceptance of Departmental Reports
 - d. Routine and non-controversial action request
8. Petitions
9. Public Hearings
10. Action Request

11. City Administrator's Report
12. City Attorney's Report
13. Reports of Boards, Commissions and Committees
14. New Business
15. Old Business
16. Correspondence
17. Public Comment
18. Mayor and Council Comments
19. Adjournment

23. Parliamentary Procedure

The conduct of Council meetings shall be in accordance with the manual on parliamentary procedures entitled "Roberts Rules of Order".

24. Permission to Address Public Body / Public Comment Procedure

The following rules shall govern public comment during public meeting of a Lathrup Village public body:

- A. Public comment shall be allowed by the Chairperson one participant at a time.
- B. Participants shall not speak until they are recognized by the Chairperson.
- C. Each participant recognized by the Chairperson to address the public body shall identify himself/herself by name and, if appropriate, group affiliation for purposes of recordation in the meeting minutes.
- D. A participant addressing the public body shall be limited to three (3) minutes
- E. The Chairperson or public body member may, in the discretion of the Chairperson, be allowed to respond to participant questions posed, but the overall time limit of 3 minutes shall continue to run against the participant's allotted time.
- F. The Chairperson shall designate a timekeeper for purposes of enforcing the time limit.
- G. There shall be public comment, as approved in the meeting agenda, wherein participants may address the public body on any new business (non-agenda items) items.
- H. Participants addressing the public body shall make responsible comments and shall refrain from making redundant, personal, impertinent, slanderous, or profane remarks.

- I. Any participant who is “out of order” may be interrupted and gaveled “out of order” by the Chairperson with the end to maintain order and decorum of the meeting in the Chairperson’s discretion.
- J. A participant making public comment who is ruled “out of order” by the Chairperson:
 - a. May be admonished by the Chairperson and instructed to refrain from the indecorum, disruptive or other prohibited conduct.
 - b. Shall be allowed to continue his or her public comment within the time limits prescribed only if it is in conformity with the Chairperson’s instruction.
 - c. Shall be allowed to continue his or her public comment to the extent that it is within the approved time limit, with allowance for time lapsed by the Chairperson’s “out of order” ruling(s), or other public body members’ discussion/commentary.
 - d. Without limiting the discretion of the Chairperson, if an “out of order” participant repeatedly violates the ruling(s) by the Chairperson three (3) or more times, the Chairperson may instruct the participant that his or her public comment is concluded and instruct him/her to withdraw from addressing the public body, vacate the lectern, and return to their seat or other position in the audience at the meeting, or may exercise other lawful measures to restore decorum and maintain order.
 - e. The Chairperson may recess the meeting until such time as order and decorum is restored and shall allow the participant time to comply with the Chairperson’s instruction(s).
 - f. During any recess called to restore order the Chairperson may summon law enforcement officers to monitor the public meeting, if not already provided.
 - g. Any “out of order” participant shall not be ordered to be removed or excluded from the meeting unless he/she is in “breach of the peace” or inciting a “breach of the peace” at that meeting.
- K. A participant who is found to be “out of order,” shall be given a reasonable period of time to comply with the Chairperson’s directives.
- L. A participant who is found to be “out of order,” ordered to cease public comment, suffer removal from the meeting for “breach of the peace,” or otherwise have his/her public comment limited or restricted, except as to the expiration of time limit, shall be allowed upon his/her request to appeal the Chairperson’s ruling to the other public body members present and this appeal shall be decided by a roll call vote.
- M. No person shall be ejected, removed, or excluded from attending any part of a meeting unless he/she is causing a “breach of the peace” at that meeting.

N. Nothing in this policy shall be construed as creating a cause of action by a participant against the City of Lathrup Village, its public officers, law enforcement officers, or any other City of Lathrup public officials.

25. Video/Audio recording during a public meeting

Attendees shall be permitted to make video and sound recordings of a public meeting and to broadcast live. The following rules shall govern the video and sound recording during public meeting of a Lathrup Village public body in order to minimize disrupting the meeting:

- A. Unless otherwise allowed by the presiding officer, video recording devices shall only be permitted in a designated area subject to the following conditions:
 - a. Recording devices must be on a tripod, be set in one location and remain there (no portable equipment moving around the room).
 - b. Recording devices must operate without additional artificial light (no flash photography).
 - c. Recording devices must operate without additional audio (no additional microphones to be set-up in the room).
 - d. Recording devices must be set-up prior to the start of the public meeting and shall remain in one location until adjournment of the meeting to minimize disrupting the meeting.
- B. Individuals are prohibited from intentionally placing a recording device within close proximity to another attendee without their consent. This includes positioning the recording device in a manner that invades the personal space of the other attendee or obstructs their view.
- C. Individuals shall not utilize a recording device to intentionally frighten, intimidate, threaten, harass, or annoy any other person or to disturb an open meeting of a public body.

26. State or Federal Cooperation - Procedure

All proposals for projects which contemplate cooperation with, or financial participation by, the State or Federal government, shall be transmitted to Council by the City Administrator. If a City Board or Commission desires to propose such a project, the proposal shall first be filed with the City Administrator. All proposals shall be in approved form and accompanied by proper plans and specifications conforming to the requirements of respective State or Federal governments. If the Council approves the proposal, it shall by resolution authorize the City Administrator to make an application to the proper authority.

27. Suspension of Rules

Any provisions of these rules not governed by the Charter or Code may be temporarily suspended at any meeting of the Council by the Presiding Officer unless objected to by any Council member. Such objection must then be sustained by majority vote of the Council.

The vote on any such suspension shall be taken by "yeas" and "nays" and entered upon the records.

28. To Amend Rules

These rules may be amended, or new rules adopted by a majority vote of all members of the Council. Any such alterations of or amendments to, shall be submitted in writing at the preceding regular meeting and shall be placed on the calendar under the order of new business. This requirement shall be waived only by unanimous consent, with a recorded vote of all members.

Adopted

Replaces CO 79-7122, CO 80-62, CO 82-273a, 85-117a, 22-_____