



VILLAGE OF STOCKBRIDGE

COUNCIL MEETING RULES OF PROCEDURE 2022 Adopted July 11, 2022

A. MEETINGS

1. Regular Meetings

Regular Meetings of the Stockbridge Village Council will be held on the first Monday of each month beginning at 7:00 p.m. at the Village Office, 115 E. Elizabeth Street, unless otherwise rescheduled by resolution or motion of the Council.

2. Special Meetings

A Special Meeting shall be called by the Village Clerk or Village Manager upon written request of the Village President or any three Trustees of the Council on at least 18 hours written notice to each member of the Council served personally or left at the Council member's home or 18 hours oral notice directly to the Council member. Special Meeting notices shall state the purpose of the meeting. No official action shall be transacted at any Special Meeting of the Council unless the item has been stated in the notice of such meeting.

3. Council Workshops

The Village Council may schedule Council Workshops to discuss the annual Village Budget and other topics of concern. The Council will use the Council Workshop as a platform for in-depth discussions, planning and education of members. No motions for final passage or adoption of any measure, resolution or ordinance shall be made or binding votes taken at a Council Workshop. Council Workshops may result in recommendations to the Council. Any recommendations that come from a Council Workshop shall be voted on in a Regular or Special Council Meeting. All Council Workshops shall be posted in accordance with the Open Meetings Act.

4. Council Committees and Other Boards, Councils And Commissions

All committees, boards and commissions acting on behalf of the Village Council, conducting official Village business shall comply with all applicable federal and state laws and local ordinances, including but not limited to, the Open Meetings Act and Council procedures.

Standing Committees are appointed by the Village President at the first meeting of the Council following the Village election.

Standing Committees:

Executive
Ordinance
Budget & Finance

Standing Committees discuss, investigate and make recommendations to the full Council on areas of concern, Village operations, and any other topic within the purview of the Committee. Issues and topics may be referred to the appropriate Committee by the full Council, the Village President or the Village Manager. Each Committee may also decide on its own to examine any topic or topics within its charge. No motions shall be made or votes taken at a Standing Committee meeting except to approve meeting minutes, make recommendations to the full Council or adjourn. Any recommendations that come from a Standing Committee meeting shall be voted on by the full Council at a Regular or Special Council Meeting. All Standing Committee meetings shall be posted in accordance with the Open Meetings Act by the Village Clerk or Village Manager.

Standing Committee membership shall consist of no more than three Council members. Council members who are not a member of the committee holding the meeting may attend the Committee meeting but only as members of the public and at no time may the total number of Council members participating in a committee meeting exceed three.

The Chair of a Standing Committee shall be appointed by the Village President at the same meeting the committees are appointed. In the absence of the Committee Chair the most senior member of the Council present will preside at the meeting.

Agendas of Standing Committee meetings shall include the following orders of business:

- a. Meeting Called to Order
- b. Roll Call
- c. Public Comment
- d. Business Before the Committee
- e. Adjourn

Public comment during Standing Committee meetings shall be conducted in the same manner as Regular and Special Council Meetings. Any member of the public, including a non-Committee Council member, may address the Committee during public comment.

Other Committees: Nothing here in shall prevent or limit the Village President from appointing an Ad-hoc or other Special Committee to deal with a specific issue when the Village President determines in his/her sole discretion it is necessary. Special or Ad-hoc Committees may consist of Council members and/or citizens. Special or Ad-hoc Committees are to comply with all the procedural rules of Standing Committees.

Ad-Hoc Committees:

Police
Cemetery

Committee Meetings maybe attended remotely by Board Members and/or members of the Public, in accordance with these Rules of Procedure for the attendance at Regular and Special Meetings.

5. Posting requirements for Regular and Special Meetings

- a. Within 10 days after the first meeting of the Council following the November elections, a public notice stating the dates, times and places of the regular monthly Council Meetings will be posted at the Village Office and on line and/or the website and otherwise comply with the Open Meetings Act.
- b. For a rescheduled Regular or 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 at the Village Office and on-line and/or the website and otherwise comply with the Open Meetings Act.
- c. The notice described above is not required for a meeting of the Council in emergency session in the event of a severe and imminent threat to the health, safety and welfare of the public when two-thirds of the members of the Council determine that delay would be detrimental to the Village's efforts in responding to the threat.

