

# CONTENTS

## RULES OF PROCEDURE FERNDAL CITY COUNCIL

Regular and Special Meetings .....	1
Agenda .....	2
Meeting Procedure. ....	4
Citizen Participation. ....	5
Voting and Discussion. ....	7
Board and Commission Appointments and Reappointment. ....	11
Miscellaneous. ....	12

Adopted: January 14, 2008  
Revised: April 14, 2008  
Revised: October 13, 2008  
Revised: December 22, 2008  
Revised: September 26, 2011  
Revised: February 13, 2012  
Revised: February 10, 2014  
*Revised: October 10, 2016*  
*Revised: August 28, 2017*  
*Revised: September 29, 2025*

# **RULES OF PROCEDURE FERNDAL CITY COUNCIL**

## **I. Regular and Special Meetings**

### **1. Regular Meetings**

All regular meetings of the Council shall be held the second and fourth Monday of the month in the Council Chambers at 7:00 p.m., Eastern Standard Time. Except that as part of its regular schedule, City Council shall host two public meetings on the third Monday in December, one at 6:00 p.m. and one at 7:00 p.m., in lieu of meetings on the second and fourth Monday. If any meeting day falls on a legal holiday, the Council shall meet on the next regular business day or a subsequent Monday.

### **2. Special Meetings**

The Mayor, any two (2) members of the Council, or the City Manager, may call special meetings of the Council upon at least eighteen (18) hours' written notice to each member served electronically or left at their usual place of residence.

At the recommendation of the City Manager, it may from time to time be necessary to host special meetings of Council commonly called Executive or Work Sessions. These sessions shall typically occur in the hour preceding the regularly scheduled meeting. The topic of such meetings should be highly focused in nature such as for a Council training or to cover a singular topic, which may or may not include topics subject to Closed Session rules per Section VI.

For the purpose of conducting special meetings or otherwise accommodating the schedule of conflicting holidays, Monday evenings shall generally be reserved for the conduct of City Council business except as otherwise approved by the Council body.

### **3. Business at Special Meetings**

No business shall be transacted at any special meeting of the Council unless the same has been stated in the notice of such meeting.

### **4. Regular and Special Meeting Notice (Posting) Requirements**

For regular meetings of the Council, the Clerk shall post at the City Hall, within ten (10) days after the first meeting of the Council in each calendar year, a public notice stating the dates, times and places of its regular meetings for the year.

For a rescheduled regular or a special meeting of the Council, a public notice stating the date, time and place of the meeting shall be posted at least eighteen (18) hours before the meeting.

5. Minutes of Regular and Special Meetings

Minutes of the proceedings of each regular and special meeting will be kept in the English language by the Clerk and shall be signed by the Clerk, upon approval by Council.

Proposed minutes of regular or special meetings will be available for public inspection not more than eight (8) business days after such meeting.

Approved minutes will be available for public inspection not later than five (5) business days after the meeting at which the minutes were approved.

## **II. Agenda**

An agenda shall be prepared by the City Manager and Clerk and made publicly available for all regular and special meetings of the City Council.

1. Order of Business

An agenda for each Regular Council meeting shall be prepared in accordance with the following order of business (as appropriate):

1. Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. Presentations (if necessary)
5. Call to Audience
  - a. If a member of the public wishes to address any matter on the agenda (including Consent, Regular, Discussion, ect.) those comments should be made during Call to Audience
6. Public Hearings (if necessary)
7. Consent Agenda, typically but not exclusively consisting of:
  - a. Approval of Minutes
  - b. Petitions to be referred
  - c. Setting of Public Hearing dates
  - d. Routine requests and information; including planned expenditures
  - e. Minor ordinance amendments
  - f. Minor budget amendments
  - g. Requests to take bids
  - h. Submission of bids
  - i. Reports and bonds
  - j. Bills, Payrolls, and Expense Statements
8. Regular Agenda
9. Discussion Items (if necessary)
10. Call to Council
11. Closed Session (if necessary)

## 12. Adjournment

All items listed under Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests; in which event, the item(s) will be removed from the Consent Agenda and considered at the end of the Regular Agenda.

