

City of Flint, Michigan

*Third Floor, City Hall
1101 S. Saginaw Street
Flint, Michigan 48502
www.cityofflint.com*



Meeting Agenda - Final

Monday, December 12, 2022

4:30 PM

COUNCIL CHAMBERS

SPECIAL AFFAIRS COMMITTEE

Ladel Lewis, Chairperson, Ward 2

*Eric Mays, Ward 1
Judy Priestley, Ward 4
Tonya Burns, Ward 6
Dennis Pfeiffer, Ward 8*

*Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5
Allie Herkenroder, Ward 7
Eva L. Worthing, Ward 9*

Davina Donahue, Interim City Clerk

CALL TO ORDER**ROLL CALL****READING OF DISORDERLY PERSONS CITY CODE SUBSECTION**

Any person that persists in disrupting this meeting will be in violation of Flint City Code Section 31-10, Disorderly Conduct, Assault and Battery, and Disorderly Persons, and will be subject to arrest for a misdemeanor. Any person who prevents the peaceful and orderly conduct of any meeting will be given one warning. If they persist in disrupting the meeting, that individual will be subject to arrest. Violators shall be removed from meetings.

PUBLIC SPEAKING

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), two (2) minutes per speaker. Only one speaking opportunity per speaker.

COUNCIL RESPONSE

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes.

RESOLUTIONS

220515 Budget Amendment/Transfer of Funds/Grant Agreement/Flint Police Foundation/Flint Police Department

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to accept the Flint Police Foundation Grant, (to) amend the FY2023 budget, (to) appropriate funding for future fiscal years, for as long as the funds are available from the funder, (to) abide by the terms and conditions of the grant, in the amount of \$127,000.00, and to use Grant Code PFPF-NSODA22 through March 21, 2022.

220530 Public Hearing/Amendments/Rules Governing Meetings of the Flint City Council

Resolution resolving that the appropriate city officials are authorized to do all things necessary to conduct a public hearing on the attached proposed amendments to the Rules Governing Meetings of the Flint City Council, to be held at the regularly scheduled meeting of the Flint City Council at 5:30 p.m. January 9, 2023 [in City Council Chambers, 1101 S. Saginaw Street, Flint.]

APPOINTMENTS

220516 Appointment/Downtown Development Authority (DDA)/Davina Donahue

Resolution resolving that the Flint City Council approves the appointment of

Davina Donahue (5148 Pasadena Avenue, Flushing, MI 48433) to the Flint Downtown Development Authority (DDA) Board, to serve the remainder of a term that expires February 2024, as requested by Mayor Sheldon Neeley. [By way of background, Ms. Donahue is replacing Inez M. Brown, who retired September 30, 2022.]

220517 Appointment/Flint Downtown Development Authority (DDA)/Montel Meniffee

Resolution resolving that the Flint City Council approves the appointment of Montel Meniffee (5817 Dupont Street, Flint, MI, 48505) to the Flint Downtown Development Authority (DDA) Board for the remainder of an appointment, which expires February 2024, as recommended by Mayor Sheldon Neeley. [NOTE: By way of background, Mr. Meniffee is filling a vacancy on the DDA Board left by Adrian Walker, who moved out of the district.]

ORDINANCES

DISCUSSION ITEMS

ADDITIONAL COUNCIL DISCUSSION

ADJOURNMENT



RESOLUTION NO.: 220515

PRESENTED: DEC - 7 2022

ADOPTED: _____

**RESOLUTION TO ACCEPT THE FLINT POLICE FOUNDATION GRANT TO THE
FLINT POLICE DEPARTMENT, AND AMEND THE FY23 BUDGET IN THE AMOUNT
OF \$127,000**

BY THE CITY ADMINISTRATOR:

WHEREAS, the Flint Police Foundation has awarded the City of Flint \$127,000.00 for Neighborhood Safety Officers and Police Department Data Analyst wages and fringe benefits and data analysis; and

WHEREAS, this grant is possible due to funding awarded by the Flint Police Foundation on November 16, 2022, and;

WHEREAS, the grant period is from April 1, 2022, through March 31, 2023, and;

Account Number	Grant Code	Account Name	Amount
296-315.703-581.300	PFPF-NSODA22	Other Grants	127000.00
296-315.703-702.010	PFPF-NSODA22	Wages - Full Time (Non-Exempt)	73337.00
296-315.703-706.000	PFPF-NSODA22	Holiday Pay	3250.00
296-315.703-710.100	PFPF-NSODA22	Unemployment Compensation (SUTA)	1264.00
296-315.703-710.200	PFPF-NSODA22	FICA (Social Security)	5805.00
296-315.703-710.300	PFPF-NSODA22	Medicare	1357.00
296-315.703-713.000	PFPF-NSODA22	Workers Compensation	7065.00
296-315.703-714.300	PFPF-NSODA22	Employer Health Care Savings Plan	4500.00
296-315.703-716.100	PFPF-NSODA22	MERS Hybrid Defined Contribution Pension	900.00
296-315.703-717.100	PFPF-NSODA22	MERS Hybrid Defined Benefit Pension	8000.00
296-315.703-718.010	PFPF-NSODA22	Health Insurance Premiums	19200.00
296-315.703-718.300	PFPF-NSODA22	Life Insurance	200.00
296-315.703-718.400	PFPF-NSODA22	Optical Insurance	100.00
296-315.703-718.500	PFPF-NSODA22	Dental Insurance	500.00
296-315.703-719.100	PFPF-NSODA22	Accrued Absences	1522.00

IT IS RESOLVED that the appropriate City Officials are authorized to do all things necessary to accept the Flint Police Foundation Grant, amend the FY23 budget, appropriate funding for future fiscal years for as long as funds are available from the funder, and abide by the terms and conditions of the grant, in the amount of \$127,000 to grant budget code PFPF-NSODA22 through March 31, 2022.



RESOLUTION NO.: _____

PRESENTED: _____

ADOPTED: _____

Approved as to Form:

William Kim
William Kim (Nov 23, 2022 12:03 EST)

William Kim, Chief Legal Officer

Approved as to Finance:

Robert J.F. Widigan
Robert J.F. Widigan (Nov 28, 2022 09:09 EST)

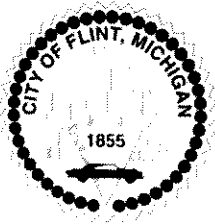
Robert Widigan, Chief Financial Officer

For the City of Flint:

CLYDE D EDWARDS
CLYDE D EDWARDS (Nov 30, 2022 19:12 EST)

Clyde D. Edwards, City Administrator

Approved by City Council



RESOLUTION NO.: _____

PRESENTED: _____

ADOPTED: _____

RESOLUTION STAFF REVIEW

Date: November 23, 2022

Agenda Item Title:

RESOLUTION TO ACCEPT THE FLINT POLICE FOUNDATION GRANT TO THE FLINT POLICE DEPARTMENT, AND AMEND THE FY23 BUDGET IN THE AMOUNT OF \$127,000

Prepared by:

Seamus Bannon, Program Liaison

Background/Summary of Proposed Action:

The Police foundation has granted \$127,000 to the Flint Police Department for the period April 1, 2022, through March 31, 2023. The foundation received funding to award this grant in November. The grant is to be expended for (1) NSO staffing expenses and (2) Flint Police Department data analysis expenses as detailed in the budget. This grant is being awarded to the Flint Police Department on a reimbursable basis. Payments will be issued to the Flint Police Department upon receipt of proof of expenditures.

Budgeted Expenditure: NO

Pre-encumbered? NO

Requisition No:

Finance Approval: _____

Date: 11/23/2022

Account Number	Grant Code	Account Name	Amount
296-315.703-581.300	PFPF-NSODA22	Other Grants	127000.00
296-315.703-702.010	PFPF-NSODA22	Wages - Full Time (Non-Exempt)	73337.00
296-315.703-706.000	PFPF-NSODA22	Holiday Pay	3250.00
296-315.703-710.100	PFPF-NSODA22	Unemployment Compensation (SUTA)	1264.00
296-315.703-710.200	PFPF-NSODA22	FICA (Social Security)	5805.00
296-315.703-710.300	PFPF-NSODA22	Medicare	1357.00
296-315.703-713.000	PFPF-NSODA22	Workers Compensation	7065.00
296-315.703-714.300	PFPF-NSODA22	Employer Health Care Savings Plan	4500.00
296-315.703-716.100	PFPF-NSODA22	MERS Hybrid Defined Contribution Pension	900.00
296-315.703-717.100	PFPF-NSODA22	MERS Hybrid Defined Benefit Pension	8000.00
296-315.703-718.010	PFPF-NSODA22	Health Insurance Premiums	19200.00
296-315.703-718.300	PFPF-NSODA22	Life Insurance	200.00



RESOLUTION NO.: _____

PRESENTED: _____

ADOPTED: _____

296-315.703-718.400	PFPF-NSODA22	Optical Insurance	100.00
296-315.703-718.500	PFPF-NSODA22	Dental Insurance	500.00
296-315.703-719.100	PFPF-NSODA22	Accrued Absences	1522.00

Department Head:

APPROVAL Terence Green
Terence Green Nov 23, 2022 11:36 EST
Terence Green, Chief of Police

Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL Lottie Ferguson
Lottie Ferguson Nov 23, 2022 11:41 EST
Lottie Ferguson, Chief Resilience Officer



Flint Police Foundation
540 S. Saginaw Street
Flint, Michigan 48502

November 16, 2022

Chief Terence Green
Flint Police Department
210 E. 5th Street
Flint, Michigan 48502

Dear Chief Green,

I am pleased to inform you that the Flint Police Foundation has granted \$127,000 to the Flint Police Department for the period April 1, 2022, through March 31, 2023. This grant is possible due to funding received by the Flint Police Foundation on November 16, 2022.

This grant is to be expended for (1) NSO expenses and (2) Flint Police Department data analysis expenses, as detailed in the budget below. This grant is being awarded to the Flint Police Department on a reimbursable basis. Payments will be issued to the Flint Police Department upon receipt of proof of expense expenditures.

<i>Budget</i>	
Line Item	Amount
NSO Expenses	\$97,000
Data Analysis	\$30,000
Total	\$127,000

Thank you for your work and commitment towards improving public health and safety in Flint. It has been a pleasure to support this work and we are confident that it will continue to positively impact the quality of life of Flint residents.

Sincerely,

A handwritten signature in black ink, appearing to read "Natalie Pruett", with a long horizontal flourish extending to the right.

Natalie Pruett
Executive Director



220530
RESOLUTION NO.: _____

PRESENTED: _____ DEC 12 2022

ADOPTED: _____

**RESOLUTION APPROVING PUBLIC HEARING ABOUT AMENDMENTS TO THE
RULES GOVERNING MEETINGS OF THE FLINT CITY COUNCIL**

Section 3-103(B) of the Flint City Charter empowers the City Council to determine its own rules of procedure;

Section 1-801 *et seq* of the Flint City Charter requires before such rules may be adopted, a public hearing must be held, with notice – containing the title and an abstract of proposed rule – of that public hearing given at least two weeks in advance;

Attached to this resolution are proposed amendments to the Rules Governing Meetings of the Flint City Council, developed by successive ad-hoc rules committees.

IT IS RESOLVED, that, the appropriate City Officials are authorized to do all things necessary to conduct a public hearing on the attached proposed amendments to the Rules Governing Meetings of the Flint City Council, to be held at the regularly scheduled meeting of the Flint City Council at 5:30 PM on January 9, 2023.

