



## *Village of Stockbridge*

118 N Center St

P.O. Box 155, Stockbridge, MI 49285-0155

Office 517.851.7435

[www.vosmi.org](http://www.vosmi.org)

Thursday, March 21, 2024, at 7:00pm

### AGENDA

I. CALL TO ORDER:

II. Pledge of Allegiance:

III. ROLL CALL:

IV: Business Before the Council:

A. Council Rules of Procedure.

V. Adjourn:

VILLAGE OF STOCKBRIDGE  
RESOLUTION NO. \_\_\_\_\_  
(Enacted October 3, 2016)

**RESOLUTION TO APPROVE RESTATED RULES  
AND PROCEDURES FOR CONDUCT OF BUSINESS  
BY THE VILLAGE OF STOCKBRIDGE COUNCIL**

WHEREAS, the *General Village Act* (MCL 65.5 (1)) requires the Village Council to prescribe the rules of its own proceedings; and

WHEREAS, the Village Council has previously adopted and amended the Rules and Procedures for Conduct of Business, in accordance with that statutory requirement; and

WHEREAS, it has again become necessary to make the changes and additions to those Rules of Procedure; and

WHEREAS, attached hereto at Exhibit A is the *Completely Restated Rules of Procedure for the Conduct of Business by the Village of Stockbridge*.

IT IS RESOLVED that the *Completely Restated Village of Stockbridge Rules and Procedures for Conduct of Business*, a copy of which is attached at Exhibit A and incorporated herein by reference, are approved and adopted with immediate effect.

Adopted at the Regular Meeting of the Stockbridge Village Council on the 3rd of October 2016.

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Thomas Wallace, Village President

**CERTIFICATION**

I certify that the above is a true and complete copy of Resolution No. \_\_\_\_\_ adopted by the Village Council at a Regular Meeting held on the 3rd of October, 2016.

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Debbie Nogle, Village Clerk

Drafted by:  
John L. Gormley (P-53539)  
Attorney for the Village of Stockbridge  
Gormley & Johnson Law Offices, PLC,  
101 East Grand River Ave.  
Post Office Box 935  
Fowlerville, Michigan 48836  
517.223.3758

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# **EXHIBIT A**

**VILLAGE OF STOCKBRIDGE**  
**COMPLETELY RESTATED**  
**RULES OF PROCEDURE FOR THE CONDUCT OF BUSINESS BY**  
**THE VILLAGE OF STOCKBRIDGE**  
**(As Amended October 3, 2016)**

**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 located at 305 West 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 upon the written request of the Village President or any three (3) Trustees of the Council, and upon 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.

2.1 Notices for Special Meetings 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.

3.1 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, and 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.

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

- 4.1.1 Budget and Finance
- 4.1.2 Cemetery
- 4.1.3 Personnel

- 4.1.4 Parks and Recreation
- 4.1.5 Zoning and Ordinance

4.2 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 a majority vote of the full Council or a referral directly from the Village President. 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.

4.2.1 All Standing Committee meetings shall be posted in accordance with the Open Meetings Act by the Village Clerk or Village President.

4.3 Standing Committee membership shall consist of no more than three (3) 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 (3).

4.4 The Chair of each 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.

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

- 4.5.1 Meeting Called to Order
- 4.5.2 Roll Call
- 4.5.3 Public Comment
- 4.5.4 Business Before the Committee
- 4.5.5 Adjourn

4.6 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.

4.7 Other Committees: nothing herein 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 no more than three (3) Council members and/or citizens. Special or Ad-hoc Committees are to comply with all the procedural rules of Standing Committees.

## **5. Posting Requirements for Regular or Special Meetings.**

On or before the Regular Council meeting scheduled in December, a resolution stating the dates, times, and places of the Regular Village Council meetings for the following calendar year shall be adopted by Council and be posted at the Village Office.