6. Minutes of Regular and Special Meetings

The Village Clerk shall attend the Council Meetings and record all the proceedings and resolutions of the Council in accordance with Section 64.5 of the General Law Village Act of 1895 as amended and the Open Meetings Act. In the absence of the Village Clerk or his or her Deputy Clerk, the Council may appoint one of its own members or another person to temporarily perform the Village Clerk's duties under these Rules of Procedure.

Within 8 days of a Council Meeting draft minutes showing the substance of each separate decision of the Council or the entirety of the Council proceedings shall be prepared by the Village Clerk and shall indicate the vote of the Council members. The synopsis shall be published in a newspaper of general circulation in the Village and posted at the Village Office and on-line and/or on the website in accordance with the Open Meetings Act and the General Law Village Act.

A copy of the minutes of each Regular or Special Council Meeting shall be available for public inspection at the Village Office during regular business hours.

B. Conduct Of Meetings

1. Meetings to be public

All Regular and Special Meetings of the Village Council shall be open to the public and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Council may determine, except for portions of the meetings which may be closed to the public and the media in accordance with the Open Meetings Act.

All official meetings of the Council and its Committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time provided that such arrangements do not interfere with the orderly conduct of the meetings.

During closed session meetings of the Board, as permitted under the Open Meetings Act, if the building is otherwise closed to the public, the Village may have the public wait outside the physical building and lock the main door to the building, while the closed session meeting is taking place. This action maybe undertaken to protect the security and privacy of the Village Council deliberations in the closed session. In which case a notice shall be posted on the outside door (rear southeast entrance) indicating that the Village Council is meeting in closed session and that the door will be re-opened and the public permitted to return back into the Village Council meeting room when the closed session is completed, so that the public meeting can continue.

3. Agenda Preparation

An agenda for the Regular Council Meeting of each month shall be prepared by the Village Manager. All items for agenda consideration must be turned in to the Village Manager by Noon on the Tuesday prior to the regularly scheduled meeting. Each meeting shall consist of the following orders of business:

- a. Meeting Called to Order
- b. Roll Call
- c. Pledge of Allegiance
- d. Approval of Agenda
- e. Minutes
- f. Public Comment
- g. Financial Reports
- h. Consent Agenda
- i. Communications
- j. Zoning Board of Appeals
- k. Old Business
- l. New Business
- m. Public Comment
- n. Manager's Report
- o Attorney Report
- p. Council Member Comments. Adjourn

Public Hearings may be placed on the agenda by any Council member or the Village Manager. The consent agenda shall consist of departmental reports, committee minutes, resolutions or other items with which the Council would regularly concur. Items on the consent agenda shall be considered by the Council as one item for approval and shall be approved by unanimous consent. Any member of the Council or public may request an item to be removed from the consent agenda to be considered under new business.

Agendas of Special Meetings shall be prepared by the Village Manager and shall include the following orders of business:

- a. Meeting Called to Order

- b. Roll Call
- c. Public Comment
- d. Business Before the Council
- e. Public Comment
- f. Adjourn**

The Village Clerk is responsible for posting all meeting notices at the building, on-line, and/or on the website in accordance with the requirements of the General Law Village Act and the Open Meetings Act. Posted notices for all meetings shall include the address of the meeting place, the telephone number of the Village Office and any and all other informational items required by law, ordinance or policy.

5. Recording of Meetings

The Village Clerk shall tape record all regular and special Council meetings. All tape recordings shall be kept by the Village Clerk, on file at the Village office, for six months. If meetings are being attended remotely by a Board Member and/or a member of the Public, then the Clerk shall see the meeting is recorded by the video conferencing technology and preserved by the Clerk in accordance with these Rules of Procedure.