### 2. Preparation

Items of business may be placed on the agenda by the Mayor, any one (1) member of the Council, by the City Manager, or by a Department Head (If agenda item is approved by the City Manager). Provided however that such request does not violate charter or statutory requirements that individual members of Council, including the Mayor, may not direct the work of staff. The deadline for individuals to submit items to the Clerk's Office and for all City staff to submit items to the Manager's Office for a Council agenda is 12:00pm on the Monday preceding the Monday Council meeting. All items shall be properly prepared on the standard template and shall contain a suggested motion for Council consideration.

Requests from governmental entities and authorities, or City boards and commissions shall be made through the Manager's Office by 12:00pm at least two weeks prior to the Council meeting. The request shall be submitted on the standard template. The Manager shall review the materials submitted and may suggest additional information and/or changes. A recommendation to Council on the request shall be prepared by the Manager, or their designee, as part of the standard template.

### 3. Presentations by Community Organizations

Community/School groups wishing to announce a special event, awareness activity, or present an award before the Council must first obtain approval from the Mayor, any two members of Council, or the City Manager. A written summary stating the purpose of the presentation shall then be submitted to the Manager's office. The presentation will be placed on the next available agenda, and the group will be notified by the Clerk's Office of the date.

### 4. Agenda Material

The deadline for submitting all supporting data for an agenda item is 12:00pm on the Tuesday preceding the Monday Council meeting. Any agenda item not submitted in its entirety by Tuesday at noon will be pulled from the agenda and postponed until the next regular Council agenda. The City Manager or their designee may make exceptions in the case of emergencies or items of a time sensitive nature.

In the interest of public transparency, efforts should be made to follow a higher standard for public noticing of special meetings when they are necessary. Ideally,

following a comparable timeline as a regular meeting. As a minimum goal, condensing the timeline to just four (4) days with one (1) day for administrative review and one (1) day for committee review before a forty-eight-hour (48) advance posting. However, it may from time to time be necessary to meet urgently such that only achieving the statutorily required minimum rules can be accomplished.

5. Distribution

Agenda packets will be delivered to Council members at their residence at least forty-eight (48) hours before the scheduled regular meeting, or at least 12 hours before a scheduled special meeting, only if requested by the Councilmember. Otherwise, all materials will be posted online at least seventy-two (72) hours prior to the meeting for all regularly scheduled meetings and eighteen (18) hours prior for all special meetings.

6. Form of Agenda Materials

Agenda materials of a similar type shall adhere to a standard formatting convention to ensure consistency across all materials. This should apply to, at minimum, resolutions, ordinances, and proclamations. The formatting convention for each shall be established by the City Clerk and should follow the highest professional standards and benchmarks.

### **III. Meeting Procedure**

1. Meetings to be Public

All regular and special meetings of the Council shall be open to the public and citizens shall have a reasonable opportunity to be heard under such rules and regulations as the Council may prescribe.

2. Quorum

A majority of all the members of Council shall constitute a quorum. The affirmative votes of a majority of the Council shall be required for the passage of any ordinance or resolution, unless in any given case a greater number is required by the City Charter or state law.

3. Presiding Officer

The Mayor shall be the presiding officer (Chair) of the Council. The Council shall, at the first regular meeting, elect a member of the Council as Mayor Pro Tem, who, during the absence or disability of the Mayor, shall perform those duties, during the time of such absence or disability, and exercise all the duties and possess all the powers of the Mayor. In the absence or disability of the Mayor Pro Tem, the Council may temporarily appoint one of its members to the role of Presiding Officer.

The Mayor as a member of the Council shall have the right to vote upon all matters before the Council and shall possess all the other rights and powers of members of that body. The Mayor shall not have the right of veto.

4. Meeting Closure Time

A mandatory closure time of 12:00 a.m. (midnight) is set for all Council meetings. Remaining business will be rescheduled to the next regular meeting, unless there is a matter of urgency regarding a particular issue. In that case, Council may schedule a special session to address the item(s) or may, by a majority vote, suspend the Rules of Procedure to extend the closure time for that particular meeting.

