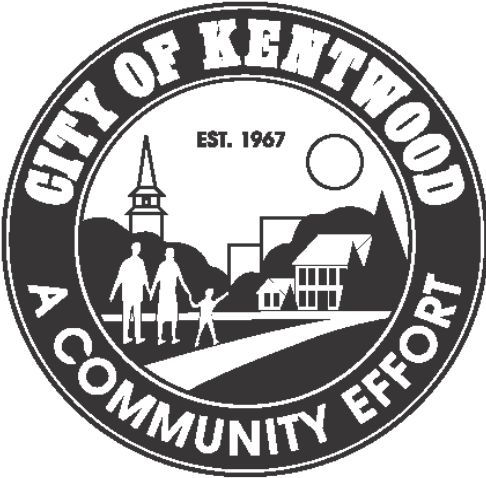


# CITY COMMISSION PROCEDURAL RULES



# PROCEDURAL RULES KENTWOOD CITY COMMISSION

(Adopted April 3, 2001)  
As Amended May 1, 2012 and December \_\_, 2020

These rules are adopted in accordance with the City Charter, the Open Meetings Act, Act 267 of the Public Acts of 1976, and the Home Rule City Act, Act 279 of the Public Acts of 1909.

## SECTION I—COMMISSION AND DUTIES

**Rule 1** – Regular and special meetings of the City Commission shall be held in compliance with Chapter 4 of the City Charter.

**Rule 2** – The Mayor shall serve as the presiding officer of the City Commission consistent with Chapter 6 of the City Charter. In the absence of the Mayor, the Mayor Pro-Tem shall assume the duties of presiding officer.

**Rule 3** – A quorum of the City Commission is defined in Section 2.7 of the City Charter as a majority of the members of the Commission in office at the time.

**Rule 4** - The presiding officer shall open the session by taking the chair and calling the Commission to order and by announcing the business before the Commission in the order in which it is to be acted upon.

**Rule 5** – The presiding officer shall recognize those entitled to the floor.

**Rule 6** – The presiding officer shall state and put to a vote all questions properly before the Commission and announce the results of the vote.

**Rule 7** – The presiding officer shall preserve order and decorum and decide on all questions of order and conduct of the proceedings. The presiding officer may designate any City police officer to be the Sergeant-at-Arms to enforce the provisions of these rules.

**Rule 8** – Any Commissioner shall have the right to appeal from a decision of the presiding officer. Any appeal may be sustained by a majority of the members of the Commission present.

**Rule 9** – Whenever these rules, or the City Charter, or the statutes of the State of Michigan make no provision as to procedure, then *Roberts Rules of Order, Revised*, shall apply.

**Rule 10** – Minutes and records of each meeting shall be kept by the Clerk, in the English language, which shall be signed by the presiding officer and Clerk. Such minutes and records shall be maintained and formatted in a manner reasonably conducive to translation to other languages.

## SECTION II – CITY COMMISSION; ORDER OF BUSINESS

**Rule 1** – The Mayor shall be responsible to prepare the agenda for regular or special meetings of the City Commission based upon the submissions of staff, Commissioners and the Mayor's office. A copy of the proposed agenda shall be provided to each Commissioner prior to the meeting. Copies shall also be made available to the public and news media.

**Rule 2** – The order of business for a City Commission regular meeting shall be as follows:

- A. Roll Call
- B. Approve Agenda and Consideration of Proposed Amendments

- If a Commissioner or the Mayor identifies an item that they seek to have added to the agenda they may request to do so prior to the vote.
- C. Public Comment**
- Items raised by the public will typically be referred to a future Committee of the Whole (COW) meeting for inclusion on its agenda and the date for the discussion of the item shall be provided to the Commission and public at this time if reasonably possible.
- D. Consent Agenda**
- The items in the consent agenda are approved by a single roll call vote.
  - Prior to the roll call vote a Commissioner or the Mayor may identify an item to be removed from the consent agenda and moved to the appropriate agenda area for further discussion and possible action.
- E. Approve Minutes**
- F. Presentations and Proclamations**
- G. Communications and Petitions**
- H. Public Hearings**
- During a public hearing, citizens are allowed to address the City Commission with respect to matters under review by the City Commission for a vote during that City Commission meeting or at a future meeting.
  - At the end of the public comment time, the Mayor will request to close the public hearing.
  - A Commissioner or the Mayor may direct questions to citizens, staff, or an applicant that are presented during a public hearing.
- I. Reports of Ad Hoc Committees**
- J. Bids**
- K. Resolutions**
- M. Ordinances**
- N. Appointments and Resignations**
- O. Quarterly, Bi-annual or Annual Scheduled Reviews**
- P. Old Business/Future Agenda Review**
- The Old Business/Future Agenda Review shall be formatted with information including, but not limited to, the following: (i) Item; (ii) Last Review Date; (iii) Next Review Date; (iv) Person responsible; and (v) Next Action Required.
- Q. Comments of Commissioners and Mayor**
- R. Adjournment**

