

**CITY OF HOUGHTON
RESOLUTION 2023-1891**

Revises 2022-1877

Revises 2021-1784

Revises 2016-1552

CITY COUNCIL RULES OF PROCEDURE

The following Resolution was offered by: Needham.

WHEREAS, Rules of Procedure help councils run more efficient meetings and deal with the public, media, and city staff in a positive manner; and

WHEREAS, City of Houghton Ordinance Chapter 2, Article II states that the Rules of Procedure for the City Council shall be set by Resolution; and

WHEREAS, the Houghton City Council desires to amend the Rules of Procedure previously adopted in 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Rules of Procedure to be followed by the Houghton City Council are as follows:

REGULAR MEETINGS

1. The council meets on the second and fourth Wednesday of each month beginning at 5:30 p.m.
2. A list of all regular meetings including dates and times will be posted at least 10 days prior to the first meeting of the fiscal year on the City Center bulletin board and the city website in accordance with the Charter.
3. All regular meetings are open to the public.

SPECIAL MEETINGS

1. Special meetings can be called by the mayor, manager, or any two councilors on reasonable notice (Charter 2.13).
2. Special meeting notices will be posted on the City Center bulletin board and the city website as soon as possible, but not less than 18 hours before the meeting.
3. Special meeting notices will include all of the business to be transacted at the special meeting. No business shall be transacted at a special meeting unless the same has been stated in the notice of the meeting.
4. All special meetings are open to the public.

WORK SESSIONS

1. Work sessions will be held as necessary and scheduled by the council.
2. Work sessions will be posted on the City Center bulletin board and the city website as soon as possible, but not less than 18 hours before the meeting.
3. All work sessions are open to the public.

CLOSED MEETINGS

1. In order for the council to hold a closed meeting, a roll call vote must be taken.
2. An affirmative vote of two-thirds of the membership of the Council (5) is needed to go into closed session for the following matters:
 - A. To consider the purchase or lease of real property.
 - B. To consult with our attorney about a trial or settlement strategy in pending litigation, but only when an open meeting would have a detrimental financial effect on the public body's position.
 - C. To review the contents of an application for employment or appointment to a public office when the candidate requests the application remain confidential. However, all interviews by a public body for employment or appointment to a public office must be conducted in an open meeting.
 - D. To consider material exempt from discussion or disclosure by state or federal statute.

An affirmative vote of a majority of the membership of the Council (4) is needed to go into a closed session for the following matter:

- A. To consider dismissal, suspension or disciplining of, or to hear complaints or periodic personnel evaluations of, a public officer or employee if requested by the named person.
3. The purpose for which the closed meeting is being called must be stated in the meeting when the roll call is taken.
4. Following the closed session, the council will reconvene the regular meeting. The council may take action at the regular meeting before adjourning the regular meeting or may adjourn the regular meeting without taking action.

AGENDAS

1. The agenda of each meeting shall be prepared by the city manager and clerk at least 48 hours prior to each regular meeting of the council and shall be prepared prior to the posting of any special meeting.

2. Agenda packets will be delivered to councilors at their residence at least 48 hours before a regular meeting, or at least 12 hours before a special meeting if they so choose. Agenda packets will also be made available to the public on the city website.

3. Order of Business.

The order of business for regular meetings of the council shall be as follows:

- a. Call to order.
 - b. Roll call.
 - c. Review and approval of agenda.
 - d. Petitions and communications.
 - e. Public hearings.
 - f. Reports.
 - g. Opportunity for Public to Address Council.
 - h. Consent agenda.
 - i. Approval of Previous Minutes.
 - ii. Accounts Payable.
 - i. Unfinished business.
 - j. New business.
 - k. Miscellaneous
 - l. Adjournment.
4. The consent agenda may be used to allow the Council to act on numerous administrative or non-controversial items at one time. It will include approval of previous minutes, accounts payable, and any non-controversial items such as approval of recognition resolutions, proclamations, bid awards, contract approvals, lease agreements, and recurring business. Items may be removed from the consent agenda and placed on the regular agenda for discussion upon request by one member of the Council.
 5. Future Agenda Items may be requested by a Councilor with a second. Consented Future Agenda Items will be placed under New Business at the next regular meeting.

ATTENDANCE

1. A quorum of the council consists of 4 members. Councilors are asked to notify the clerk if they will be unable to attend a meeting so the administration will know if a quorum will be present.
2. The council may excuse absences of councilors for cause. Unexcused absences from three consecutive meetings of the council is grounds for forfeiture of office (Charter 2.6).

