

**CITY OF
FARMINGTON HILLS**

**RULES OF THE CITY
COUNCIL AND
GUIDELINES OF
CONDUCT**

(As Amended Through June 26, 2023)

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**CITY OF FARMINGTON HILLS
RULES OF THE CITY COUNCIL**

A. REGULAR AND SPECIAL MEETINGS

1. REGULAR MEETINGS:

Regular meetings of the City Council will be held, at a minimum, on the second and fourth Mondays of each month beginning at 7:30p.m., local prevailing time, at the City Hall. Regular meetings may be rescheduled to other times by a vote of the Council.

2. SPECIAL MEETINGS:

A special meeting may be called by the Mayor, or any of four (4) or more members of Council and upon at least eighteen (18) hours notice to each member.

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. STUDY SESSIONS:

Study sessions of the Council will be held as necessary and as scheduled by Council. The City Manager and City Clerk will prepare an agenda for these meetings prior to the start of such meetings.

5. REGULAR AND SPECIAL MEETING NOTICE (POSTING) REQUIREMENTS:

- A. For regular meetings of the Council, the Clerk shall post at the City Hall, within three (3) 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.
- B. 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 18 hours before the meeting.
- C. However, such notice, as described in 5A and B above, is not required for a meeting of the Council in emergency session in the event of a widespread natural disaster or a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Council determine that delay would be detrimental to the City's efforts in responding to the threat.

6. MAILING OF MEETING AGENDAS:

Upon written request of an individual, organization, firm or corporation, and upon the requesting party's payments of an annual fee of not more than the reasonable estimated cost for printing and postage of such notices, the Clerk shall send to the requesting party, by first class mail, a copy of regular meeting agendas. The Clerk shall also notify any requesting party that a copy of each regular meeting agenda is posted on the City's website for public access prior to each such meeting. Upon written request, the Clerk shall electronically provide a copy of such notices of meetings to any newspaper published in the State of Michigan and to any radio and television station located in the State free of charge.

7. MINUTES OF REGULAR AND SPECIAL MEETINGS:

- A. A journal 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 City Clerk, upon approval by Council.
- B. Proceedings of the Council, or a brief synopsis thereof, will be published in a newspaper of general circulation within the City within 15 days following each meeting.
- C. Proposed minutes of regular or special meetings will be available for public inspection not more than eight business days after such meeting.
- D. Approved minutes will be available for public inspection not later than five business days after the meeting at which the minutes were approved.

B. MEETING PROCEDURE

1. MEETINGS TO BE PUBLIC:

All regular and special meetings of the City 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. ORDER OF BUSINESS:

An agenda for each Regular Council meeting shall be prepared by the Mayor, City Manager and City Clerk in accordance with the following order of business:

- a. Call Meeting to Order
- b. Pledge of Allegiance
- c. Roll Call
- d. Approval of Agenda
- e. Correspondence
- f. Consent Agenda
- g. Consent Agenda Items for Discussion
- h. Public Questions & Comments
- i. Council Members' Comments and Announcements
- j. City Manager Update
- k. Public Hearings
- l. Unfinished Business
- m. New Business
- n. City Manager Reports
- o. Additions to Agenda
- p. City Attorney Report (first meeting of the month)
- q. Adjournment

3. QUORUM:

Four (4) members of the Council in office at the time shall be a quorum for the transaction of business.

4. PRESIDING OFFICER:

The presiding officer shall be responsible for enforcing the Rules of the City Council, contained herein, as well as the Code of Conduct. The Mayor shall be the presiding officer of the Council. In the absence of or disability of the Mayor, the Mayor Pro Tem shall be the presiding officer of the Council. In the absence or disability of both, the Council may designate another of its members to serve as presiding officer during such absence or disability.