APPROVED BY CITY COUNCIL:

APPROVED AS TO FORM:

William Kim, City Attorney

Proposed Council Rules Amendments - Clean

RULES GOVERNING MEETINGS OF THE FLINT CITY COUNCIL

GENERAL

PREAMBLE

OPEN MEETINGS ACT (OMA)

FREEDOM OF INFORMATION ACT (FOIA)

RULE 1 PARLIAMENTARY AUTHORITY

RULE 2 SUSPENSION AND AMENDMENT OF RULES

ORGANIZATION #1

RULE 3 COUNCIL PRESIDENT; PRESIDING AT MEETINGS

RULE 4 APPOINTMENT OF COMMITTEES

ORGANIZATION #2

RULE 5 TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

RULE 6 AGENDA FOR REGULAR MEETINGS OF COUNCIL; AGENDAS FOR COMMITTEE MEETINGS

RULE 7 ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

ORGANIZATION #3

EXECUTIVE OR CLOSED SESSIONS

ACTION BY COUNCIL

RULE 8 FORM OF ACTION AND ADOPTION OF A CONSENT AGENDA

RULE 9 VOTING; VOTING – ABSTAINING VOTES

RULE 10 INTRODUCTION AND ENACTMENT OF ORDINANCES

MOTIONS #1

RULE 11 CONSIDERATION OF MOTIONS

RULE 12 SUPPORT FOR MOTIONS

RULE 13 MOTION TO ADJOURN

RULE 14 MOTION TO RECESS

RULE 15 MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

- RULE 16 MOTION TO VOTE IMMEDIATELY (CALL THE QUESTION)
- RULE 17 MOTION TO LIMIT OR EXTEND DEBATE

MOTIONS #2

- RULE 18 MOTION TO POSTPONE DEFINITELY
- RULE 19 MOTION TO REFER (COMMIT)
- RULE 20 MOTION TO AMEND
- RULE 21 MOTION TO POSTPONE INDEFINITELY
- RULE 22 MOTION TO RECONSIDER
- RULE 23 MOTION TO RESCIND
- RULE 24 REQUEST TO WITHDRAW A MOTION

MOTIONS #3

- RULE 25 INCIDENTAL MOTIONS – POINT OF ORDER
- RULE 26 INCIDENTAL MOTIONS – REQUEST FOR INFORMATION

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

- RULE 27 MAINTENANCE OF ORDER AND DEBATE
- RULE 28 RIGHT TO SPEAK IN DEBATE
- RULE 29 PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

- RULE 30 GENERAL CONDUCT AND STANDARDS OF CONDUCT
- RULE 31 ETHICS
- RULE 32 DISCIPLINARY ACTIONS

REVIEW OF CITY COUNCIL RULES

- RULE 33 ANNUAL REVIEW OF CITY COUNCIL RULES

GENERAL

PREAMBLE

These are rules governing the orderly conduct of Flint City Council meetings in accordance with Robert's Rules of Order and certain laws.

OPEN MEETINGS ACT (OMA)

City Council meetings are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 through 15.275.

FREEDOM OF INFORMATION ACT (FOIA)

All documents of the meetings of the Flint City Council (i.e. agendas, minutes, attachments, transcripts, recordings) are public documents subject to the FOIA, MCL 15.231 *et seq.*

PARLIAMENTARY AUTHORITY

- Rule 1.1 All matters of procedure not covered specifically by Council Rules, State, or Local law, shall be governed by Robert's Rules of Order 12th Ed. If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules take precedence.
- Rule 1.2 The President or Chair (Presiding Officer) shall decide all questions arising under these rules and general parliamentary practice, subject to appeal. The Chair shall first decide the question, and any member may "appeal from the decision." If the appeal is seconded, the Chair shall state their decision, that it has been appealed from, and then states the question as: "Shall the decision of the Chair be reversed?" The Chair can then state the reasons for their decision, after which it is open to debate. Beginning with the member who made the appeal and concluding with the Chair, each member may speak once regarding the appeal for three (3) minutes per Councilmember. Unless a majority of Councilmembers-elect vote to overturn the Chair's ruling, the Chair's ruling stands.
- Rule 1.3 City Council may appoint a person to serve as its Parliamentarian. At the request of any member of the City Council, the parliamentarian shall rule on questions of parliamentary procedure. If a Parliamentarian so rules, the Parliamentarian's ruling may be appealed. An appeal of a Parliamentarian's ruling must be seconded and is undebatable. Overturning a Parliamentarian's ruling requires a two-thirds vote of the Councilmembers-elect.

SUSPENSION AND AMENDMENT OF RULES

- Rule 2.1 Any individual rule may be suspended on the vote of two-thirds of the Councilmembers-elect, to allow for consideration of business that would not otherwise be allowed under the rules. A motion to suspend a rule is not debatable.
- Rule 2.2 The rules may be amended in accordance with Section 1-801 of the Flint City Charter.

ORGANIZATION #1

COUNCIL PRESIDENT; PRESIDING AT MEETINGS

- Rule 3.1 The Council shall have a President and a Vice-President, each chosen by a majority of the Councilmembers-elect for a term which shall end on the second Monday in November, or until a successor is elected.
- Rule 3.2 The President shall preside at the meetings of the Council and, in the absence of the President, the Vice-President shall preside. If both the President and Vice-President are absent, a Chairperson from a Council Committee shall preside in the following order: Finance, Governmental Operations, Legislative.

COMMITTEES

- Rule 4.1 The President, unless otherwise directed by the Council, shall appoint all committee chairs and vice-chairs for a one-year term which shall end on the second Monday in November or until a successor is appointed.
- Rule 4.2 The standing committees of the City Council are Finance, Governmental Operations, Legislative, and Special Affairs. The Council President may determine in which order they are addressed.
- Rule 4.3 Finance Committee - Business conducted consists of all matters relating to City finances (e.g. spending, revenue, contracts, fees, budgets, audits, etc.). Finance Committee shall meet at 5:00 pm on the Wednesdays a week before regular Council meetings. [Note - see Rule 6.8a]
- Rule 4.4 Legislative Committee - Business conducted consists of all matters relating to City legislation (e.g. ordinances, policies, etc.). Legislative Committee shall meet after Finance Committee. [Note - see Rule 6.8b]
- Rule 4.5 Governmental Operations Committee - Business conducted consists of all matters relating to governmental function (e.g. multi-member bodies, policies and procedures, matters related to City government and City departments, etc.). Governmental Operations Committee shall meet after Legislative Committee. [Note - see Rule 6.8c]
- Rule 4.6 Special Affairs Committee - Reserved for any standing committee agenda item needing additional discussion or information, as well as for any emergency agenda submission. Special Affairs Committee shall meet at 4:30 p.m. right before regular Council meetings on the 2nd and 4th Mondays of the month. [Note – see Rule 6.8d]
- Rule 4.7 All standing committees of Council shall be comprised of all members of Council who are not under disciplinary actions/restrictions.
- Rule 4.8 The President, at their discretion, may create ad hoc committees and shall appoint these committees' chairs and members. The President shall determine the number of Councilmembers comprising these committees.

ORGANIZATION #2

TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

- Rule 5.1 All meetings of the City Council and all committees of the Council shall take place in the Council Chambers on the third floor of City Hall or at such other places as the Council may determine.
- Rule 5.2 The regular meeting of the City Council is 5:30 p.m. on the second and fourth Monday of every month.
- Rule 5.3 The Flint City Council may schedule other committee meetings as deemed necessary.
- Rule 5.4 In the event of a call for a special meeting or a change in the time or place of a meeting, the Clerk shall be notified and shall see that each Councilmember and the public are informed as is required by the Open Meetings Act.
- Rule 5.5 The Mayor shall be notified of all meetings of the City Council.
- Rule 5.6 Meetings of the City Council or its committees will occur between 8:00 AM and 10:00 PM, and meetings of the City Council or its subcommittees will adjourn at 10:00 PM, unless a two-thirds majority of the Councilmembers-elect suspend this rule.
- Rule 5.7 City Council may, by resolution, adjourn all meetings for a two-week period. A special, pro-forma meeting of the City Council shall be scheduled immediately preceding the other Council committee meeting in that month.

AGENDA FOR REGULAR MEETINGS OF COUNCIL

- Rule 6.1 Matters shall be placed on the agenda of any meeting of the City Council by action of the Council President or any presiding Chair of any committee of the Council, or at the request of the Mayor or Clerk, prior to the start of the meeting. After roll call, the presiding officer shall ask for "any additions or changes to the agenda". Agenda changes or additions need to be approved by the presiding officer, and any unopposed agenda changes or additions may be adopted by consent.
- Rule 6.2 Any agenda matters that require official Council action at the meeting for final adoption (i.e., resolutions, budget amendments, grant acceptances, etc.) must be accompanied by the appropriate documentation such as staff review reports, etc., and must be signed by the required signatories.
- Rule 6.3 The deadline for contacting City Council staff for the purpose of adding matters to an agenda shall be by 12:00 pm (noon) on Thursdays.
- Rule 6.4 The presiding officer shall choose a person to lead the Pledge of Allegiance.
- Rule 6.5 Opening Ceremonies will consist of Pledge of Allegiance, a short prayer or blessing, and may include requests for moments of silence for deceased or ailing individuals. Spiritual leaders (of many faiths) may be invited and scheduled to offer a short prayer after the Pledge of Allegiance. The City Clerk will be responsible for making these arrangements.

AGENDAS FOR COMMITTEE MEETINGS

- Rule 6.8 Items denoted with ** will only appear on a committee agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda.
- Rule 6.8a Finance Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, **Closed Session [Executive Session], **Consent Agenda, **Presentation of Quarterly Financial Reports, Resolutions, **Special Orders/Discussion Items, Adjournment
- Rule 6.8b Legislative Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, **Consent Agenda, **Resolutions, Ordinances, **Special Orders/Discussion Items, Adjournment
- Rule 6.8c Governmental Operations Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, **Consent Agenda, **Licenses, Resolutions, Appointments, **Special Orders/Discussion Items, Adjournment
- Rule 6.8d Special Affairs Agenda - Roll Call, Request for Changes and/or Additions to Agenda, **Closed Session [Executive Session], **Consent Agenda, , Resolutions, Appointments, Ordinances, **Special Orders/Discussion Items, Adjournment
- Rule 6.9 Rules 6.1, 6.2, 6.3 and 6.4 concerning regular Council meetings also apply to Committee meetings. Section 31.12 of the Disorderly Persons Ordinance applies to all committee meetings.
- Rule 6.10 If multiple committee meetings are held on the same day, a consolidated public comment period may be held during the first scheduled committee meeting. If a committee meeting is held on the same day as a regular Council meeting, public comment can be deferred until the regular Council meeting.

ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

- Rule 7.1 The order of business at Regular Meetings of the City Council shall be as follows:
- I Call to Order, Roll Call and Opening Ceremonies
 - II Reading of Disorderly Persons Section
 - III Request for Changes and/or Additions to Agenda
 - IV Consent Agenda
 - V Presentation of Minutes
 - VII Public Hearings
 - VIII Public Speaking
 - IX Petitions and Unofficial Communications
 - X Official Communications – From Mayor and Other City Officials
 - XI Additional Communications
 - XII Appointments
 - XIII Resolutions
 - XIV Liquor Licenses
 - XV Other Licenses
 - XVI Introduction and First Reading of Ordinances
 - XVII Second Reading and Enactment of Ordinances

XVIII Special Orders/Discussion Items

(Any Councilmember may request that a Special Order be placed on the agenda, but it must first be approved by the Council President, or the Committee Chair if raised during a Committee meeting.)

XIX Final Council Comments

XX Adjournment

ORGANIZATION #3

CLOSED SESSIONS

Rule 7.2 Pursuant to the Open Meetings Act, the Flint City Council may meet in Closed Session for one or more of the following purposes:

- (1) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.
- (2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
- (3) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- (4) 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 public body.
- (5) 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. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.
- (6) To consider material exempt from discussion or disclosure by state or federal statute.