CONDUCT OF MEETINGS

1. Presiding Officer - The mayor is the presiding officer of the council. In the absence or disability of the mayor, the mayor pro tem shall be the presiding officer. In the absence or disability of both, the city clerk shall call the council to order and shall preside until an acting mayor shall be chosen.
2. Rules - The council uses Robert Rules of Order as a guide. The council has not officially adopted the Rules.
3. Voting - Except for a procedural matter, voting will be done on a roll-call basis.
 - a. Most motions will pass by the affirmative vote of a majority of the members present. However, the charter requires the following:
 - i. Ordinances – Ordinances shall be enacted by the affirmative vote of a majority of the membership of the city council.
 - ii. Zoning Board of Appeals – The ZBA requires an affirmative vote of four members of the board.
 - b. Councilors must vote on a motion unless they have a conflict of interest. A conflict of interest is defined in Charter Section 2.9. If a councilor believes they have a conflict of interest, they must disclose it as soon as it becomes known to them. A majority of the councilors present must vote in the affirmative to allow a council member to abstain (Charter 2.17).
 - c. Councilors must be physically present at the meeting to vote.
4. Discussion - During council discussion and debate, no member shall speak until recognized by the chair. The member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order. Speakers should maintain a courteous tone. No member shall speak more than once on the same question unless every member desiring to speak to that question shall have the opportunity to do so. The mayor may call to order a member of the council who is out of order.
5. Reconsideration of Motions – When a question has been decided, it shall be in order for any councilor who voted on the prevailing side of the question to move for 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.
6. General Consensus – General consent or consensus of a majority of the council may be used to give direction and the minutes should indicate that a majority consented.
7. Appeals – Any ruling of the presiding officer relative to the proper interpretation of any rule of the council shall be subject to appeal, which appeal shall be determined by a majority of the members present. If an appeal is taken by any member from the ruling of the presiding officer, the member of the council desiring to appeal shall state that he or she claims an appeal from the ruling of the presiding officer and shall state briefly what in his or her opinion the ruling should have been. If this appeal is seconded, the presiding officer shall state clearly the question at issue and shall then call for the vote of

the council on the question: "Shall the decision of the presiding officer be sustained?" The presiding officer shall preserve order and decorum and may speak to points of order in preference to other members. He or she may express his or her opinion on any subject under debate without the substitution of another presiding officer. Only one appeal to a ruling is permitted.

CITIZEN PARTICIPATION

1. The public will have the opportunity to address the council at every meeting during the *opportunity for the public to address the council* item on the agenda and will have 5 minutes per speaker to speak. The speaker must identify themselves by their name.
2. At public hearings and special meetings, public comment will be confined to the subject of the public hearing or special meeting.
3. The presiding officer may call to order any person who is being disruptive by speaking out of order or otherwise disrupting the proceedings, speaking longer than the allotted time or speaking vulgarities.
4. Correspondence received by the city office with a request to be read to the council shall be read by the clerk during the *petitions and communications* item on the agenda. Each item will have a 5-minute time limit to be read.

MINUTES

1. Proposed minutes will be available within 7 business days after the meeting by request made to the clerk.
2. Approved minutes will be available within 5 days after the meeting at which they were approved.
3. Approved minutes will be available on the city website within 5 days after the meeting at which they were approved.
4. Minutes of closed sessions will be taken by the clerk or by a recording secretary appointed by the council if the clerk is not present. They are not available for public inspection and will only be disclosed if required by a civil action. The closed session minutes must be kept for one year and one day after they have been approved by the council. Approval of the closed session minutes will be made at the next regular meeting of the council.

RELATIONS WITH CITY STAFF

1. Requests for information or questions by the council shall be directed to the city manager.
2. All complaints should be submitted to the city manager.
3. All written information requested by individual councilors will be transmitted to all members of the council with a notation indicating which councilor requested the information.

COMMITTEE APPOINTMENTS

1. Appointments will be made by the mayor with the consent of the council.

COUNCIL VACANCIES

1. In accordance with City Charter Section 2.6, Councilors may appoint a new member to fill a vacancy within 30 days of the occurrence of the vacancy. The process to fill a vacancy will be as follows:
 - a. The position will be advertised in the local newspaper, on the city website, and on the City Center bulletin board.
 - b. Qualified, interested persons will be given notice that they may apply for the vacant position in writing to the City Manager during the posted term.
 - c. The council shall nominate and vote for candidates at a regular meeting, or a special meeting called for this purpose.
 - d. The mayor will ask for nominations to the office of Councilor from the qualified applicants provided.
 - i. To be nominated, the candidate must receive a nomination and a second.
 - ii. When the nominations are complete, the mayor will ask for a motion to close the nominations.
 - iii. All of the nominated candidates will be voted on in the order they were nominated.
 - iv. The Councilors will vote by roll-call on the candidate of their choice.
 - v. After all nominated candidates have been voted on, the candidate receiving the most votes will be appointed. If there is a tie, the candidates receiving the most votes will be voted on again in the same order as above one more time in an effort to break the tie.
 - e. If a majority of the Councilors present are unable to appoint a new member after three votes, the vacancy shall be filled with a special election in accordance with the Charter and state law.

SUSPENDING RULES

1. The rules of the council may be temporarily suspended on a vote of 4 members.

PERFORMANCE REVIEW OF CITY MANAGER

1. The council shall annually review the performance of the city manager.

- a. The mayor will provide an evaluation form to each councilor and a self-evaluation form to the city manager.
- b. Evaluations will be signed and should be completed independently. All completed evaluations will be submitted to the mayor, or a councilor of the mayor's choosing, for tabulation.
- c. Following tabulation, the personnel subcommittee will meet with the city manager to review the evaluation.
- d. A member of the personnel subcommittee will prepare a report of the meeting that includes the tabulated evaluation results. The report and tabulated evaluation results will be provided to all members of the council with a copy placed in the city manager's personnel file. The evaluations themselves will be destroyed.

CONTROLLING AUTHORITY

1. These rules shall be followed unless preempted by city charter, state laws, or the courts.

REVISION

1. These rules may be reviewed and revised at the Organizational Meeting of the council and at any time when a majority of the members of the council feel a revision is necessary.

Yes: Needham, Suits, Waddell, Megowen, Backon

No: Irizarry, Cole

Resolution adopted this 22nd day of February 2023.

CERTIFIED

Ann Vollrath, City Clerk