5. PRESENTATIONS:

- a. During the regular session of a City Council meeting, those who have been invited by the City Council or Administration to make presentations and those who have an application or proposal as an item of business on the agenda and wish to make a presentation, may, if allowed by Council and upon the direction of the Mayor at the meeting, do so by coming before the public microphone, stating their name and, if appropriate, group or business affiliation, and making their presentation to Council for such duration as may be allowed by the Mayor or chair of the meeting. All persons presenting or commenting during the regular session of a City Council meeting shall do so, in person, at the meeting.
- b. Those who have been invited by the City Council or Administration to make a presentation relating to a study session agenda item may, upon direction of the Mayor or City Manager, make their presentation for such duration as may be allowed by the Mayor or chair of the meeting. Presentations at study sessions shall be in person, except presenters may make remote study session presentations by a secure remote audio and video communication connection established by the City to avoid incurring costs and expenses for the presenter's long-distance travel to the City or in bona fide emergency, or unexpected circumstances, as determined in the City Manager's discretion, and not for convenience, provided the City Manager and Clerk have been given sufficient advance notice to make the necessary arrangements.

C. CLOSED SESSIONS

1. PURPOSE:

The City Council may only meet in closed session for purposes defined in the Michigan Open Meetings Act as follows:

- A. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or if permitted by the City Charter or applicable ordinances to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open session.
- B. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
- C. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

- D. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the Council.
- E. To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. All interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to the Michigan Open Meetings Act.
- F. To consider material exempt from discussion or disclosure by state or federal statute.

2. CALLING CLOSED SESSIONS:

A two-thirds roll call vote of the Council members elected or appointed and serving shall be required, except under Sections (a) and (b) above. 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.

3. MINUTES OF CLOSED SESSIONS:

A separate set of minutes shall be taken by the Clerk or the designated Secretary at the closed session. These minutes will be retained by the Clerk of the Council for the period of time required by the Michigan Open Meetings Act, shall not be available to the public and shall be disclosed if required by a civil action.

Closed meeting minutes may be distributed to Council for review at a closed meeting and may be approved, in Council's discretion, and returned to the Clerk.

4. CONFIDENTIALITY OF CLOSED SESSION INFORMATION:

A City Council member shall not divulge to any unauthorized person confidential information discussed in a closed session. Council members shall honor the confidentiality of the debate, discussion and preliminary action, if any, taken in closed session; and be aware of the potential financial liability and/or harm to the reputation of the City by premature disclosure.

D. VOTING AND DISCUSSION

1. ROLL CALL:

In all roll call votes, the names of the members of the Council shall be called. A vote upon all ordinance enactments, rezoning issues and liquor license requests shall be taken by a roll call vote and entered upon the records.

2. RESULTS OF VOTING:

In all cases where a vote is taken, the Chair shall declare the result.

3. DUTY TO VOTE:

Whenever a question is put before the Chair, every member shall vote, provided however, that no member shall be required to vote if that member shall have a conflict of interest and shall state his/her conflict of interest. If a member is precluded from voting pursuant to a conflict of interest, that member shall refrain from participating in the discussion on the issue.

EXCEPTION: A Councilmember should not vote on the question of approving, correcting or amending minutes of meetings at which the member was absent for the reason that such member is unable to determine the accuracy of such minutes.

4. CONDUCT OF DISCUSSION:

The maker of the motion shall speak first; the supporter of the motion shall speak second. During Council discussion and debate, no member shall speak until recognized for the purpose by the Chair. After such recognition, the member shall confine discussion to the question at hand. Personal comments about other individuals should be avoided. When addressing other members of Council they should be addressed by title and/or last name but not by first name. No member should request to speak a second time on a motion as long as another is requesting recognition to speak for a first time.

5. COUNCIL MEMBER REQUESTS FOR POSTPONEMENTS:

Requests for postponements on agenda items from members of council requires approval by a majority of Council present.

6. RULES OF PARLIAMENTARY PROCEDURE:

The rules of parliamentary practice as contained in Robert's Rules of Order, most recent edition, shall govern the Council in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Ordinances and Charter of the City of Farmington Hills.

7. RECONSIDERATION OF MOTIONS:

When a question has been decided, it shall be in order for any Council member who voted on the prevailing side of the question to move the reconsideration at the same meeting or at the next regularly scheduled meeting, provided no action has been taken as a result of the previous vote.