The Village Clerk shall not be responsible for maintaining a transcript of the meeting, but a record of all official actions taken at a public meeting, as required by the Open Meetings Act, the General Law Village Act, or local ordinance or policy.

6. Quorum

A majority of the entire elected or appointed and sworn members of the Council with the authority to vote on matters before the Council shall constitute a quorum for the transaction of business at all Council meetings. In the absence of a quorum, the meeting shall be adjourned to a later time or date with appropriate public notice.

7. Attendance at Council Meetings

Election to the Village Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Council activities and represent the residents of the Village. Attendance at Council meetings is critical to fulfilling this responsibility. The Village Council is empowered by Section 65.5 of the General Law Village Act as amended to adjourn a meeting if a quorum is not present and compel attendance in a manner prescribed by its ordinance. The Council may excuse absences for cause. If a Council member has more than three unexcused successive absences for Regular or Special Council meetings, the Council may enact a Resolution of Reprimand. In the event that the member's absences continue for more than three additional successive Regular or Special meetings of the Council, the Council may enact a Resolution of Censure or request the member's resignation or both.

REMOTE ATTENDANCE FOR MEMBERS OF THE VILLAGE COUNCIL: A Village Council Board members may be connected to and participate in a regular or special meetings remotely under the following conditions:

- a. The Board Member requesting to participate remotely must submit to the Manager his or her request in writing at least 24 hours in advance of the meeting stating the reason for the request. In the absence of the Manager, the submission shall be forwarded to Village President. In the absence of the Manager and the Village President, the submission shall be made to the President Pro Tem of the Village. Collectively, these three individual officers of the Village shall be referred to as the Manager, in the order indicated, for the purpose of implementing this remote attendance policy.
- b. The Manager must insure that a quorum of the Board is attending the meeting in person, before determining whether to grant the Board Member's request to attend the meeting remotely.
- c. The Manager shall insure that attendance via a video conference service:
 1. Permits remote connectivity that is sufficient and will not interfere with the progress of the meeting;
 2. The Board Members attending the meeting in person and the public can see and hear the Board Member who is attending the meeting remotely;
 3. The Board Member attending remotely can hear each individual Board Member via a microphone and can see the entire Board meeting via at least one camera.
 4. The Board Member attending remotely can hear and see members of the public attending the meeting in person via a microphone and at least one camera and microphone positioned to collect the image of the member of the public speaking at the meeting from the podium.
 5. All votes of the Board where a Board Member is attending remotely, shall occur by roll call.
 6. At the beginning of any meeting where a Board Member is attending remotely, a public announcement at the outset of the meeting by that member shall be made, to be included in the meeting minutes, that the member is in fact attending the meeting remotely. If the member is attending the meeting remotely for any purpose other than for military duty, the member's announcement must further identify specifically the member's physical location by stating the county, city, township, or village and state from which he or she is attending the meeting.
 7. The Village Council shall include the vote of the Board Member attending remotely in any proceeding and the minutes, so the meeting shall reflect that the Board Member attended remotely in accordance with these Rules of Procedure.
 8. A video of any meeting where a Board Member attends remotely shall be recorded on the video conferencing technology and preserved in accordance with all other public records per the Village Record Retention Policy.
 9. The Manager must insure that a quorum of the Board is attending the meeting in person, before determining whether to grant the Board Member's request to attend the meeting remotely.

10. If the request is approved, the Manager shall provide notice sufficiently in advance of the meeting (at least 8 hours) to the Public and other Board Members and provide them with contact information for the Board Member attending remotely to provide that remote Board Member with input on any business that will be coming before the public body. This notice shall take the form of a posting at the Village office and posting on-line and/or on the website.
11. Any Board Member who cannot attend a Board Meeting in person due to military duty, a medical condition, or a statewide or local state of emergency or state of disaster declared pursuant to law or charter or local ordinance by the governor or a local official, governing body, or chief administrative officer that would risk the personal health or safety of members of the public or the public body if the meeting were held in person, shall automatically qualify to attend remotely under these Rules of Procedure, without the requirement that the Manager approve said remote attendance or that a quorum of the board be present in person.
12. The Manager may attend remotely under these rules, if approved by the Village President.