Efforts should be made when setting the Agenda to prioritize the placement of time sensitive matters first to avoid the potential for suspension of this rule.

5. Time Limitations

In an effort to be respectful of the time of attending Councilmembers, staff, and members of the general public the following time limits are established:

- Presentations should be limited to no more than ten (10) minutes
- Call to Council should be limited to five (5) minutes per member

6. Public Hearings for Special Land Uses

Upon completion of any report and any recommendation by the Planning Commission for a special land use pursuant to the provisions of the Ferndale Zoning Ordinance, the City Council shall hold a public hearing on a special land use application at the next regularly scheduled Council meeting which permits sufficient time for public notice in compliance with the provisions of Michigan Public Act 110 of 2006, as amended.

## **IV. Citizen Participation**

1. Call to Audience

Each Council meeting agenda shall provide time for audience participation to be known as *Call to Audience*, which shall include comment on any item of the agenda or otherwise. Individual speakers shall be limited to three (3) minutes per person.

The total length of the Call to Audience period shall have a strict half-hour limitation. Those wishing to speak beyond that half hour period will be heard immediately ahead of to the Call to Council portion of the agenda. This second comment period shall constitute a continuation of the original comment period, and speakers may not speak a second time during the continuation Call to Audience period.

- a. Upon majority vote of Council, the half-hour aggregate limit may be increased to accommodate more speakers during the initial comment period if it is determined that doing so is essential for the consideration of a pending action item.
- b. Such motion may be made at any time during the original Call to Audience period by making a motion through the Chair.
- c. When making a motion to extend the period, the member of Council must establish a new aggregate limit for that meeting. (Example, "I make a motion to extend the aggregate Call to Audience period by an additional 15 minutes.").

It shall be the responsibility of the Presiding Officer to enforce this rule, though any member of the Council may make a call to order through the Chair to request compliance.

## 2. Public Hearing

Certain action items requiring a dedicated public comment period shall be heard as part of the *Public Hearing* portion of the Agenda. Individual speakers shall be limited to three (3) minutes per person.

The total length of the Public Hearing period shall have a strict half-hour limitation per topic. Those wishing to speak beyond that half hour period will be heard ahead of the Call to Council portion of the agenda, but following any continuation of the Call to Audience period. This second comment period shall constitute a continuation of the original comment period, and speakers may not speak a second time during the continuation Public Hearing period.

## 3. Ceded Time

Time may not be ceded or combined among speakers to extend the individual comment limit. From time to time the limit may be extended in the interest of the general public upon a majority vote of Council. It shall be the responsibility of the Presiding Officer to enforce this rule.

## 4. Persons Addressing the Council

Any person wishing to address the Council is encouraged to use the sign-in sheet to provide their name, address, and contact information. Every speaker, after being recognized by the Chair, shall approach the public microphone and give their name prior to speaking but may, at their discretion, omit their address when speaking.

## 5. Disorderly Conduct at Meetings

Persons addressing the Council shall make responsible comments and shall refrain from making personal, impertinent, slanderous or profane remarks. The Chair ~~may call~~ is responsible for calling to order any person who is being disorderly by speaking when not recognized by the Chair or otherwise disrupting

the proceeding by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such persons shall be seated until the Chair shall have determined whether the person is in order. If the person shall continue to be disorderly and disrupt the meeting, the Chair may order the Police Department to remove the person from the meeting.

6. Complaints against City Employees

Council Members receiving complaints against City employees will utilize the established procedure for processing said complaints, said procedure being titled, "Citizens Complaint Policy Involving City Employees (adopted March 15, 1993 as Resolution No. 105, Page 75)."

7. Requests from Individuals Not Present

Any individual who wishes their public comment be shared during a City Council meeting can request that another individual present deliver comments on their behalf. However, the individual present and speaking will be limited to the same time limitations outlined in this document and may not otherwise extend their time for their own personal comments or the comments of another individual.