- 5.1 For a rescheduled Regular or a Special meeting of the Council, a public notice stating the date and place of the meeting shall be posted at least 18 hours before the meeting at the Village Office.
- 5.2 Such Notice is not required for a meeting of the Council in emergency sessions in the event of a severe and imminent threat to the health, safety, or welfare of the public when two-thirds (2/3) of the members of the Council determine that delay would be detrimental to the Village efforts in responding to the threat.
- 5.3 Since the Village directly or indirectly maintains a website that includes monthly or more frequent updates to the public, the Clerk shall also post the notice of all rescheduled Regular and Special meetings on the home page of that website or another page dedicated specifically to public notices for non-regularly scheduled public meetings and accessible via a prominent and conspicuous link on the website's homepage, all pursuant to MCL 15.265(4).

## **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*, specifically MCL 15.269. In the absence of the Village Clerk, or his/her deputy, the Council may appoint one of its own members or another person to temporarily perform the Village Clerk's duties.

- 6.1 Within eight (8) days of each Council Meeting, the Clerk shall make proposed minutes available 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 public body shall make approved minutes available for public inspection within five (5) business days after the meeting at which the minutes are approved by the public body.
- 6.2 A public body shall not include in or with its minutes any personally identifiable information that, if released, would prevent the public body from complying with Section 444 of subpart 4 of part C of the *General Education Provisions Act*, 20 USC 1232g, commonly referred to as the *Family Educational Rights and Privacy Act of 1974*.
- 6.3 The Clerk shall make approved minutes of each Regular or Special Council Meeting available for public inspection at the Village Office during regular business hours within five (5) business days after the meeting at which the minutes are approved by the public body.
- 6.4 Within fifteen (15) days after a meeting of the Council, a synopsis or the entirety of the proceedings, including the vote of the members, prepared by the Clerk and approved by the President showing the substance of each separate decision of the Council shall be published in a newspaper of general circulation in the Village or posted in three (3) public places in the Village.

## **B. CONDUCT OF MEETINGS.**

### **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 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.

### **2. 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.

### **3. Agenda Preparation.**

An agenda for the Regular Council Meeting of each month shall be prepared by the Village Clerk after meeting with the Village President and any other necessary administrative staff members. All items for agenda consideration must be turned in to the Village Clerk by Noon on the Tuesday prior to the regularly scheduled meeting. Each meeting shall consist of the following orders of business:

#### 3.1 Regular Monthly Meeting Agendas

- 3.1.1 Meeting Called to Order
  - 3.1.1.1 Roll Call
  - 3.1.1.2 Pledge of Allegiance
- 3.1.2 Approval of Agenda
- 3.1.3 Approval of Previous Meeting Minutes
- 3.1.4 Public Comment - Agenda Items Only
  - 3.1.4.1 Organizations or Groups (20 minutes E (2))
  - 3.1.4.2 Public on Agenda Items Only (three minute limit E (1.3))
- 3.1.5 Financial Reports
  - 3.1.5.1 Treasurer
  - 3.1.5.2 Clerk (on financial items)
  - 3.1.5.3 Payment of Bills
- 3.1.6 Communications
- 3.1.7 Department Reports and Minutes of Other Bodies
  - 3.1.7.1 President's Report
  - 3.1.7.2 Police Department Report
  - 3.1.7.3 DPW Report
  - 3.1.7.4 SDDA Minutes (no action required)
  - 3.1.7.5 Planning Commission Minutes (no action required)
  - 3.1.7.6 Zoning Administrator's Report
  - 3.1.7.7 Clerk (non-financial items)

- 3.1.8 Public Hearing (if required)<sup>1</sup>
- 3.1.9 Committee Reports
- 3.1.10 Unfinished Business
- 3.1.11 New Business
- 3.1.12 Public Comment - Open Forum (three minute limit)
  - 3.1.12.1 Public on Any Items (three minute limit E (1.3))
- 3.1.13 Council Member Comments
- 3.1.14 Attorney Comments
- 3.1.15 Closed Session Meeting (if required)
- 3.1.16 Adjourn

3.2 Agendas of Special Meetings shall be prepared by the Village Clerk after meeting with the Village President and any other necessary administrative staff members, and only upon a Special Meeting called in accordance with these Rules of Procedure. A Special Meeting Agenda shall include the following orders of business:

- 3.2.1 Meeting Called to Order
- 3.2.2 Roll Call
- 3.2.3 Public Comment
- 3.2.4 Business Before the Council
- 3.2.5 Public Comment

#### **4. Agenda Distribution.**

Agendas, along with appropriate support information, will be provided to the Village Council no later than the Friday prior to the meeting. As a professional courtesy to staff, Council members shall make every effort to indicate to staff if technical questions are going to be asked. Council members shall review the Village Council meeting packet of information prior to the meeting. Council members shall direct all inquiries regarding Village Council meeting agenda items or Village activities, policies, or issues to the Village President. The Village President may direct other staff persons to respond, unless inquiries are relevant to statutorily required or assigned responsibilities of the staff person.

#### **5. Agenda Approval.**

At the beginning of each meeting, the Presiding Officer will entertain a motion to adopt the agenda as printed. At this time the agenda can be finalized or amended by a majority vote of the Council present, any additions to the agenda must have majority approval. However, no business will be brought to the Council that relates to the normal duties of the Village President unless that item has been previously directed to the attention of the Village President. The item will be heard if placed on the agenda by a majority vote.

#### **6. Recording of Meetings.**

The Village Clerk shall tape-record all Regular and Special Council meetings. All tape recordings shall be kept on file at the Village Office by the Village Clerk. The tape-recording of the meeting shall be disposed of in accordance with the Village's Record Retention Policy.

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<sup>1</sup> Public Hearings shall be placed on the agenda by the Village Clerk when required by Statute. If there is a debate about what is required under the Statute, the Village Attorney shall make the final decision.



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.

## **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 (3) 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 (3) 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.

Any three (3) or more members of the Council may vote either to request or to compel the attendance of any officer of the Village at a future meeting, with at least forty-eight (48) hours notice. Any Village officer who, when notified of such request for their attendance, fails to attend such meeting for reasons other than confining illness or absence from Ingham County, shall be deemed guilty of misconduct in office unless excused by the Council.

## **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 as 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 Presiding Officer 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 Presiding Officer 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 continues to be disorderly and disrupt the meeting, the Presiding Officer shall order the person to remove himself or herself from the meeting as such conduct being declared a breach of the peace. If the person shall not remove himself from the meeting, the Presiding Officer shall recess the meeting until a peace officer removes the person. No person shall be removed from a public meeting except for a breach of the peace committed at the meeting, as defined herein.

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, with the exception of 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.

## **C. CLOSED MEETINGS**

### **1. Purpose**

Closed meetings 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 on 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 (2/3) roll call vote may call a closed session under the conditions outlined in Section C.1 or any other reasons permitted under 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.

### **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. These minutes 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 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.

### **2. Results of Voting**

In all cases where a vote is taken, the Presiding Officer 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.

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

- 2.1.1 Suspend the Rules
- 2.1.2 Limit or Extend Debate
- 2.1.3 Move or Call the Previous Question
- 2.1.4 Enter into Closed Session, Pursuant to the *Open Meetings Act*

2.2 Reconsideration – 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**

1.1 Each Regular Council meeting agenda shall provide for two (2) reserved times for audience participation, noted on the Agenda as Public Comment:

- 1.1.1 The first Public Comment shall be for agenda items only;
- 1.1.2 The second Public Comment shall be for any item the individual wishes to bring to the Council's attention.

1.2 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.

1.3 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. The President may respond, redirect the question to the appropriate member of the Council or Village Administration, if present, or choose to take the question under advisement to be issued at a later time. No person shall have the right to speak more than once on any particular subject until all other persons wanting to speak have spoken on the subject. Persons may not give unused time to persons out of time to other persons.

## **2. Presentation.**

Organizations or groups who make presentations to the Council concerning agenda items have twenty (20) minutes to make their presentation. This twenty (20) minute time period includes Council discussion. Time allotted may be extended with approval of a two-thirds (2/3) majority of the Council.

## **3. Manner of Addressing the Council During Public Comment.**

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 and state his or her name and place of residence, which shall include the municipality name of said residence (City, Village or Township).

## **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 first 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.