8. Presiding Officer

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Village President is ordinarily the presiding officer. The Village Council shall appoint one of its members President Pro-Tempore, who shall preside in the absence of the President. In the absence of both the President and President Pro-Tempore, the member who has the longest consecutive service on the Council shall preside.

9. Disorderly Conduct

The President may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time, talking in the audience, not addressing his or her remarks to the President, or speaking vulgarities. Such person(s) shall be seated and remain quiet until the chair determines whether the person is in order.

If the person engaged in a presentation is called out of order, he or she shall not be permitted to continue to speak at the same meeting except with leave of the Council by a two-thirds (2/3) majority vote. If the person shall continue to be disorderly and disrupt the meeting, the chair shall order the person to remove himself from the meeting, such conduct being declared a breach of the peace. If the person shall not remove himself from the meeting, the Chair shall recess the meeting until a peace officer removes the person or if that person is attending remotely, disconnect that person from the video conference function. No person shall be removed from a public meeting except for a breach of the peace committed at the meeting, as defined here in.

Failure to place a pager and/or a cell phone on the silent mode during a meeting is hereby deemed to be a breach of the peace, excepting radio or other electronic paging equipment of emergency personnel or first responders who are required to be at the public meeting as part of official Village business.

10. Approval of Agenda

Any Council member may make a motion to amend, add to, or delete from, the agenda of a Regularly Scheduled meeting prior to Council approval of the agenda. The agenda of a Special Meeting may not have anything added thereto, unless all Council members elected and serving are present, a unanimous roll call vote is conducted, and unless done in accordance with the posting requirements of the Open Meetings Act.

C. CLOSED MEETINGS

1. Purpose

Closed meeting may be held only for the reasons authorized in the Open Meetings Act, which are the following:

- a. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent when the named person requests a closed meeting.
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when 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 the Village Attorney or another Attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an Open Meeting would have a detrimental financial effect on the litigating or settlement position of the council.
- e. To review the specific contents of an application for employment or appointment to a public office when a candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting.
- f. To consider material exempt from discussion or disclosure by state or federal statute. (Including the confidential written legal opinion of the Village Attorney.)

2. Calling Closed Meeting

At a Regular or Special meeting, the Council members, elected or appointed and serving, by a two-thirds roll call vote may call a closed session under the conditions outlined in Section C.1 of the Open Meetings Act. The roll call vote and purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

If a Board Member is attending remotely, the Village Council shall move into a breakout room authorized by the Video Conferencing Technology to conduct the closed session portion of the meeting. This will allow the individual members of the public to continue to stay on-line during the closed session portion of the meeting. When the closed session is completed, the Village Council shall return to the regular meeting to finish the meeting.

3. Minutes of Closed Meetings

A separate set of minutes shall be taken by the Village Clerk or the designated secretary of the Council at the closed session and a separate recording of any breakout room meeting if a Member is attending electronically shall be preserved. These minutes and any separate video of the breakout room proceedings will be retained by the Village Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act. The Village Clerk shall destroy these minutes and any video one year and one day after the Village Council's approval of the minutes of the Regular meeting at which the closed session transpired. Closed session meetings shall not be tape recorded by anyone.

D. DISCUSSION AND VOTING

1. Duty to vote

Election to a deliberative body carries with it the obligation to vote. Council members present at a Council meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law. Conflict of interest, as defined by law, shall be the sole reason for a member to abstain from voting. The opinion of the Village Attorney shall be binding on the Council with respect to the existence of a conflict of interest. A vote may be postponed, if necessary, to obtain the opinion of the Village Attorney.

The right to vote is limited to the members of the Council present at the time the vote is taken. Voting by proxy or by telephone is not permitted, however remote attendance at a Board Meeting by a Board member in accordance with these rules is permitted

2. Results of Voting

In all cases where a vote is taken, the Chair shall declare the result. A majority of the members elected and serving is required for final passage or adoption of resolutions or allowance of claims or other routine business.