An individual not present at the meeting may also send their comments to the City Clerk no less than 48 hours prior to the meeting. The City Clerk will electronically share those comments with all members of the City Council. Individual Councilmembers may, but are under no obligation to, read any comments submitted to them subject to the same time limitations and rules outlined in this document. City staff shall not be responsible for reading any public comments.

## **V. Voting and Discussion**

On all parliamentary questions, Roberts' Rules of Order, as revised, shall govern insofar as they are applicable and except as they conflict with any of these rules.

1. Initiating Discussion

It shall be the responsibility of the Chair to introduce all action items on the Agenda up for discussion. Following introduction, the Chair may call upon individual members of staff or other presenters to provide background information on the topic for consideration.

Following the presentation of materials or background information, Council shall open discussion by providing a first and a second for the proposed motions or some alternatively worded motion. Once a second is offered, the Chair should restate the motion. Once the motion is stated, it is formally "on the floor" and open for discussion. The discussion period shall proceed in accordance with the procedures established here.

## 2. Discussion Period

It shall be the responsibility of the Chair to establish reasonable rules for discussion. As a general guideline the following procedures are recommended:

- a. Discussion should proceed in an orderly and organized fashion, typically starting from one end of the dais and affording each member an opportunity to speak.
- b. It is recommended that each member be given no more than five (5) minutes for their initial comment period. Councilmembers may use this time to discuss or debate the merits of the action item, ask clarifying questions of staff or presenters, provide explanation of their vote, or present consideration for an alternate motion.
- c. Following the conclusion of initial comments the Chair may open the discussion up for additional comments by members of Council by show of hand. The Chair may establish reasonable limits to allow for additional comments to be heard by all interested members.
- d. Once the discussion period is exhausted the Chair will conclude by calling for a vote on the original motion or motion as amended, with the motion makers again offering a first and second.

It is recognized that time limits are essential to keeping consideration of agenda items more focused. To the extent feasible, questions or requests for additional information should already have been made and received prior to the meeting. Councilmembers seeking additional information or requesting clarification on action items of staff should make their requests no later than 12:00 pm on the day of the meeting.

## 3. Voice Vote

Unless otherwise prescribed in accordance with Section IV(2), voting shall be conducted by a voice vote of Ayes and Nays with the Chair calling for the votes and declaring the result.

## 4. Roll Call Vote

Roll Call votes shall be taken when required by law, such as entering Closed Session. Roll Call may also be taken at the request of any individual member of City Council, or when the Chair cannot determine the results of a voice vote. In all cases where a vote is taken, the Chair shall declare the result.

Roll call votes will be taken with the motion maker first, followed by the seconder, followed by the remaining councilmembers in alphabetical order by last name. The Mayor or Chair will always vote last in the roll call order.

## 5. Public Hearings

Prior to the opening of the public comment period the Chair may invite staff or guests authorized to speak or present on the topic to give comment. Following the presentation of information, items subject to Public Hearings will generally require three distinctive actions of Council including:

1. *Opening Public Hearing:* Members of the Council shall make a motion and a second to open the public hearing with the Chair restating the motion to include the exact start time of the public hearing opening. The Chair will call for a voice vote to confirm opening the public hearing. The Chair will invite members of the audience to speak at this time.
2. *Closing Public Hearing:* Members of the Council shall make a motion and a second to close the public hearing with the Chair restating the motion to include the exact end time of the public hearing opening. The Chair will call for a voice vote to confirm closing the public hearing.
3. *Subsequent Action:* Normal procedures for initiating discussion and voting shall follow for any subsequent action associated with the public hearing upon closure of the public comment period.

## 6. Other Considerations

Any Council member shall have the right to change ~~his/her~~ their vote on any question before the result is announced.

Any member of the Council shall have the right to explain ~~his/her~~ their vote on any question, provided such explanation should be limited to no more to two (2) minutes per member. Such an explanation may be made through the Chair.