Rule 7.3 **GOING INTO CLOSED SESSION** – A 2/3 roll call vote of the Councilmembers-Elect is required to meet in closed session for purposes (3) through (6), as listed in Rule 7.2. A majority vote of the Councilmembers-Elect is sufficient for purposes (1) and (2), as listed in Rule 7.2. The roll call vote and the purpose or purposes for meeting in closed session shall be recorded in the minutes of the meeting at which the vote is taken.

Rule 7.4 **LEAVING CLOSED SESSION** – The City Council may leave a closed session upon a majority vote of the Councilmembers-elect.

Rule 7.5 **DECISIONS ON MATTERS DISCUSSED IN CLOSED SESSION TO BE MADE DURING OPEN SESSION** - All determinations, actions, votes, or dispositions of motions, proposals, recommendations, resolutions, orders, ordinances, bills, or

measures by which the City Council effectuate or formulates public policy must be made during an open session.

- Rule 7.6 All matters discussed in closed session are privileged and not to be shared with any person outside of the closed session.

ACTION BY COUNCIL

FORM OF ACTION AND ADOPTION OF A CONSENT AGENDA

- Rule 8.1 All official action of the Council as required by the City Charter shall be by ordinance or resolution, but decisions on parliamentary procedure may be made upon motion. Other action may be made upon motion, including decisions on parliamentary procedure.
- Rule 8.2 No motion may be debated by the Council until it has been stated by the presiding officer and it must be reduced to writing if requested by the presiding officer or any Councilmember. All resolutions and ordinances must be in writing.
- Rule 8.3 The Presiding Officer or Chair may request the adoption of a "Consent Agenda" consisting of, as applicable, (a) approval of minutes listed on the agenda; (b) accepting and placing on file all communications listed on the agenda, (c) approving all appointments, resolutions, and licenses listed on the agenda; (d) approving ordinances for introduction and first reading or second reading and enactment, as listed on the agenda.
- Rule 8.4 After a motion to adopt a Consent Agenda is made and seconded, the Presiding Officer or Chair shall ask for separations. Any agenda item on a Consent Agenda shall be separated at the request of any Councilmember. After any separations, there is no debate on approving the Consent Agenda - it shall be voted on or adopted without objection.

VOTING

- Rule 9.1 The determination of any question at a regular City Council meeting shall require a roll call vote, unless there is unanimous consent of the members present. Any request for unanimous consent by the Chair shall include two calls for objections to the request for unanimous consent.
- Rule 9.2 The determination of any question at a committee meeting shall be by voice vote unless a member objects, in which case a roll call vote shall be taken.
- Rule 9.3 The voting on all roll calls shall be rotated so that the Councilmember representing the First Ward shall cast the first vote on the first roll call of any meeting, the Councilmember from the Second Ward shall cast the first vote on the second roll call at any meeting, and so on throughout the meeting so that the first vote on a roll call shall be solicited from the succeeding Councilmember. Following the first vote on any roll call, the remaining Councilmembers shall be called in consecutive order until all nine Councilmembers have been afforded an opportunity to vote on any question.
- Rule 9.4 A Councilmember must be seated at their designated seating place to vote. Proxy votes are not allowed.

- Rule 9.5 INTERRUPTION OF VOTES – Interruptions during the taking of a vote are permitted only before any member has actually voted, unless, as sometimes occurs in ballot voting, other business is being transacted during voting or tabulating.
- Rule 9.6 RULE AGAINST EXPLANATION BY MEMBERS DURING VOTING - A member has no right to “explain his vote” during voting, which would be the same as debate at such a time.
- Rule 9.7 CHANGING ONE'S VOTE – A member has a right to change his vote up to the time the result is announced by the Chair. A request to change a vote after the Chair’s announcement requires the unanimous consent of the body, without debate, and may only be made immediately after the Chair’s announcement.
- Rule 9.8 ABSTAINING VOTES – To “abstain” means to not vote at all. Any explanation of an abstention may not exceed 10 seconds.
- Rule 9.9 ABSTAINING FROM VOTING ON A QUESTION OF DIRECT PERSONAL INTEREST – No member should vote on a question in which he/she has a direct personal or pecuniary interest not common to the other members of the organization. Voting on questions which affect oneself – the rule on abstaining from voting on a question of direct personal interest does not mean that a member should not vote for him/herself for an office or other position to which members generally are eligible, or should not vote when other members are included with him in a motion.

INTRODUCTION AND ENACTMENT OF ORDINANCES

(Any City Councilmember or the Mayor may introduce an Ordinance)

- Rule 10.1 Upon the introduction of any ordinance, the City Clerk shall proceed as directed in Section 3-301 *et seq* of the Flint City Charter.
- Rule 10.2 After a public hearing has been completed, any Councilmember may move to enact the ordinance.
- Rule 10.3 If the ordinance is amended to the extent that there has been inadequate notice to the public of the content of the ordinance, it shall not be enacted until the procedures of Section 3-301 *et seq* of the Flint City Charter are complied with.
- Rule 10.4 Every ordinance must state the date that it becomes effective. After the vote on the enactment of the ordinance, any Councilmember may move that it be given immediate effect upon publication, rather than the date stated. Any effective date earlier than thirty days after enactment requires a two-thirds vote of the Councilmembers-elect.
- Rule 10.5 Every ordinance shall be submitted to the Chief Legal Officer for review and approval as to form prior to enactment.

MOTIONS

CONSIDERATION OF MOTIONS

- Rule 11.1 When a question is under debate, the Chair will receive only the following motions:

Rule 13	to adjourn
Rule 14	to recess
Rule 15	to postpone temporarily (lay on the table)
Rule 16	to vote immediately (previous question)
Rule 17	to limit debate
Rule 18	to postpone definitely
Rule 19	to refer (commit)
Rule 20	to amend
Rule 21	to postpone indefinitely
Rule 22	to reconsider
Rule 23	to rescind
Rule 24	to withdraw a motion
Rule 25	point of order
Rule 26	request for information

Rule 11.2 If more than one of the above motions are made, they shall be considered in the order listed.

SUPPORT FOR MOTIONS

Rule 12.1 No motion may be considered or debated unless it has been seconded by at least one other Councilmember and has been properly stated by the Chair. The Chair does not have to recognize a member before that member may second a motion.

Rule 12.2 Nominations need not be seconded.

MOTIONS #1

MOTION TO ADJOURN

Rule 13.1 A motion to adjourn is always in order. If it is made during the count of a vote, it will not be considered until after the vote is announced.

Rule 13.2 A motion to adjourn is not debatable. However, the issue of the time to reconvene may be debated if it is introduced by the maker of the motion or by amendment.

Rule 13.3 The Chair may order adjournment, without objection.

MOTION TO RECESS

Rule 14.1 A motion to recess shall state the length of the recess and is not debatable

Rule 14.2 When a recess is taken while any question is pending, the consideration of the question shall be resumed upon the reassembling of the Council.

Rule 14.3 The Chair may order a recess without objection.

MOTION TO LAY ON THE TABLE

Rule 15.1 The Council may decide to postpone temporarily any matter pending before it. A decision to lay upon the table postpones the question involved, all pending amendments, and other adhering motions, until later in that meeting.

- Rule 15.2 If a decision is made to resume consideration of a matter or to take up from the table, it shall return in exactly the same form as when it was postponed temporarily. A motion to resume consideration must be made at the same meeting.
- Rule 15.3 If a motion to resume consideration fails or is not made, the pending matter shall be added to the next meeting agenda.
- Rule 15.4 A motion to postpone temporarily or to resume consideration is not debatable

MOTION TO VOTE IMMEDIATELY (CALL THE QUESTION)

- Rule 16.1 Any Councilmember may move to vote immediately. If the motion is supported, debate will cease immediately. A two-thirds vote of the Councilmembers-present (but no less than a majority of the Councilmembers-Elect) is required for the motion to carry.
- Rule 16.2 A motion to vote immediately is not debatable.

MOTION TO LIMIT OR EXTEND DEBATE

- Rule 17.1 The Council may decide, by majority vote, to limit or determine the time for discussion of a pending motion or to modify or remove limitations already imposed. This may include a limit of time for each Councilmember to speak to the issue.
- Rule 17.2 If each Councilmember has a limited time to speak, this time limit shall include any questions asked and/or answered at the Councilmembers request.
- Rule 17.3 A motion to limit or extend debate is not debatable.

MOTIONS #2

MOTION TO POSTPONE DEFINITELY

- Rule 18.1 The Council may decide to put off consideration of a pending main motion and to fix a definite date/time for its consideration.
- Rule 18.2 Debate on the motion to postpone definitely shall be limited to one round of discussion, 3 minutes per councilmember, and shall be limited to the reasons for the postponement and the date/time the main motion shall be taken up.

MOTION TO REFER (TO COMMITTEE)

- Rule 19.1 If a motion to refer a matter to a committee or other agency has been made, the Council shall proceed to decide the question of the referral.
- Rule 19.2 There shall be no further debate on the merits of the main motion or amendments to the main motion until the referral motion is decided.
- Rule 19.3 Debate on the motion to refer shall be limited to one round of discussion, 3 minutes per councilmember

MOTION TO AMEND

- Rule 20.1 A motion to amend must be germane to the main motion.
- Rule 20.2 An amendment may be amended but an amendment to an amendment may not be amended.

MOTION TO POSTPONE INDEFINITELY

- Rule 21.1 The Council may decide to prevent further discussion on a question by voting to postpone it indefinitely.
- Rule 21.2 A motion that has been postponed indefinitely cannot come up again at the same meeting. If it is reintroduced at a later meeting, it shall be treated as a new motion.
- Rule 21.3 Debate on the motion to postpone indefinitely shall be limited to one round of discussion, 3 minutes per councilmember.

MOTION TO RECONSIDER

- Rule 22.1 A motion to reconsider any decision of the City Council may be made by any Councilmember that voted in the affirmative on the motion in question.
- Rule 22.2 A motion to reconsider may be made at the same meeting or not later than the next succeeding regular meeting of the Council if notice has been given to the Council prior to the start of the meeting.
- Rule 22.3 No question may be reconsidered more than once.
- Rule 22.4 If a decision of the Council has gone into effect, the motion to reconsider shall not be in order.

MOTION TO RESCIND

- Rule 23.1 Action to rescind, repeal or annul a previous action may be by resolution unless the previous action is an ordinance. Action to repeal a published ordinance may only be by ordinance regardless of whether the ordinance has gone into effect.
- Rule 23.2 Notice of a motion to rescind a previous action must be given to the Clerk at least two days prior to the meeting at which the motion is to be made. However, the Council may vote by two-thirds of Councilmembers-elect to waive the notice requirement.
- Rule 23.3 Motions to rescind may be reconsidered regardless of whether the vote was affirmative or negative.

MOTIONS #3

REQUEST TO WITHDRAW A MOTION

- Rule 24.1 Any Councilmember may withdraw his or her motion before it has been restated by the Chair and placed before the assembly. The Councilmember need not obtain concurrence of any other person.

- Rule 24.2 After the motion has been placed before the assembly, it may only be withdrawn by majority consent of all Councilmembers present. A request to withdraw is undebatable.
- Rule 24.3 No request to withdraw a motion may be made after the vote on the motion has commenced.