**Rule 3** – All ordinances and resolutions shall be acted upon by a roll call vote and entered into the minutes. Where the vote is unanimous, it shall only be necessary to so state.

**Rule 4** – In the ordinary course of business, a Commissioner’s request to place a matter on an upcoming agenda shall be directed to the Mayor Pro-tem for inclusion at an upcoming COW meeting (see Section III). Nothing in these rules, however, shall be interpreted to prevent a Commissioner or the Mayor from requesting the addition of an item to a regular City Commission meeting agenda consistent with the process set forth above.

### **SECTION III –COMMITTEE OF THE WHOLE; ORDER OF BUSINESS**

**Rule 1** – The Mayor Pro-Tem shall act as the presiding officer of the COW and shall be responsible to set the agenda of the COW with input from the other Commissioners and the Mayor. If the Mayor Pro-Tem disagrees with adding an agenda item requested by a Commissioner, the item shall be brought up at the next COW for a vote/discussion by the Commission. If a majority agrees that the topic should be discussed at the COW, it will be added to the agenda for that meeting or at a succeeding COW meeting as determined by the Commission.

**Rule 2** - The agenda for the COW shall be divided by City department and other City entities to include:

- A. Assessor**
- B. City Clerk**
- C. Community Development**
- D. Court/Probation**

- E.** Engineering
- F.** Finance
- G.** Fire
- H.** Human Resources
- I.** Information Technology
- J.** Inspections
- K.** Parks & Recreation
- L.** Police
- M.** Public Works
- N.** Treasurer
- O.** Ad hoc Committees

**Rule 3** – All items shall be listed on the agenda by departments or entity requesting action. Items added by the Mayor or the Commissioners shall be placed first on the agenda.

**Rule 4** – All agenda items with action taken at the COW shall be moved to the subsequent City Commission meeting unless specifically determined otherwise.

**Rule 5** – Items on the COW agenda that receive unanimous approval from the members of the Commission in attendance shall be moved to the Consent Agenda of the next City Commissioner meeting unless otherwise directed by the Commission. Items receiving a dissenting vote during the COW meeting cannot be placed on the regular meeting’s Consent Agenda.

**Rule 6** – COW meetings shall be held prior to City Commission regular meetings as needed.

**Rule 7** – All City Commissioners shall be voting and participating members of the COW for the express purpose of the review of items requiring discussion and/or the provision of additional information regarding the business of the City.

**Rule 8** – There will be time set aside for public comment at each COW meeting.

**Rule 9** – All appeals referred to in the Code of Ordinance shall come before the COW as set forth below or as otherwise provided by law.

**Rule 10** – The COW shall hear, review, and act on (as appropriate) the following matters in addition to such other matters as provided for by law:

**A. FINANCE ISSUES:**

**Purpose:** To consider and make recommendations on matters referring to budgeting, revenues, expenditures, and financial matters of the City.

**B. ORDINANCE AMENDMENT ISSUES:**

**Purpose:** To consider and make recommendations to the Commission regarding the adoption and enforcement of City ordinances and regulations.

**The Committee of the Whole** shall hear:

- License Officer Decisions [Sec. 26-45 (C)(6)]
- Appeals of Entertainment Venue Licensing decisions (Sec.26-511)

**C. SAFETY ISSUES:**

**Purpose:** To consider matters of public safety; primarily police and fire service, traffic issues, and neighborhood concerns.

**The Committee of the Whole** shall hear:

- Appeals of False Alarms (Sec. 18-84)
- Appeals of Property Owners regarding Nuisances (Sec. 34 - 98 through 34 - 103)
- Appeals of Emergency Response Costs (Sec. 2-374)
- Appeals of Fire Prevention Permits (Sec. 22-145)
- Review of Liquor Licenses (Sec. 6-61)

**D. SERVICE ISSUES:**

**Purpose:** To consider issues related to utilities, lighting, roads, sidewalks, telecommunications, and similar matters.