## 7. Reconsideration

A motion to reconsider a vote on any question may be made by any member of the prevailing side at the next regular meeting following the meeting at which the vote was taken, provided he/she has filed with the Clerk within seventy-two (72) hours after the motion he/she desires to reconsider was passed, written notice of ~~his/her~~ their intention. Provided, further, that in the absence of the member who has filed such a notice, it shall be in order for any other member of the prevailing side, by virtue of said notice, to move for a reconsideration of the question. No motion to indefinitely postpone (or to lay on the table) a motion to reconsider

shall be entertained at the same meeting at which the action proposed to be reconsidered was taken.

#### 8. Duty to Vote

It is the duty of every Council member to vote, provided however, that no Council member shall be required to vote if that member identifies a potential conflict of interest. If a member is precluded from voting pursuant to a possible conflict of interest, that member shall also refrain from participating in the discussion on the issue.

If the member does not otherwise have a conflict of interest but wishes to abstain from voting, they should state such intent during the initial Council comment period and further abstain from discussion. Such abstention will be noted as the official action of the member in the minutes for the voice or roll call vote.

### **VI. Closed Sessions**

The Council may only meet in Closed Session for the purposes defined in the Michigan Open Meetings Act (MCL 15.268). The following procedures will apply to all Closed Sessions:

#### 1. Calling Closed Meetings

A two-thirds roll call vote of the Council members elected and serving shall be required, except as permitted under the Michigan Open Meetings Act. The roll call vote shall be taken at an open meeting and the purpose for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.

#### 2. Minutes of Closed Meetings

A separate set of minutes shall be taken at the closed session by the Clerk or, in the absence of the Clerk, by a recording secretary designated by Council. These minutes will be retained by the Clerk, shall not be available to the public and shall only be disclosed if required by a civil action.

Closed meeting minutes and materials may be distributed to Council for approval at a closed meeting and shall be returned to the Clerk at the same meeting.

#### 3. Confidentiality of Closed Meeting Information

A person attending such Closed Session shall not divulge to any unauthorized person confidential information discussed in a Closed Session in advance of the time prescribed for its authorized release to the public by the Council, City Manager, or Legal Counsel. Council members shall honor the confidentiality of the debate and discussion taken in closed session.

Failure to maintain the confidentiality of information shared or discussed during a Closed Session, as well as any other violation of the Open Meetings Act, is considered a misdemeanor offense under Michigan Law and may be subject to penalties.

## **VII. Board and Commission Appointments and Reappointment**

### **1. Appointment of Mayor and Council Members**

Council shall, at its first regular meeting, under the direction of the Mayor, confirm appointments of its members to City boards and commissions. Such appointments can be amended as necessary at the request of the current appointee seeking replacement.

### **2. Appointments of Citizens**

The Clerk's Office shall receive and forward applications to the appointing authority (Mayor, Council or Manager) and to the staff liaison as information only. The staff liaison shall provide the appointing authority with a written recommendation regarding appointments when vacancies occur. The appointing authority, or staff liaison at the direction of the appointing authority, may submit a nomination to the Clerk's Office to be placed on a Council meeting agenda. Normal agenda deadlines apply. The Clerk shall maintain a copy of all applications to be used as a resource for nominations.

### **3. Reappointments of Citizens**

Board/Commission members whose terms of office are due to expire and who wish to be reappointed shall file with the staff liaison an updated application. The staff liaison shall provide the appointing authority with a written recommendation regarding reappointments when terms of office are due to expire. Normal agenda deadlines apply.

### **4. Resignations**

Resignations from members of boards and commissions will be forwarded to the Mayor and Council in their meeting packets by the Clerk's Office as Information Only items.

The staff liaison will then submit a recommendation to the Mayor and Council for filling the vacancy.

## **VIII. Miscellaneous**

### **1. Travel**

Council Members are required to obtain advance approval prior to incurring expenses for official out-of-town travel as detailed in the Council Policy on Education, Training and Travel as amended.

2. Amendment of Rules

These rules may be amended by a majority vote of the Council provided notice of the proposed amendment has been given at the regular session of the Council immediately preceding, or they may be suspended for a single session by a majority vote of the Council.