INCIDENTAL MOTIONS – POINT OF ORDER

- Rule 25.1 The purpose of a point of order is to correct a breach in the rules when the presiding officer does not correct it, or when the presiding officer makes a breach of the rules.
- Rule 25.2 A point of order should not be used for minor infractions that do not affect the substantive rights of the City Council or its members.
- Rule 25.3 A point of order does not need a second, can interrupt a speaker, is not debatable, and is decided by the chair.
- Rule 25.4 A point of order cannot be ignored by the presiding officer. A ruling of “agreement – out of order” or “disagree – denied” must be given. All debate and/or talking shall cease immediately when a point of order is raised, so the presiding officer can rule.
- Rule 25.5 Any member has the right to appeal the presiding officer’s decision on a point of order as set forth in Rule 1.2. Another member must second the appeal, or the appeal fails. .

INCIDENTAL MOTIONS – REQUEST FOR INFORMATION

- Rule 26.1 A request for information requests information from the member holding the floor.
- Rule 26.2 Its purpose is to help the member making the request for information understand the process and the potential consequences of the next vote. A request for information that asks a question for which the requestor already knows the answer (i.e. an answer in the form of a question) is improper.
- Rule 26.3 A request for information cannot be ignored by the presiding officer, but the presiding officer – upon hearing the request – may decide whether the request is legitimate and can proceed, or whether the speaker is misleadingly utilizing this motion to secure the floor for other purposes. The Presiding Officer must rule with either “Proceed” or “Denied”.
- Rule 26.4 Using a request for information as an opportunity to gain the floor is not allowed. Multiple abuses of use of requests for information is cause for disciplinary action.

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

MAINTENANCE OF ORDER AND DEBATE

(The public and City Council are both subject to the disorderly persons ordinance section 31-11 and the general code of conduct. Additionally, the Chair or Presiding Officer has a responsibility and duty to enforce these rules and sanctions for the purpose of maintenance of order. Only the Chair or Presiding Officer may determine and rule on who/what is in or out of order.)

- Rule 27.1 When a member has been called to order, the Chair shall determine whether he or she is in order. Every question of order shall be decided by the Chair subject to an appeal.
- Rule 27.2 During any portion of any meeting, Councilmembers may not engage in any type of argumentative discourse with members of the audience, at any time, for any reason.
- Rule 27.3 Only the presiding officer may call an individual up to the podium (and/or table) to speak or answer questions. Other Councilmembers would have to petition the presiding officer to make this request.
- Rule 27.4 Mobile devices shall be set to silent mode prior to any meeting being called to order.

RIGHT TO SPEAK IN DEBATE

- Rule 28.1 Every Councilmember and every person granted the privilege of speaking to the City Council, on any matter before the City Council, shall address all remarks to members of the Council and shall not speak until recognized.
- Rule 28.2 When two or more Councilmembers address the Chair at the same time, the Chair shall name the Councilmember who is first to speak.
- Rule 28.3 A Councilmember who desires to speak, on any matter before the City Council, must obtain the floor by being recognized by the presiding Chair. A Councilmember must be in their seat when requesting to be recognized. Unless otherwise specified by these rules each member has the right to speak up to twice on the same question on the same day, for 5 minutes during each round, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day or who has exhausted their allocated time has exhausted his/her right to debate on that question for that day. The Clerk shall utilize a timer and track members' time. There is no right to "sum up" or "conclude" after the expiration of a members' allotted time.
- Rule 28.4 Councilmembers may request, from the presiding Chair, the opportunity to ask questions of Administrative Staff, etc., during debate on any agenda item. Any such questions and responses shall be incorporated as part of the Councilmember's allotted time.

PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

- Rule 29.1 All meetings of the Council shall be open to the public in accordance with law.
- Rule 29.2 If a member of the public wishes to address the City Council, they may do so at the regular City Council meeting. He or she shall submit, prior to the start of the meeting, a statement in writing containing his or her name and address and the topic to be covered. A box will be placed at the entrance to the Council Chambers for the collection of the statements.
- Rule 29.3 Members of the public shall have no more than 3 minutes per speaker during public comment. Only one speaking opportunity per speaker. Numbered speaker slips will be provided prior to the start of a meeting to those wishing to speak during this portion of the agenda. No additional speakers or slips will be accepted after the meeting

begins. City Councilmembers may not speak as a member of the public at this time. Public speakers may not allocate or "donate" their allotted time to another person.

- Rule 29.4 If a member of the public is addressing the Council at a scheduled public hearing, he or she shall stand to obtain recognition by the President at the opening of the hearing or at the conclusion of the remarks of the previous speaker.
- Rule 29.5 Members of the public shall have no more than 3 minutes to address the City Council during a public hearing.
- Rule 29.6 Councilmembers may not speak during public hearings nor may they respond to speakers.
- Rule 29.7 Any person speaking at a Council meeting may be called to order by the President or any Councilmember for failure to be germane, for vulgarity, or for speaking in excess of the allotted time.
- Rule 29.8 Any person who is called to order shall thereupon yield the floor until the President shall have determined whether he or she is in order. Every question of order shall be decided by the President subject to an appeal by any Councilmember to the Council. If a person so engaged in presentation shall be determined by the Council to be out of order, that person shall not be permitted to continue at the same meeting except on special leave of the Council.
- Rule 29.9 Councilmembers may respond once to all public speakers only after all public speakers have spoken. An individual Councilmember's response shall be limited to 2 minutes and is subject to all rules. Final Council comments shall be limited to 2 minutes and are subject to all rules.

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

GENERAL CONDUCT AND STANDARDS OF CONDUCT

- Rule 30.1 Every Councilmember is subject to the established rules or general conduct and the standards of conduct as may be adopted by the City Council.

ETHICS

- Rule 31.1 Every Councilmember is subject to the established ethics rules of the City of Flint Charter and Ethics Ordinance.

DISCIPLINARY ACTIONS

- Rule 32.1 Every Councilmember is subject to the established rules and disciplinary actions for violations of rules and city ordinances.
- Rule 32.2 For any repeated violation of these rules, the Presiding Officer or Chair may order discipline up to and including removal from a meeting. Any discipline issued is subject to an appeal raised pursuant to Rule 1.2. If a Councilmember is removed from a meeting, they may not return to participate in any other committee or Council meetings held on the same day.

REVIEW OF CITY COUNCIL RULES

- Rule 33.1 Every December, the City Council shall place an item on the Special Affairs Committee agenda for a review of these rules.
- Rule 33.2 At his/her own discretion, the Council President may at any time appoint a committee and its members to review and offer revisions of City Council Rules.
- Rule 33.3 It is the responsibility and duty of the Council President, Vice President, and all the Committee Chairs to ensure that these rules are adhered to and to apply the recommended disciplinary actions if they are not. Failure to do so is itself a violation of the rules and can subject the violator to disciplinary actions.

RULES ORIGINALLY ADOPTED: MAY 10, 1976

1ST AMENDMENT ADOPTED: MAY 24, 2010

2ND AMENDMENT ADOPTED: APRIL 27, 2015

3RD AMENDMENT ADOPTED: JUNE 12, 2017

4TH AMENDMENT ADOPTED: _____

Proposed Council Rules Amendments - Redline

RULES GOVERNING MEETINGS OF THE FLINT CITY COUNCIL

GENERAL

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FREEDOM OF INFORMATION ACT (FOIA)

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RULE 27 MAINTENANCE OF ORDER AND DEBATE

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CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

RULE 30 GENERAL CONDUCT AND STANDARDS OF CONDUCT

RULE 31 ETHICS

RULE 32 DISCIPLINARY ACTIONS

REVIEW OF CITY COUNCIL RULES

RULE 33 ANNUAL REVIEW OF CITY COUNCIL RULES

GENERAL

PREAMBLE

These are rules governing the orderly conduct of Flint City Council meetings in accordance with Robert's Rules of Order and certain laws.

OPEN MEETINGS ACT (OMA)

City Council meetings are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 through 15.275.

FREEDOM OF INFORMATION ACT (FOIA)

All documents of the meetings of the Flint City Council (i.e. agendas, minutes, attachments, transcripts, recordings) are public documents subject to the FOIA, MCL 15.231 *et seq.*, unless subject to exemptions rule in FOIA.

PARLIAMENTARY AUTHORITY

- Rule 1.1 All matters of procedure not covered specifically by Council Rules, State, or Local law, shall be governed by Robert's Rules of Order 12th Ed.— If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules take precedence.
- Rule 1.2 The President or Chair (Presiding Officer) ~~SHALL (is required to)~~shall decide all questions arising under these rules and general parliamentary practice, subject to appeal.— ~~While on all questions of order, and of interpretation of the rules, and of priority of business, it is the DUTY of~~The Chairman to ~~shall~~ first decide the question, and ~~it is the privilege of any member to may~~ “appeal from the decision.”— ~~If the appeal is seconded, the Chairman shall states his their decision, and that it has been appealed from, and then states the question thus as: “Shall the decision of the Chair stand as the judgment of Council be reversed?”— The Chairman can then, without leaving the chair, state the reasons for his their decision, after which it is open to debate.— Beginning with the member who made the appeal and concluding with the Chair, each member may speak once regarding the appeal for three (3) minutes per Councilmember. Unless The appeal shall be determined by a majority of the Councilpersons Councilmembers-elect, vote against to overturn the Chair's ruling, the Chair's ruling stands.~~
- Rule 1.3 City Council ~~can may~~ appoint a person of their to choosing to be the Parliamentary Authority serve as its Parliamentarian. At the request of any member of the City Council, the parliamentarian shall rule on questions of parliamentary procedure. If a Parliamentarian so rules, the Parliamentarian's ruling may be appealed. An appeal of a Parliamentarian's ruling must be seconded and is undebatable. Overturning a Parliamentarian's ruling requires a two-thirds vote of the Councilmembers-elect, ~~but any Councilmember may make reference to either City Council Rules, which take precedence over Robert's Rules, or reference to Robert's Rules when the issue is not covered in City Council Rules.~~

SUSPENSION AND AMENDMENT OF RULES

- Rule 2.1 Any individual ~~The rules~~ may be suspended on the vote of two-thirds of the Councilpersons Councilmembers-elect, to allow for consideration of business that

~~would not provide a sound basis for a public hearing and for a public debate.~~

Rule 2.2 The rules may be amended in accordance with Section 1-801 of the Flint City Charter.

ORGANIZATION #1

COUNCIL PRESIDENT; PRESIDING AT MEETINGS

Rule 3.1 The Council shall have a President and a Vice-President, each chosen by a majority of ~~the Councilpersons~~ Councilmembers ~~elect for a one-year term which shall end on the second Monday in November, or until a successor is elected.~~

Rule 3.2 The President shall preside at the meetings of the Council and, in the absence of the President, the Vice-President shall preside. ~~If both the President and Vice-President are absent, a Chairperson from a Council Committee shall preside in the following order: Finance, Governmental Operations, Legislative, Grants.~~

COMMITTEES

Rule 4.1 The President, unless otherwise directed by the Council, shall appoint all committee chairs and vice-chairs for a one-year term which shall end on the second Monday in November ~~or until a successor is appointed.~~

Rule 4.2 The standing committees of the City Council are Finance, Governmental Operations, Legislative, ~~Grants,~~ and Special Affairs. ~~The Council President may determine in which order they are addressed.~~

Rule 4.3 Finance Committee - Business conducted consists of all matters relating to City finances (e.g. spending, revenue, contracts, fees, budgets, audits, etc.). ~~Finance Committee shall meet at 5:00 pm on the Wednesdays a week before regular Council meetings.~~ ~~[Note - see Rule 6.8A8a]~~

Rule 4.4 Legislative Committee - Business conducted consists of all matters relating to City legislation (e.g. ordinances, policies, etc.). ~~Legislative Committee shall meet after Finance Committee.~~ ~~[Note - see Rule 6.8B8b]~~

Rule 4.5 Governmental Operations Committee - Business conducted consists of all matters relating to governmental function (e.g. multi-member bodies, policies and procedures, matters related to City government and City departments, etc.). ~~Governmental Operations Committee shall meet after Legislative Committee.~~ ~~[Note - see Rule 6.8C8c]~~

~~Rule 4.6 Grants Committee - Business conducted consists of all matters relating to City grant programs and grant awards (e.g. applying for grants, accepting and monitoring of grants, federal and state grant monies, and local grant dollars, etc.). Grants Committee shall meet after Governmental Operations Committee. [Note - see Rule 6.8D]~~

Rule 4.6~~7~~ Special Affairs Committee - Reserved for any standing committee agenda item needing additional discussion or information, as well as for any emergency agenda submission. ~~Special Affairs Committee shall meet at 4:30 p.m. right before regular Council meetings on the 2nd and 4th Mondays of the month.~~ ~~[Note - see Rule 6.8E8d]~~

Rule 4.78 All standing committees of Council shall be comprised of all members of Council who are not under disciplinary actions/restrictions.