**The Committee of the Whole** shall hear appeals regarding:

- Drainage Facilities (Sec. 78-103)
- Rental Dwelling Inspections (Sec. 74-79)
- Waste Hauler License Terminations (Sec. 46-62)
- Soil Erosion (non-part 91) (Sec. 78-34)
- Stormwater Management (Sec. 78-150)

**Rule 11** – Nothing in these rules shall be interpreted to limit the ability of the Commission to establish ad hoc and similar temporary committees for express purposes advisory to the Commission and consistent with the City Charter. As a general proposition such committees shall be utilized to investigate the status of particular matters and to review and outline options and alternatives for subsequent possible action by the City Commission.

**SECTION IV – DECORUM AND DEBATE**

**Rule 1** – When a member of the Commission wishes to speak, he or she shall address comments to the presiding officer (the Mayor or Mayor Pro-Tem) and shall wait to speak until recognized by the presiding officer.

**Rule 2** - Comments from members of the public, staff, applicants, or others shall be treated in a manner consistent with the adopted agenda and only as recognized and directed by the presiding officer.

**Rule 3** – On all questions, each member who is present shall vote when called unless otherwise required by law or excused by a majority of the remaining members present. Any member refusing to vote, except in accordance with this subsection, shall be guilty of misconduct in office.

- Any member of the Commission may demand a roll call on any question before the presiding officer announces the decision.
- Unless otherwise provided by law, all action of the Commission shall be by majority vote of those present and voting, provided that a quorum is present at the meeting.
- In all roll call votes, the names of the Commissioners shall be called in alphabetical order with the presiding officer being last and the names to be called first shall be advanced one position alphabetically in each succeeding vote.

**Rule 4** – Speaking from the Floor –

- No person shall address the Commission without the recognition and approval of the presiding officer.
- Each person receiving permission to address the Commission shall be requested to proceed to the speaker’s podium and state his or her name, address and, if appropriate, group affiliation.
- All persons addressing the Commission shall limit their remarks to a duration of up to three (3) minutes; provided, however, that in the judgment of the presiding officer the time period may be extended if the person speaking is representing several other persons in attendance who, therefore, do not intend to speak themselves; or may be shortened to not less than two (2) minutes if, in the judgment of the presiding

officer, the number of persons desiring to speak and the constraints of time make it impracticable for all persons to speak if each is given three minutes.

#### **Rule 5 – Motions and Debate –**

- The Commission may debate an item in the regular order of business before or after a motion has been made and supported. Motions may be made at any time consistent with *Robert's Rules of Order, Revised*.
- Non-Agenda matters shall not be discussed without the consent of a majority vote of the Commission.
- When a motion has been made, the presiding officer shall request support.
- Before a vote is taken on the motion, the presiding officer shall restate the motion and ask if the motion is understood.

### **SECTION V – CONSENT AGENDA**

**Rule 1 –** Following COW meetings, the Mayor in coordination with the City Clerk, shall prepare the Consent Agenda and the Regular Agenda for City Committee meetings.

**Rule 2 –** All items placed on the Consent Agenda are considered to be routine by the City Commission and may be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, any member of the Commission may remove an item from the Consent Agenda, and it will be considered as a separate item on the regular meeting agenda.

**Rule 3 -** Any agenda item with less than a unanimous vote in a Committee of the Whole may not be considered under the Consent Agenda.

**Rule 4 –** The vote on the Consent Agenda shall be by a roll call.

### **SECTION VI – TELECONFERENCING RULES**

**Rule 1 –** With prior approval of Mayor Pro-Tem, up to one member of the Committee of the Whole may participate in the debate and vote on matters when participating through the means of teleconferencing equipment; they may be counted towards the quorum.

**Rule 2 –** Teleconferencing, for the purposes of this Section, shall mean presence at a meeting through the use of telephone, video, or other means that allows all members of the Committee and all members of the public to hear the voices of each other. The use of the Internet without a voice connection shall not be allowed.

### **SECITON VII – MISCELLANEOUS**

**Rule 1 –** The City Commission may, from time to time, adopt resolutions, general principles, and other similar statements governing the manner and substance of agendas and appropriate matters for its consideration which shall be applicable to Commission business to the extent not inconsistent with these rules.