8. GENERAL CONSENSUS:

General consent or consensus may be used to give direction and the minutes should indicate that a majority consented.

E. CITIZEN PARTICIPATION

1. GENERAL:

Each council meeting agenda shall provide for reserve time for audience participation, as requested, hereby known as Public Questions and Comments.

2. LENGTH OF PRESENTATION:

Members of the public at the meeting shall not speak unless recognized by the Chair. Members of the public shall be limited to speaking for a maximum of five (5) minutes during any public hearing or public comment.

3. PERSONS ADDRESSING THE COUNCIL:

Prior to addressing Council, members of the public shall come before the public microphone, state their name and, if appropriate, group affiliation. The Council may in its discretion limit public comments to new information or matters not fully addressed at any previous meeting regarding the agenda item at issue.

4. DEVIATION:

Upon the request of a member of the Council, the Mayor may recognize a member of the audience who shall be permitted to address the Council at a time other than audience participation; however, all other rules as provided herein shall apply.

5. REQUESTS TO SPEAK DURING PUBLIC HEARINGS:

For the purpose of public participation during public hearings, every speaker, after being recognized by the Chair, is to approach the public microphone and give his/her name prior to speaking on the public hearing issue. Each speaker will be allowed five (5) minutes maximum to address the Council.

6. REQUESTS TO SPEAK DURING PUBLIC QUESTIONS AND COMMENTS:

Any person who wishes to speak on a subject not on the printed agenda may speak at this time. All rules of conduct still apply.

7. REQUESTS TO SPEAK DURING REGULAR AGENDA ITEMS:

Any person who wishes to speak on an item included on the printed meeting agenda may do so by filling in the required speakers request form and submitting same to the City Clerk prior to that agenda item being discussed. Speakers will be recognized by the Chair, at which time they will be required to approach the public microphone, state their name and will be allowed five (5) minutes maximum to address the Council.

8. DISORDERLY CONDUCT AT MEETINGS:

Persons addressing the Council shall make responsible comments and shall refrain from making personal, impertinent, slanderous or profane remarks. The Chairperson may call 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 thereupon be seated until the chair shall have determined whether the person is in order. If a person so engaged in presentation shall be called out of order, he or she shall not be permitted to speak at the same meeting, except upon special leave by the Council. 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.

F. AGENDA

1. PREPARATION:

The Mayor, City Manager and City Clerk shall prepare an agenda for each regular or special meeting of the City Council. The deadline for submitting items for a Council agenda is 12:00 noon on the Thursday preceding the Monday Council meeting. Agenda items from Council should be submitted in writing by this same time. Requested items will appear on a meeting agenda within three meetings after request is made.

2. DISTRIBUTION:

The agenda and material related to the agenda (“agenda packet”) for each regular meeting of City Council will be made available to City Council members through computer access, and if requested, delivered to their residence, at least 48 hours before the scheduled regular meeting, or at least 12 hours before a scheduled special meeting.

3. AGENDA MATERIAL:

Department Heads and all others shall submit requests for inclusion on the agenda to the City Manager with all necessary supporting data. Written presentations shall be submitted by 12:00 noon on the Thursday preceding the Monday Council meeting for circulation with agendas. Agenda requests could be delayed if related information is not received in a timely manner.

3. POSTING OF AGENDA MATERIAL:

For added public transparency purposes only, the agenda packet for each regular meeting of City Council are to be posted for public review on the City's website on the Monday morning in advance of the meeting to which they relate, except as provided below. The posting of agenda packets on the website under this section is voluntary, not required by law, and does not create any added notice or due process obligations or rights. As such, if an agenda packet is not posted on the website, it shall not require a meeting or any agenda item to be canceled, postponed, or adjourned, and it shall not be a due process or notice defect or violation. This provision does not relate to public hearing notices posted on the website, and it does not apply to special meetings. Also, the agenda packet materials posted on the website may exclude confidential or privileged material and material that the Freedom of Information Act permits the City to exempt from public disclosure.

G. CONSENT AGENDA

1. PURPOSE:

A consent agenda will be used to allow Council to act on numerous administrative or non-controversial items at one time.