Rule 4.89 The President, at his/her/their own discretion, may create ad hoc committees and shall appoint these committees' chairs and members. The President shall determine the number of Council member/Councilmembers comprising these committees.

ORGANIZATION #2

TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

Rule 5.1 All meetings of the City Council and all committees of the Council shall take place in the Council Chambers on the third floor of City Hall or at such other places as the Council may determine.

Rule 5.2 The regular meeting of the City Council is 5:30 p.m. on the second and fourth Monday of every month.

Rule 5.3 The Flint City Council may schedule other committee meetings as deemed necessary.

Rule 5.4 In the event of a call for a special meeting or a change in the time or place of a meeting, the Clerk shall be notified and shall see that each Councilperson/Councilmember and the public are informed as is required by the Open Meetings Act.

Rule 5.5 The Mayor shall be notified of all meetings of the City Council.

Rule 5.6 Meetings of the City Council or its committees will occur between 8:00 AM and 10:00 PM, and meetings of the City Council or its subcommittees will adjourn at 10:00 PM, unless a two-thirds majority of the Councilmembers-elect suspend this rule.

Rule 5.7 City Council may, by resolution, adjourn all meetings for a two-week period. A special, pro-forma meeting of the City Council shall be scheduled immediately preceding the other Council committee meeting in that month.

AGENDA FOR REGULAR MEETINGS OF COUNCIL

Rule 6.1 Matters shall be placed on the agenda of any meeting of the City Council by action of the Council President or any presiding Chair of any committee of the Council, or at the request of the Mayor or Clerk, prior to the start of the meeting. After roll call, the presiding officer shall ask for "any additions or changes to the agenda". Agenda changes or additions need to be approved by the presiding officer, and any unopposed agenda changes or additions may be adopted by consent.

Rule 6.2 Any agenda matters that require official Council action at the meeting for final adoption (i.e., resolutions, budget amendments, grant acceptances, etc.) must be accompanied by the appropriate documentation such as staff review reports, etc., and must be signed by the required signatories.

Rule 6.3 The deadline for contacting City Council staff for the purpose of adding matters to an agenda shall be by 12:00 pm (noon) on Thursdays.

Rule 6.54 The presiding officer shall choose a person to lead the Pledge of Allegiance.

- Rule 6.56 Opening Ceremonies will consist of Pledge of Allegiance, a short prayer or blessing, and may include requests for moments of silence for deceased or ailing individuals. Spiritual leaders (of many faiths) will ~~may~~ be invited and scheduled to offer a short prayer after the Pledge of Allegiance. The City Clerk will be responsible for making these arrangements.

AGENDAS FOR COMMITTEE MEETINGS

- Rule 6.8 Items denoted with ** will only appear on a committee agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda.
- Rule 6.8a Finance Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, ****Closed Session [Executive Session]**, ~~**Special Order~~, ~~**Consent Agenda~~, ~~**Presentation of Quarterly Financial Reports~~, **Resolutions**, ~~**Special Orders/Discussion Items~~, ~~Outstanding Discussion Items~~, ~~Adjournment~~
- Rule 6.8b Legislative Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, ~~**Consent Agenda~~, ****Resolutions**, **Ordinances**, ~~**Special Orders/Discussion Items~~, ~~Outstanding Discussion Items~~, ~~Adjournment~~
- Rule 6.8c Governmental Operations Committee Agenda - Roll Call, Request for Changes and/or Additions to Agenda, ~~**Consent Agenda~~, ~~**Special Order~~, ****Licenses**, **Resolutions**, **Appointments**, ~~**Special Orders/Discussion Items~~, ~~Outstanding Discussion Items~~, ~~Adjournment~~
- ~~Rule 6.8d Grants Committee Agenda - Roll Call, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment~~
- Rule 6.8de Special Affairs Agenda - Roll Call, Request for Changes and/or Additions to Agenda, ****Closed Session [Executive Session]**, ~~**Consent Agenda~~, ~~**Special Order~~, **Resolutions**, **Appointments**, **Ordinances**, ~~**Special Orders/Discussion Items~~, ~~Additional Council Discussion~~, ~~Adjournment~~
- Rule 6.9 Rules 6.1, 6.2, 6.3 and 6.4 concerning regular Council meetings also apply here to Committee meetings. Section 31.12 of the Disorderly Persons Ordinance applies to all committee meetings.
- ~~Rule 6.10 If multiple committee meetings are held on the same day, a consolidated public comment period may be held during the first scheduled committee meeting. If a committee meeting is held on the same day as a regular Council meeting, public comment can be deferred until the regular Council meeting.~~

ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

- Rule 7.1 The order of business at Regular Meetings of the City Council shall be as follows:

- I Call to Order, Roll Call and ~~e~~Opening ~~e~~Ceremonies
- II Reading of Disorderly Persons Section
- III Request for Changes and/or Additions to Agenda
(Council shall vote to adopt any amended agenda.)

V Presentation of Minutes

V Presentation of Minutes

~~(Council shall vote to accept minutes.)~~

~~V Special Orders~~

~~(Any Councilperson/Councilmember may request that permission for a Special Order be placed on the agenda, but it must first be approved by both the Council President, and Committee Chair if raised during a Committee meeting.)~~

VI Public Hearings

VII Public Speaking

(Three [3] minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of a meeting to those wishing to speak during this agenda item. No additional speakers or slips will be accepted after the meeting begins. Speakers may not allocate or "donate" their allotted time to another person. Council members may not speak during public speaking, nor may they make response comments to speakers. Council members may use their five [5] minutes for final comments to address any issues that have been addressed by public speakers.)

IXVIII Petitions and Unofficial Communications

IX Official Communications – From Mayor and Other

City Officials

XI Additional Communications

XI Appointments

XIII Resolutions ~~Licenses~~

~~XIVH Liquor LicensesResolutions (A Council member who~~

~~desires to speak in debate must obtain~~

~~the floor by being recognized by the presiding Chair. In the~~

~~debate, each member has the right to speak twice [for a~~

~~maximum of five (5) minutes] on the same question on the~~

~~same day, but cannot make a second speech on the same~~

~~question so long as any member who has not spoken on that~~

question desires the floor. A member who has spoken twice on

~~a particular question on the same day has exhausted his/her right~~

~~to debate that question for that day. A timer will be utilized. No~~

~~"banking" of time or division of time for future use is allowed.~~

~~Council members may request to ask questions of~~

~~Administrative staff, etc. During debate on any agenda item.~~

~~Guest speaker time allowed shall be determined by the~~

~~presiding Chair and is not considered to be part of the limited~~

~~debate time allocated to council members.~~

XIV ~~Liquor~~ Other Licenses

XVI Introduction and First Reading of Ordinances

XVII Second Reading and Enactment of Ordinances

XVIII ~~Additional Special Orders/~~Discussion Items

(Any Councilmember may request that a Special Order be placed on the agenda, but it must first be approved by the Council President, or the Committee Chair if raised during a Committee meeting.)

ORGANIZATION #3

CLOSED SESSIONS

Rule 7.2 ~~Pursuant to the Open Meetings Act, the Flint City Council may meet in Closed Session for one or more of the following purposes: The Open Meetings Act provides exemptions to the rule that government body meetings must be open to the public.~~

~~Meeting in closed session—a public body may meet in a closed session only for one or more of the permitted purposes specified in Section 8 of the OMA.~~

~~The limited purposes include, among others:~~

- ~~(1) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.~~
- ~~(2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.~~
- ~~(3) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.~~
- ~~(4) 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 public body.~~
- ~~(5) 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.—However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.~~
- ~~(6) To consider material exempt from discussion or disclosure by state or federal statute.—But note—a board is not permitted to go into closed session to discuss an attorney's oral opinion, as opposed to a written legal memorandum.~~

~~7.3—A closed session must be conducted during the course of an open meeting.~~

Section 2(c) of the OMA defines "closed session" as "a meeting or part of a meeting of a public body that is closed to the public." Section 9(1) of the OMA provides that the minutes of an open meeting must include "the purpose or purposes for which a closed session is held."

—Rule 7.43 — **GOING INTO CLOSED SESSION [EXECUTIVE SESSION]** — A 2/3 roll call vote of the Councilmembers-Elect is required to meet in closed session for purposes (3) through (6), as listed in Rule 7.2.— A majority vote of the Councilmembers-Elect is sufficient for purposes (1) and (2), as listed in Rule 7.2.— The roll call vote and the purpose or purposes for meeting in closed session shall be recorded in the minutes of the meeting at which the vote is taken.

~~SECTION~~

~~7(1) OF THE OMA SETS OUT THE PROCEDURE FOR CALLING A
CLOSED SESSION: A 2/3 ROLL CALL VOTE OF MEMBERS ELECTED
OR APPOINTED AND SERVING IS REQUIRED TO CALL A CLOSED
SESSION, EXCEPT FOR THE CLOSED SESSIONS PERMITTED UNDER
SECTION 8(A), (B), (C), (G), (I), AND (J). THE ROLL CALL VOTE AND
THE PURPOSE OR PURPOSES FOR CALLING THE CLOSED SESSION
SHALL BE ENTERED INTO THE MINUTES OF THE MEETING AT
WHICH THE VOTE IS TAKEN. THUS, A PUBLIC BODY MAY GO INTO
CLOSED SESSION ONLY UPON A MOTION DULY MADE,
SECONDED, AND ADOPTED BY A 2/3 ROLL CALL VOTE OF THE
MEMBERS APPOINTED AND SERVING DURING AN OPEN MEETING
FOR THE PURPOSE OF (1) CONSIDERING THE PURCHASE OR LEASE
OF REAL PROPERTY, (2) CONSULTING WITH THEIR ATTORNEY, (3)
CONSIDERING AN EMPLOYMENT APPLICATION, OR (4)
CONSIDERING MATERIAL EXEMPT FROM DISCLOSURE UNDER
STATE OR FEDERAL LAW. A MAJORITY VOTE IS SUFFICIENT FOR
GOING INTO CLOSED SESSION FOR THE OTHER OMA PERMITTED
PURPOSES.~~

Rule ~~7.45~~ ~~LEAVING A CLOSED SESSION [EXECUTIVE SESSION]~~ — The City Council may leave a closed session upon a majority vote of the Councilmembers-elect. THE OMA IS

~~SILENT AS TO HOW TO LEAVE A CLOSED SESSION. SUGGESTED IS~~
~~FOR A MOTION TO BE MADE TO END THE CLOSED SESSION WITH~~
~~A MAJORITY VOTE NEEDED FOR APPROVAL. ADMITTEDLY, THIS~~
~~IS A DECISION MADE IN A CLOSED SESSION, BUT IT CERTAINLY~~
~~ISN'T A DECISION THAT "EFFECTUATES OR FORMULATES PUBLIC~~
~~POLICY." WHEN THE PUBLIC BODY HAS CONCLUDED ITS CLOSED~~
~~SESSION, THE OPEN MEETING MINUTES SHOULD STATE THE TIME~~
~~THE PUBLIC BODY RECONVENED IN OPEN SESSION AND, OF~~
~~COURSE, ANY VOTES ON MATTERS DISCUSSED IN THE CLOSED~~
~~SESSION MUST OCCUR IN AN OPEN MEETING.~~