A two-thirds (2/3) majority vote shall be required on the following procedural motions:

Suspend the Rules

Limit or Extend Debate

Move or Call the Previous Question

Enter into Closed Session, Pursuant to the Open Meetings Act

It shall be in order for any Council member voting in the majority to move for the reconsideration of the vote on any question at the same meeting the vote was taken or at the subsequent meeting of the Council. If a motion to reconsider fails, it cannot be renewed.

E. CITIZEN PARTICIPATION

1. General

Each Regular Council meeting agenda shall provide for two (2) reserved times for audience participation.

If requested by a member of the Council, or on his/her own initiative, the presiding officer shall have discretion to allow a member of the audience to speak at times other than reserved time for audience participation.

REMOTE ATTENDANCE FOR MEMBERS OF THE PUBLIC: A member of the Public, including a presenter or special guest, may be connected to and participate in a regular or special board meeting remotely under the following conditions:

- a. The member of the public attending remotely shall attend via a video conference service chosen by the Village that:
 - i. Permits remote connectivity that is sufficient and will not interfere with the progress of the meeting;
 - ii. The Board Members attending the meeting in person or remotely and the public at the meeting can see and hear the member of Public, who is attending remotely;
 - iii. The member of the public attending remotely can hear each individual Board Member via a microphone and can see the entire Board meeting via at least one camera.

- iv. The other members of the Public attending remotely can hear and see members of the public attending the Board Meeting in person via a microphone and camera that covers the podium from which the Public speaks, positioned to collect the image and audio of the member of the public speaking at the meeting from the podium.
 - v. The member of the Public attending remotely shall identify themselves by name, before speaking.
 - vi. If the Village notes individual members of the Public's comments in its meeting minutes, then the minute of the meeting shall reflect that the member of the Public attended remotely in accordance with these Rules of Procedure.
 - vii. If the Public is going to be permitted to attend a meeting remotely, then the link for the remote meeting shall be published along with the meeting agenda and posted by the Clerk in the office building, on line and/or on the Village website.
- b. A video of any Board Meeting where a member of the Public attends remotely shall be recorded on the video conferencing technology and preserved in accordance with all other public records per the Village Record Retention Policy

2. Presentation

Any person who addresses the Village Council during the public comment portion of a Council meeting or public hearing shall be limited to three (3) minutes in length per individual presentation. Persons recognized by the President to speak must address their remarks to the President in a courteous manner. Failure to address the President, or engaging in dialogue, debate or discourteous behavior with other Council members, staff, or the general public shall be considered out of order unless otherwise approved by a two-thirds (2/3) majority of the Council. The allotted time period will include Council response, if any. Persons may not give unused time to persons out of time. Organizations or groups who make presentations to the Council concerning agenda items have twenty minutes to make their presentation. This twenty minute time period includes Council discussion. Time allotted may be extended with approval of a two-thirds (2/3) majority of the Council.

During public comment the President will ask if anyone wishes to make public comment and will then call upon individuals one at a time. When a person addresses the Village Council, he or she shall stand at the podium or be recognized on the video conferencing technology and state his or her name.

F. MISCELLANEOUS

1. Adoption and amendment of Rules of Procedure

These rules of procedure of the Village Council will be placed on the agenda of the first meeting of the Council following the seating of the newly elected Council members for review and adoption. A copy of the rules adopted shall be distributed to each Council member.

The Council may alter or amend its rules at any time by a vote of a majority of its members after written notice describing the proposed alteration or amendment has been provided to the Council and made available to the public. This written notice can be provided at any time before the vote on the alteration or amendment.

If the Council shall fail to place these rules of procedure on its agenda for the 1st meeting of the Council following the seating of the newly elected Council Members for review and adoption, the previously approved rules of procedure shall continue to control, until new rules are adopted or the old rules are rescinded by a majority vote of the Council.

AMENDMENTS PROPOSED JUNE 11, 2022