2. AGENDA ITEMS:

A consent agenda will be developed by the City Manager and City Clerk. Items that could be included on this agenda include non-controversial items such as approval of minutes, payment of bills, approval of recognition resolutions, pay raises, etc. Any member of Council or the public may request that an item be removed from the consent agenda and placed on the regular agenda for discussion.

H. RECORDING OF COUNCIL MEETINGS

1. MEETINGS MAY BE RECORDED, BROADCASTED & LIVESTREAMED:

All regular or special meetings of the City Council may be recorded by the City through the use of electronic and/or digital recording devices. City Council meetings may also be broadcast for public viewing on public access television channels and livestreamed on YouTube or another similar web-based livestreaming service. Links to livestream videos of meetings will be maintained on the City's website for public access.

2. RETENTION OF RECORDS:

Any separate digital and/or electronic recordings of Council meetings shall be retained by the City Clerk until such time as the minutes of the recorded meeting are approved by City Council.

I. MISCELLANEOUS

1. AMENDMENTS TO RULES:

The rules of the City Council may be altered or amended by a majority vote of two-thirds of the entire Council.

2. SUSPENSION OF RULES:

The rules of the City Council may be suspended for good cause for a specified portion of a meeting by a two-thirds majority of the entire Council.

3. CONTROLLING AUTHORITY:

These rules shall control unless preempted by City Charter, State laws or the Courts.

4. REVIEW OF CONSULTANTS:

City Council shall make an internal evaluation of consultants as needed to determine if the services being provided are satisfactory and if judged to be inappropriate, will move to proceed with establishing a more formal review process.

J. COMMITTEE ASSIGNMENTS

1. ASSIGNMENTS:

The Mayor may assign Council members to any committee as is deemed necessary, with approval of Council.

2. RESPONSIBILITIES:

Council members' responsibilities as committee members will be generally limited to policy and not the administration of a department or appointed organization.

CITY OF FARMINGTON HILLS
GUIDELINES OF CONDUCT

A. PUBLIC RELATIONS

Members of Council should refrain from argument with a member of the public or staff at Council meetings since these arguments seldom resolve concerns and many times inflame feelings at a public meeting. Any concerns by a member of Council over the behavior or work of a City employee during a Council meeting should be directed to the City Manager to ensure the concern is addressed.

B. CITY COUNCIL RELATIONS WITH CITY STAFF

1. There shall be mutual respect from both staff and Council members of their respective roles and responsibilities when and if expressing criticism in public session.
2. Requests for information or questions by the City Council shall be directed to the City Manager or the appropriate Department Head. All non-routine requests should be submitted to the City Manager's office. All complaints should be submitted to the City Manager.
3. All written information material requested by individual Council members shall be submitted by staff to the City Manager who will transmit them to all Council members with the notation indicating which Council member requested the information.
4. Council shall not attempt to correct or influence staff in the selection of employees, recommendations for the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits.
5. Incoming mail clearly marked as personal shall not be opened when addressed to individual Council members or staff unless requested.
6. A Council member shall not direct staff to initiate any action or prepare any report that is significant in nature or initiate any project or study without the approval of a majority of the City Council. All such requests will be first directed to the City Manager.

C. CITY COUNCIL RELATIONSHIP WITH CITY COMMISSIONS AND COMMITTEES AND COUNCIL MEMBER REPRESENTATION TO OTHER AGENCIES AND GROUPS

1. Members of the City Council should not attempt to influence commission or committee recommendations, or to influence or lobby individual commission or committee members on any item under their consideration. It is important for commissions and committees to be able to make objective recommendations to the City Council on items before them. Members of Council that attempt to influence commission positions on an item may prejudice or hinder their role in reviewing the commission's recommendation as a member of the City Council.
2. Individual Council members shall have the right to attend meetings but are cautioned about becoming involved in the meetings' discussions.
3. If a member of the City Council represents the City before another governmental agency or organization, the Council member should first indicate the majority position as an opinion of the Council. Personal opinions and comments may be expressed only if the Council member clarifies that these statements do not represent the position of the City Council.

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