Rule ~~7.56~~ ~~DECISIONS ON MATTERS DISCUSSED IN CLOSED SESSION TO BE~~
~~MADE DURING OPEN SESSION DECISIONS MUST BE MADE DURING AN~~
~~OPEN MEETING, NOT THE~~

~~CLOSED SESSION [EXECUTIVE SESSION] SECTION 3(2) OF THE~~
~~OMA REQUIRES THAT "ALL DECISIONS OF A PUBLIC BODY~~
~~SHALL~~
~~BE MADE AT A MEETING OPEN TO THE PUBLIC." SECTION 2(D) OF~~
~~THE OMA DEFINES "DECISION" TO MEAN "A DETERMINATION,~~
~~ACTION, VOTE, OR DISPOSITION UPON A MOTION, PROPOSAL,~~
~~RECOMMENDATION, RESOLUTION, ORDER, ORDINANCE, BILL, OR~~
~~MEASURE ON WHICH A VOTE BY MEMBERS OF A PUBLIC BODY IS~~
~~REQUIRED AND BY WHICH A PUBLIC BODY EFFECTUATES OR~~
~~FORMULATES PUBLIC POLICY. All determinations, actions, votes, or~~
~~dispositions of motions, proposals, recommendations, resolutions, orders, ordinances,~~
~~bills, or measures by which the City Council effectuate or formulates public policy~~
~~must be made during an open session."~~

Rule ~~7.76~~ ~~-----All matters discussed in closed session are privileged and not to be shared with any person outside of the closed session. ALL MATTERS DISCUSSED IN CLOSED SESSION [EXECUTIVE~~
~~-----SESSION] AND MATERIALS PROVIDED ARE PRIVILEGED~~
~~-----INFORMATION AND ARE NOT TO BE SHARED WITH ANY~~
~~-----PERSON(S) OUTSIDE OF THE SESSION.~~

ACTION BY COUNCIL

FORM OF FORM OF ACTION BY COUNCIL AND; ADOPTION OF A CONSENT AGENDADIVISION OF QUESTION

(NOTE ~~THIS ACTION IS OFTEN UTILIZED BY COUNCIL FOR MASTER~~
~~RESOLUTIONS AND SEPARATION OF SPECIFIC RESOLUTIONS~~)

- Rule 8.1 All official action of the Council as required by the City Charter shall be by ordinance or resolution, but decisions on parliamentary procedure may be made upon motion. Other action may be made upon motion, including decisions on parliamentary procedure.
- Rule 8.2 No motion may be debated by the Council until it has been stated by the presiding officer and it must be reduced to writing if requested by the presiding officer or any ~~Councilperson~~ Councilmember. All resolutions and ordinances must be in writing.
- Rule 8.3 The Presiding Officer or Chair may request the adoption of a "Consent Agenda" consisting of, as applicable, (a) approval of minutes listed on the agenda; (b) accepting and placing on file all communications listed on the agenda; (c) approving all appointments, resolutions, and licenses listed on the agenda; (d) approving ordinances for introduction and first reading or second reading and enactment, as listed on the agenda.
- Rule 8.4 After a motion to adopt a Consent Agenda is made and seconded, the Presiding Officer or Chair shall ask for separations. Any agenda item on a Consent Agenda shall be separated at the request of any Councilmember. After any separations, there is no debate on approving the Consent Agenda - it shall be voted on or adopted without objection.
- Rule 8.3 ~~If a question before the Council is susceptible of division, it shall be divided on the demand of any Councilperson~~ Councilmember.

VOTING

- Rule 9.1 The determination of any question at a regular City Council meeting shall require a roll call vote, unless there is unanimous consent of the members present. Any request for unanimous consent by the Chair shall include two calls for objections to the request for unanimous consent.

- Rule 9.2 The determination of any question at a committee meeting shall be by voice vote unless a member objects, in which case upon call of the Chair for a vote. If there is an objection, a roll call vote shall be taken.
- Rule 9.3 The voting on all roll calls shall be rotated so that the ~~Councilperson~~Councilmember representing the First Ward shall cast the first vote on the first roll call of any meeting, the ~~Councilperson~~Councilmember from the Second Ward shall cast the first vote on the second roll call at any meeting, and so on throughout the meeting so that the first vote on a roll call shall be solicited from the succeeding ~~Councilperson~~Councilmember. Following the first vote on any roll call, the remaining CouncilpersonCouncilmembers shall be called in consecutive order until all nine CouncilpersonCouncilmembers have been afforded an opportunity to vote on any question.
- Rule 9.4 A Councilmember must be seated at their designated seating place ~~in order to~~to vote. Proxy votes are not allowed.
- Rule 9.5 INTERRUPTION OF VOTES – Interruptions during the taking of a vote are permitted only before any member has actually voted, unless, as sometimes occurs in ballot voting, other business is being transacted during voting or tabulating.
- Rule 9.6 RULE AGAINST EXPLANATION BY MEMBERS DURING VOTING - A member has no right to “explain his vote” during voting, which would be the same as debate at such a time.
- Rule 9.7 CHANGING ONE'S VOTE – A member has a right to change his vote up to the time the result is announced by the Chair. ~~After that s/he can make the change only by the unanimous consent of the assembly requested body and granted, without debate, and may only be made immediately after the Chair's announcement, immediately following the chair's announcement of the result of the vote.~~
- Rule 9.8 ABSTAINING VOTES – To “abstain” means to not vote at all. Any explanation of an abstention may not exceed 10 seconds.
- Rule 9.9 ABSTAINING FROM VOTING ON A QUESTION OF DIRECT PERSONAL INTEREST – No member should vote on a question in which he/she has a direct personal or pecuniary interest not common to the other members of the organization. Voting on questions which affect oneself – the rule on abstaining from voting on a question of direct personal interest does not mean that a member should not vote for him/herself for an office or other position to which members generally are ~~eligible~~eligible, or should not vote when other members are included with him in a motion.

INTRODUCTION AND ENACTMENT OF ORDINANCES

~~(BOTH Any City Councilmember or the Mayor may introduce an OrdinanceCITY COUNCIL AND THE LEGAL DEPARTMENT MAY INTRODUCE~~

~~AN ORDINANCE))~~

- Rule 10.1 Upon the introduction of any ordinance, the City Clerk shall proceed as directed in Section 3-30201 *et seq* of the Flint City Charter.
- Rule 10.2 After a public hearing has been completed, any ~~Councilperson~~Councilmember may move ~~the to enactment~~ of the ordinance.
- Rule 10.3 If the ordinance is amended to the extent that there has been inadequate notice to the public of the content of the ordinance, it shall not be enacted until the procedures of Section 3-301 *et seq* of the Flint City Charter ~~Section 3-302~~ are complied with.
- Rule 10.4 Every ordinance must state the date that it becomes effective.— After the vote on the enactment of the ordinance, any ~~Councilperson~~Councilmember may move that it be given immediate effect upon publication, rather than the date stated.— Any effective date earlier than thirty days after enactment requires a two-thirds vote of the ~~Councilperson~~Councilmembers-elect.
-
- Rule 10.5 Every ordinance shall be submitted to the Chief Legal Officer of the City (FOR ~~CORRECT FORMAT, NOT CONTENT~~) for review and approval as to form prior to enactment.

MOTIONS

CONSIDERATION OF MOTIONS

- Rule 11.1 When a question is under debate, the Chair will receive only the following motions:
- | | |
|---------|---|
| Rule 13 | to adjourn |
| Rule 14 | to recess |
| Rule 15 | to postpone temporarily (lay on the table) |
| Rule 16 | to vote immediately (previous question) |
| Rule 17 | to limit debate |
| Rule 18 | to postpone definitely |
| Rule 19 | to refer (commit) |
| Rule 20 | to amend |
| Rule 21 | to postpone indefinitely |
| Rule 22 | to reconsider |
| Rule 23 | to rescind |
| Rule 24 | to withdraw a motion |
| Rule 25 | point of order |
| Rule 26 | point of request for information |

- Rule 11.2 If more than one of the above motions are made, they shall be considered in the order listed.

SUPPORT FOR MOTIONS

- Rule 12.1 No motion may be considered or debated unless it has ~~the support of been~~ seconded by at least one other ~~Councilperson~~Councilmember and has been properly stated by the Chair.— The Chair does not have to recognize a member before that member may second a motion.

Rule 12.2 Nominations need not be seconded.

MOTIONS #1

MOTION TO ADJOURN

Rule 13.1 A motion to adjourn is always in order. If it is made during the count of a vote, it will not be considered until after the vote is announced.

Rule 13.2 A motion to adjourn will be decided without debate is not debatable. However, the issue of the time to reconvene may be debated if it is introduced by the maker of the motion or by amendment.

Rule 13.3 The Chair may order adjournment, without objection.

MOTION TO RECESS

Rule 14.1 A motion to recess shall state the length of the recess and shall be decided without debate is not debatable

Rule 14.2 When a recess is taken during the pending of while any question is pending, the consideration of the question shall be resumed upon the reassembling of the Council.

Rule 14.3 The Chair may order a recess without objection.

MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

Rule 15.1 The Council may decide to postpone temporarily any matter pending before it. The motion may be referred to as a motion to lay on the table.

Rule 15.2 A decision to lay upon the table shall have the effect of postponing the question involved, all pending amendments, and other adhering motions, until later in that meeting.

Rule 15.23 If a decision is made to resume consideration of a matter or to take up from the table, it shall return in exactly the same form as when it was postponed temporarily. A motion to resume consideration must be made at the same meeting.

Rule 15.3 If a motion to resume consideration fails or is not made, the pending matter shall be added to the next meeting agenda.

Rule 15.4 All matters postponed temporarily shall be considered at the meeting at which they were postponed. If the motion to take up from the table fails, the issue is considered to have failed.

Rule 15.54 ~~A motion to postpone temporarily or to resume consideration shall be decided without debate; is not debatable~~

MOTION TO VOTE IMMEDIATELY (PREVIOUS QUESTION OR CALL THE QUESTION)

Rule 16.1 ~~Any Councilperson~~Councilmember may move to vote immediately. If the motion is supported, debate will cease immediately. A two-thirds vote of the Councilmembers-present (but no less than a majority of the Councilmembers-Elect) is required for the motion to carry. Failure to cease talking shall result in disciplinary action. Violators shall be removed from the meeting.

Rule 16.2 ~~If the motion receives a majority of the votes of the Councilperson~~Councilmembers-elect, in accordance with Section 3-204(a) of the Charter, the Council shall vote on the pending question or questions in their regular order.

Rule 16.23 ~~A motion to vote immediately is not debatable.~~

MOTION TO LIMIT OR EXTEND DEBATE

Rule 17.1 The Council may decide, by majority vote, to limit or determine the time that will be devoted to for discussion of a pending motion or to modify or remove limitations already imposed on its decision. This may include a limit of time for each councilpersonCouncilmember to speak to the issue. Failure to cease talking when a time limit has been reached shall result in disciplinary action. Violators shall be removed from the meeting.

Rule 17.2 If each councilpersonCouncilmember has a limited time to speak, this time limit shall include any questions asked and/or answered per at the councilpersonCouncilmembers request.

Rule 17.3 ~~A motion to limit or extend debate is not debatable.~~

MOTIONS #2

MOTION TO POSTPONE DEFINITELY

Rule 18.1 The Council may decide to put off consideration of a pending main motion and to fix a definite date/time for its consideration.

Rule 18.2 ~~The d~~Debate on the motion to postpone definitely shall be limited to one round of discussion, 3 minutes per councilmember, and shall be limited to the reasons for the postponement and the date/time the main motion shall be taken up.

MOTION TO REFER (TO COMMITTEE)

Rule 19.1 If a motion to refer a matter to a committee or other agency has been made, the Council shall proceed to decide the question of the referral.

Rule 19.2 There shall be no further debate on the merits of the main motion or amendments to the main motion until the referral motion is decided.

Rule 19.3 Debate on the motion to refer shall be limited to one round of discussion, 3 minutes per councilmember

MOTION TO AMEND

Rule 20.1 A motion to amend must be germane to the main motion.

Rule 20.2 An amendment may be amended but an amendment to an amendment may not be amended.

MOTION TO POSTPONE INDEFINITELY

Rule 21.1 The Council may decide to prevent ~~discussion or~~ further discussion on a question by voting to postpone it indefinitely.

Rule 21.2 A motion that has been postponed indefinitely cannot come up again at the same meeting. ~~— If it is reintroduced at a later meeting, it shall be treated as a new motion.~~

Rule 21.3 Debate on the motion to postpone indefinitely shall be limited to one round of discussion, 3 minutes per councilmember.

MOTION TO RECONSIDER

Rule 22.1 A motion to reconsider any decision of the City Council may be made by any ~~Councilperson~~ Councilmember that voted in the affirmative on the motion in question.

Rule 22.2 A motion to reconsider may be made at the same meeting or not later than the next succeeding regular meeting of the Council ~~provided that~~ if notice has been given to the Council prior to the start of the meeting.

Rule 22.3 No question may be reconsidered more than once.

Rule 22.4 If a decision of the Council has gone into effect, the motion to reconsider shall not be in order.

MOTION TO RESCIND

Rule 23.1 Action to rescind, repeal or annul a previous action may be by resolution unless the previous action is an ordinance. ~~— Action to repeal a published ordinance may only be by ordinance regardless of whether the ordinance has gone into effect.~~

Rule 23.2 Notice of a motion to rescind a previous action must be given to the Clerk at least two days prior to the meeting at which the motion is to be made. ~~— However, the Council may vote by two-thirds of Councilperson~~ Councilmembers-elect to waive the ~~notice~~ notice requirement.

Rule 23.3 Motions to rescind may be reconsidered regardless of whether the vote was affirmative or negative.

MOTIONS #3

REQUEST TO WITHDRAW A MOTION

- Rule 24.1 ~~Any Councilperson~~Councilmember may withdraw his or her motion before it has been restated by the Chair and placed before the assembly. ~~_____The Councilperson~~Councilmember need not obtain concurrence of any other person.
- Rule 24.2 After the motion has been placed before the assembly, it may only be withdrawn by majority consent of all ~~Councilperson~~Councilmembers present. _____ A request to withdraw is undebatable.
- Rule 24.3 No request to withdraw a motion may be made after the vote on the motion has commenced.

INCIDENTAL MOTIONS – POINT OF ORDER

- Rule 25.1 The purpose of a point of order is to correct a breach in the rules when the presiding officer does not correct it, or when the presiding officer makes a breach of the rules.
- Rule 25.2 A point of order should not be used for minor infractions: that do not affect the substantive rights of the City Council, or its members.
- Rule 25.3 A point of order does not need a second, can interrupt a speaker, is not debatable, and is decided by the chair.
- Rule 25.4 A point of order cannot be ignored by the presiding officer. _____ A ruling of “agreement – out of order” or “disagree – denied” must be given. _____ All debate and/or talking shall cease immediately when a point of order is raised, in order forso the presiding officer to can rule. _____ Failure to cease talking shall result in disciplinary action. _____ Violators shall be removed from the meeting
- Rule 25.5 ~~Any two members have~~ the right to appeal the presiding officer’s decision on a point of order as set forth in Rule 1.2. Another member must second the appeal, or the appeal fails. _____ This requires one member making (or taking) the appeal and another seconding (or supporting) it. Lack of support means the motion fails. If the motion is supported, the Council body votes to decide the question, as set forth in Rule 1.2. _____ Members have no right to question the decision or ruling of the presiding officer unless they appeal from his/her decision.

INCIDENTAL MOTIONS – POINT REQUEST FOR OF INFORMATION

- Rule 26.1 ~~A requestpoint for informationof information~~ generally applies to information desired ~~fromrequests information from the a speakermember holding the floor.~~
- Rule 26.2 Its purpose is to help ~~one the member making the request for information~~ understand the process and the potential consequences of the next voting. A request for information that asks a question for which the requestor already knows the answer (i.e. an answer in the form of a question) is improper.
- Rule 26.3 A request for information cannot be ignored by the presiding officer, but the presiding officer – upon hearing the request – may decide whether the request is legitimate and

can proceed, or whether the speaker is misleadingly utilizing this motion to secure the floor for other purposes.— The Presiding Officer must rule with either “Proceed” or “Denied”.

- Rule 26.4 ~~A request for information point of information can be given made with a very short explanation but u~~Using this tactic a request for information as an opportunity to gain the floor is not allowed.— Multiple abuses of use of point requests for information is cause for disciplinary action.

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

MAINTENANCE OF ORDER AND DEBATE

(The public and City Council are both subject to the disorderly person-persons ordinance section 31-101 and the general code of conduct.— Additionally, the Chair or Presiding Officer has a responsibility and duty to enforce these rules and sanctions for the purpose of maintenance of order.— Only the Chair or Presiding Officer may determine and rule on who/what is in or out of order.— Violations of this rule shall result in removal from the meeting.)

- Rule 27.21 When a member has been called to order, the Chair shall determine whether or not whether he or she is in order.— Every question of order shall be decided by the Chair subject to an appeal to the Council by any member.— If a member is called to order for words spoken, the exceptional words shall be immediately taken down in writing so that the presiding officer or Council may be better able to judge the matter.
- Rule 27.32 During any portion of any meeting, council memberCouncilmembers may not engage in any type of argumentative discourse with members of the audience, at any time, for any reason.— Any council member or audience member who engages in this behavior during a meeting shall be removed from the meeting.
- Rule 27.43 Only the presiding officer may call an individual (or staff member, or department head, etc.) up to the podium (and/or table) to speak or answer questions.— Other council memberCouncilmembers would have to petition the presiding officer to make this request.
- Rule 27.4 Mobile devices shall be set to silent mode prior to any meeting being called to order.

RIGHT TO SPEAK IN DEBATE

- Rule 28.1 Every CouncilpersonCouncilmember and every person granted the privilege of speaking to the City Council, on any matter before the City Council, shall address all remarks to members of the Council and shall not speak until recognized.
- Rule 28.2 When two or more Councilmembers address the Chair at the same time, the Chair shall name the CouncilpersonCouncilmember who is first to speak.
- Rule 28.3 A Councilmember who desires to speak, on any matter before the City Council, must obtain the floor by being recognized by the presiding Chair.— A Councilmember must be in their seat when requesting to be recognized.— Unless otherwise specified by these rules each member has the right to speak up to twice on the same question on the same day, for 5 minutes during each round, but cannot make a second speech on the same

question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day or who has exhausted their allocated time has exhausted his/her right to debate on that question for that day.— The Clerk shall utilize a timer and track members' time. There is no right to "sum up" or "conclude" after the expiration of a members' allotted time.

Rule 28.4 Councilmembers may request, from the presiding Chair, the opportunity to ask questions of Administrative Staff, etc., during debate on any agenda item.— Any such questions and responses shall be incorporated as part of the Councilmember's allotted time.

PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

Rule 29.1 All meetings of the Council shall be open to the public in accordance with law.

Rule 29.2 If a member of the public wishes to address the City Council, they may do so at the regular City Council meeting.— He or she shall submit, prior to the start of the meeting, a statement in writing containing his or her name and address and the topic to be covered.— A box will be placed at the entrance to the Council Chambers for the collection of the statements.

Rule 29.3 Members of the public shall have no more than 3 minutes per speaker during public comment.— Only one speaking opportunity per speaker.— Numbered speaker slips will be provided prior to the start of a meeting to those wishing to speak during this portion of the agenda.— No additional speakers or slips will be accepted after the meeting begins.— ~~City council member~~Councilmembers may not also address council~~speak~~ as a member of the public at this time.— ~~Public~~ Speakers may not allocate or "donate" their allotted time to another person.

Rule 29.4 If a member of the public is addressing the Council at a scheduled public hearing, he or she shall stand to obtain recognition by the President at the opening of the hearing or at the conclusion of the remarks of the previous speaker.

Rule 29.5 Members of the public shall have no more than ~~40~~ 3 minutes to address the City Council during a public hearing.

Rule 29.6 Councilmembers may not speak during public hearings nor may they make response
comments—respond to speakers.

~~Rule 29.76—~~ Any person ~~while being heard~~speaking at a Council meeting may be called to order by the President or any ~~Councilperson~~Councilmember for failure to be germane, for vulgarity, ~~for personal attack of persons or institutions,~~ or for speaking in excess of the allotted time.

~~Rule 29.87—~~ Any person who is called to order shall thereupon yield the floor until the President shall have determined whether he or she is in order.— Every question of order shall be decided by the President subject to an appeal by any ~~Councilperson~~Councilmember to the Council.— If a person so engaged in presentation shall be determined by the Council to be out of order, that person shall not be permitted to continue at the same meeting except on special leave of the Council.

~~Rule 29.98— CouncilpersonCouncilmembers may respond once to all public speakers only after all public speakers have spoken. An individual Councilmember's response shall be limited to 2 minutes and is subject to all rules. Final Council comments shall be limited to 2 minutes and are subject to all rules. not respond to any public speakers, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes and is subject to all rules of decorum and discipline, until Final Council Comments.~~

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

GENERAL CONDUCT AND STANDARDS OF CONDUCT

Rule 30.1 Every ~~councilperson~~Councilmember is subject to the established rules or general conduct and the standards of conduct as may be adopted by the City Council.

ETHICS

Rule 31.1 Every ~~councilperson~~Councilmember is subject to the established ethics rules of the City of Flint Charter and -and Ethics Ordinance.

DISCIPLINARY ACTIONS

Rule 32.1 Every ~~councilperson~~Councilmember is subject to the established rules and disciplinary actions for violations of rules and city ordinances.

~~Rule 32.2 For any repeated violation of these rules, the Presiding Officer or Chair may order discipline up to and including removal from a meeting. Any discipline issued is subject to an appeal raised pursuant to Rule 1.2. If a Councilmember is removed from a meeting, they may not return to participate in any other committee or Council meetings held on the same day.~~

REVIEW OF CITY COUNCIL RULES

Rule 33.1 Every December, the City Council shall place an item on the Special Affairs Committee agenda for a review of these rules.

Rule 33.2 At his/her own discretion, the Council President may at any time appoint a committee and its members to review and offer revisions of City Council Rules.

~~Rule 33.3 The rules may be revised upon a 2/3 majority vote of City Council members, per the City Charter. All Council members are subsequently and immediately subject to the approved rules.~~

Rule 33.43 It is the responsibility and duty of the Council President, Vice President, and all the Committee Chairs to ensure that these rules are adhered to and to apply the recommended disciplinary actions if they are not. Failure to do so is itself a violation of the rules and can subjects the violator to disciplinary actions.

RULES ORIGINALLY ADOPTED:- MAY 10, 1976

1ST AMENDMENT ADOPTED:- MAY 24, 2010

2ND AMENDMENT ADOPTED: APRIL 27, 2015

3RD AMENDMENT ADOPTED: JUNE 12, 2017

4TH AMENDMENT ADOPTED:



RESOLUTION NO.:

220516

PRESENTED:

DEC - 7 2022

ADOPTED:

**RESOLUTION APPROVING THE APPOINTMENT OF DAVINA DONAHUE TO THE
DOWNTOWN DEVELOPMENT AUTHORITY**

BY THE MAYOR:

WHEREAS, To fulfill the vacancy on the Flint Downtown Development Authority Board created when Inez Brown retired from the position of Clerk.

WHEREAS, Pursuant to the Charter the City Clerk is to also be a member of the Downtown Development Authority Board, and

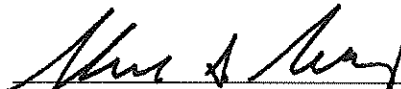
WHEREAS, With Davina Donahue's extensive knowledge acquired during her role as Deputy Clerk.

NOW THEREFORE BE IT RESOLVED, That the Flint City Council approves the appointment of Davina Donahue to the Flint Downtown Development Authority Board to serve for the remaining appointment, to expire February 2024.

APPROVED AS TO FORM:


William Kim, Chief Legal Officer

FOR THE CITY OF FLINT:


Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

DAVINA G. DONAHUE

5148 Pasadena Avenue

Flushing, MI 48433

PROFILE SUMMARY

Proactive, service-focused administrative professional with a demonstrated history of supporting governmental environments by serving as a senior level administrator and supervisor. Maintain and utilize highly confidential and legal information toward compliance with Federal, State and local laws and regulations. Recognized and valued as a discreet, fair and knowledgeable employee with the ability to juggle and prioritize needs while ensuring exceptional responses to logistics and departmental/division concerns. Strong planner and problem solver with broad skills in developing, implementing and communicating policies and objectives. Expert in building departmental databases, optimizing financial processes, and crafting high-impact proposals and presentations.

PROFESSIONAL HISTORY

- ***City of Flint – INTERIM CITY CLERK (10/2022 – present)***

Administer all city of Flint elections in accordance with Federal, State and local laws. Serve as the Clerk to the City Council. Plan, organize and direct all aspects of the City Clerk and City Council departmental operations including, but not limited to, personnel, budgeting and general administration. Exercise supervision over professional and support staff in the Clerk and Council Offices. All other essential duties and responsibilities of the City Clerk by way of position description, the Flint City Charter and the Flint City Code.

- ***City of Flint – DEPUTY CITY CLERK (10/2019 – 09/2022)***

Acted as City Clerk in her absence. Worked as an executive assistant to the City Clerk and City Council by implementing the Flint City Charter, the Flint City Code, Robert's Rules of Order, Michigan Election Law, the Michigan Home Rule City Act, the Michigan Uniform Budgeting and Accounting Act, the Michigan Open Meetings Act, the Michigan Freedom of Information Act, Rules Governing Meetings of the Council, and many other related laws, codes and regulations. Assisted the City Clerk in the performance of duties relative to the City Clerk's Office, the supervision of City Clerk and City Council staff, and the ongoing conduct of election activities through the

maintenance of election records, the processing of election payroll, and preparing reports. Worked a number of election positions including the Receiving Board, the AV Counting Board, Tech Support, and Election Inspector Payroll Clerk. Established and maintained effective working relationships with election officials, city administrators, elected officials, and the general public in an impartial and honest manner. Assistant custodian to the City Seal and its responsibility to numerous City documents. Prepared complex, technical and accurate reports for the City Clerk and City Council members to assist with their due diligence towards elections, budgets and the consideration of resolutions and ordinances. Coordinated actions of the City Council office, including overseeing indexing systems for City Council proceedings and other vital City records, and the planning, organizing and delegating of advanced administrative and technical duties. Helped to maintain expenditures and revenues, accounts payables and receivables, and inventory control for municipal elections and the Clerk and Council offices generally. Drafted and prepared ordinances and resolutions independently and per Clerk and/or Council members' request for consideration by the City Council.

- ***City of Flint – ADMINISTRATIVE SECRETARY TO CITY COUNCIL (02/2015 – 09/2019)***

Operated as a clerk for the City Council by maintaining the Council's calendar and meeting schedule, publishing and publicizing notice of all City Council meetings, preparing meeting agendas and minutes, attending all Council meetings as a recording secretary for the Council, and gathering and maintain a record of Council meeting proceedings and the actions of the City Council. Acted as a City Council liaison with the Mayor, City Administrator, department heads, elected officials and members of the public. Helped to maintain the City Council and City Clerk's online presence by providing accurate posting information with respect to election and legislative laws, including updating the City of Flint's webpage by proxy on its official Flint City Code publisher's website. Assisted with the preparation of the annual City Clerk and City Council budgets. Recommended new equipment, software and hardware regarding the legislative record and its maintenance. Helped to establish Standard Operating Procedures and Office Methods and Plans of Action for the City Clerk and City Council offices.

- ***City of Flint – PRINCIPAL CLERK TYPIST (04/2014 – 01/2015)***

Assisted the Department of Community and Economic Development with gathering and organizing information and statistics on specific topics and preparing an analysis of the findings. Compiled and maintained office files

and tracking systems for a variety of grant-related and other projects. Performed miscellaneous clerical work such as developing forms, composing correspondence, reports, fliers, and other documents. Received and interviewed visitors, maintained staff appointments and calendars, and arranged meetings. Assisted with all administrative functions of the office.

- ***City of Flint – OFFICE MANAGER (07/2012 – 12-2014)***

Provided administrative support to the Legal Department and City Attorney, including correspondence, legal documents and financial management. Handled accounts payable/receivable and assisted in the preparation of the annual budget for the department. Checked and verified information used as supporting records for legal referrals and Freedom of Information Act requests. Created and maintained confidential legal case files by filing index, pleading, correspondence, legal research, and attorney notes. Maintained and secured records per City established procedures and policies. Prepared resolutions and ordinances for legislation according to City established processes. Acted as a liaison and maintained open lines of communication among attorneys and administrative staff.

- ***City of Flint – ADMINISTRATIVE SECRETARY TO CITY COUNCIL (04/2006 – 06/2012)***

Performed complex and varied administrative work and technical functions requiring a high degree of decision and precision. Provided support to nine City Council members and the City Clerk, including correspondence, referrals, legal documents and financial management. Assisted in the preparation of the annual budget for the department and maintained control of expenditures and revenues. Prepared resolutions and ordinances for legislation according to the City established pattern. Created highly effective organizational and filing systems, including quick and thorough indexing, filing and offsite storage. Entrusted to manage office in the absence of the City Clerk. Provided support, orientation and oversight to staff when implementing a digital library. Recorded and transcribed difficult and/or technical dictation from rough draft, letters, memoranda, reports and other materials.

- ***City of Flint – PRINCIPAL CLERK TYPIST (06/2005 – 03/2006)***

Assisted the Flint Police Department's Detective, Patrol and Special Operations Divisions with all administrative responsibilities, including financial reporting, payroll, correspondence, records and reports. Duties included receiving visitors and telephone calls, and generating, copying, mailing and/or faxing memoranda, letters, referrals and documents.

- ***City of Flint – WSC AUTOMATION CLERK (02/2005 - 05/2005)***
Worked for the City's Water Service Center by creating and maintaining a database of street cuts/repairs within the jurisdiction. Updated address location cards for all City water connections. Received visitors and telephone calls, and generated, copied, mailed and/or faxed memoranda, letters and documents.
- ***City of Flint – FIRE PAYROLL AND PERSONNEL CLERK (04/1999 – 06/2004)***
Assisted the Flint Fire Department cost center managers in the preparation of annual budgets. Assisted in the preparation of the annual budget for the department and maintained control of expenditures and revenues. Researched and analyzed information on a variety of projects. Processed employee pay reports/time sheets and confidential employee records for 200+ employees, to include salary changes, vacation/sick reports and discipline histories. Maintained various databases regarding station/shift personnel and continuing education. Performed all general clerical functions.

EDUCATION

Eastern Michigan University, Ypsilanti, Michigan (08/1994 – 06/1997)

Major: Secondary Education (45 hours)

Minor: English Language and Literature (45 hours)

Mott Community College, Flint, Michigan (01/1993 – 07/1994)

Major: Liberal Arts (60 hours)

Associates Degree: General



RESOLUTION NO.: 220517
PRESENTED: DEC - 7 2022
ADOPTED: _____

**RESOLUTION APPROVING THE APPOINTMENT OF MONTEL MENIFEE TO THE
DOWNTOWN DEVELOPMENT AUTHORITY**

BY THE MAYOR:

WHEREAS, To fulfill the vacancy on the Flint Downtown Development Authority Board created when Adrian Walker resigned to, he no longer leaves in the district.

WHEREAS, Mayor Sheldon A. Neeley recommends the appointment of Montel L. Menifee to the Downtown Development Authority Board for the balance of said term, and

WHEREAS, With Montel Menifee's extensive knowledge as the Community Affairs Manager for Senate Minority Leader Jim Ananich and a vast array of community relationships, awareness to various businesses, services, and resources in the Flint community.

NOW THEREFORE BE IT RESOLVED, That the Flint City Council approves the appointment of Montel Menifee to the Flint Downtown Development Authority Board to serve for the remaining appointment, to expire February 2024.

APPROVED AS TO FORM:

William Kim, Chief Legal Officer

FOR THE CITY OF FLINT:

Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

Montel L. Meniffee

(810) 938-3974 • montelmeniffee@gmail.com • 5817 Dupont St. Flint, MI 48505

Education

Ashford University, graduated 2010

- Bachelor of Arts in Organizational Management

Mott Community College, graduated 2005

- Associates Degree in Arts

Political Experience

Community Affairs Manager, Senate Minority Leader Jim Ananich (D-Flint)

May 2021-Present

- Building relationships with government, community and constituent groups, and civic leaders.
- Identifying and attending meetings within urban municipalities on behalf of the Senator.
- Facilitating requests made of the Senator and/or office by local officials.
- Proactively meeting with local stakeholder and elected officials to build strong relationships within the communities.
- Planning, advancing, and executing events on behalf of the Senator.

Regional Director, Senator Gary C. Peters

September 2015-May 2021

- Serve Senator Peters in a 9-county region, with more than 1.2 million constituents
- Represent Senator Peters in meetings and at events with stakeholders in the region
 - Led office's outreach in Flint during the Flint Water Crisis
- Coordinate with Casework and Legislative staff to relay constituent concerns and suggestions
- Plan and execute visits from Senator and Senior Staff within the region

District Liaison/ Personal Assistant to Senate Minority Leader Jim Ananich (D-Flint)

January 2015-September 2015

- Advised the Senator on how to best improve effectiveness of outreach both in the district and Lansing
- Increased district engagement by completing constituent cases and increased interaction in Flint

Regional Field Director, Michigan Coordinated Campaign, 5th Congressional District

May 2014-November 2014

- Supervised and trained nine field organizers in addition to managing daily operations of three field offices
- Established a field plan that resulted in 307,362 doors knocked, outperforming all other regions
- Generated an increase in voter turnout in Genesee County by 16,000 voters from 2010

District Liaison/Constituent Relations, Michigan State Senate

May 2013-May 2014

- Initiated district contact through participation in economic development meetings, legislative issue canvasses, and engaging local unions and local party members
- Managed constituent casework

Campaign Manager, Jim Ananich (D-Flint) for State Senate

January 2013-May 2013

- Oversaw daily operations in addition to finance operations
- Served as Deputy Campaign Manager during a two-month special election
 - Included 73,104 voter contact attempts and resulted in a 51% margin win amongst a seven person primary

References available upon request
