

OFFICE OF THE CITY COUNCIL



**CITY OF FLINT  
NOTICE OF PUBLIC HEARING**

**AMENDING RULES GOVERNING MEETINGS OF THE FLINT CITY COUNCIL**

**NOTICE IS HEREBY GIVEN**, that the Flint City Council will hold a Public Hearing on **Monday, April 8, 2024, at 5:30 p.m.** in the City Council Chambers, 3<sup>rd</sup> Floor, Flint City Hall, 1101 S. Saginaw Street, Flint, to allow for public comment on:

**230466.6** A Public Hearing on Amending Council Rules [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 of the Flint City Charter requires that, before such rules may be adopted, a public hearing must be held.

This hearing is being held to consider the adoption of "Amended" Rules Governing Meetings of the Flint City Council [See Resolution No. 230466.1].

A copy of Resolution No. 230466.1 is available for public inspection on the City's website at [www.cityofflint.com](http://www.cityofflint.com), as well as at the City Clerk's Office, 2<sup>nd</sup> Floor, Flint City Hall, 1101 S. Saginaw Street, Flint.

Persons with disabilities may participate in this Public Hearing by emailing a request for accommodations (including, but not limited to, interpreters) to [CouncilPublicComment@cityofflint.com](mailto:CouncilPublicComment@cityofflint.com), with the subject line *Request for Accommodation*, or by contacting the City Clerk at (810) 766-7418.

Questions and comments regarding this public hearing may be directed to the Flint City Clerk at [ddonahue@cityofflint.com](mailto:ddonahue@cityofflint.com).

**Dated: 3/17/2024**

**Davina G. Donahue**  
**City Clerk**  
**(810) 766-7418**  
[ddonahue@cityofflint.com](mailto:ddonahue@cityofflint.com)



730446  
RESOLUTION NO.: \_\_\_\_\_

PRESENTED: JAN 22 2024

ADOPTED: \_\_\_\_\_

### RESOLUTION SETTING PUBLIC HEARING ON AMENDING COUNCIL RULES

Section 3-103(B) of the Flint City Charter empowers the City Council to determine its own rules of procedure. Section 1-801 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, while Section 1-801(H) of the Flint City Charter also provides that a proposed rule may be given immediate effective for a period not to exceed sixty (60) days, pending completion of the required procedure;

In the past year, despite meetings that often last for eight or more hours, the Flint City Council and its committees have failed to complete all business listed on its agendas. Arguments about parliamentary procedure have predominated over substantive items of City business. Multiple special meetings have been called in order to address time-sensitive items of City business that were not addressed during regularly scheduled meetings, creating additional burdens on Councilmembers, City staff, and the public;

**IT IS RESOLVED** that the appropriate City Officials are authorized to do all things necessary to conduct a public hearing on the attached proposed amended Rules Governing Meetings of the Flint City Council, to be held at the meeting of the Flint City Council on February 12, 2024, or at any subsequent meeting of the Flint City Council as circumstances may warrant.

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
**APPROVED AS TO FORM:**

\_\_\_\_\_  
**William Kim, City Attorney**



## RESOLUTION STAFF REVIEW FORM

<b>AGENDA ITEM TITLE:</b>	Resolution setting public hearing about amending Council Rules and implementing amended Council Rules with immediate effect	<b>BID / PROP #:</b>	N/A
<b>PREPARED BY:</b>	William Kim, City Attorney	<b>DATE:</b>	11/30/2023
<b>VENDOR NAME:</b>	N/A		
<b>BACKGROUND/SUMMARY OF PROPOSED ACTION/FINANCIAL IMPLICATIONS:</b>			
<p>The substantive changes in the attached proposed amended Council Rules are listed below:</p> <ul style="list-style-type: none"> <li>Rule 1.3: Only speakers on an appeal are appellant and Chair, limited to 1 minute each. Explicitly incorporating Roberts Rules of Order provision prohibiting appeal while appeal is pending.</li> <li>Rule 5.5 &amp; 5.6: Specifying what Council can do without quorum, and automatically recessing the meeting if quorum is lost.</li> <li>Rule 6.2: Clarifying how additions/changes to the agenda are addressed/processed.</li> <li>Rule 6.3: Clarifying ability of Council to take up any item in a committee.</li> <li>Rule 6.8: Authorizing clerk to cancel committee meetings with nothing on the agenda.</li> <li>Rule 8.2: Clarifying powers of Chair by explicitly incorporating Roberts Rules of Order provision allowing Chair to rule on whether motion is in order.</li> <li>Rule 11.1: Clarifying how procedural motions may be raised.</li> <li>Rule 11.3: Clarifying debate on procedural motions.</li> <li>Rule 11.4: Clarifying Chair's authority to interpret motions to fit within the rules.</li> <li>Rule 14.1: Specifying allowable recesses of up to 36 hours (as allowed under the OMA).</li> <li>Rule 14.3: Authorizing Chair to order recess of up to 15 minutes.</li> <li>Rule 16.1: Clarifying requirement to vote immediately.</li> <li>Rule 17.1: Clarifying that a motion to limit or extend debate is always in order.</li> <li>Rule 18.2: Limiting debate to 1 minute per councilmember on motion to postpone definitely.</li> <li>Rule 20: Clarifying how to amend underlying an agenda item.</li> <li>Rule 25.2: Prohibiting using points of order to take the floor.</li> <li>Rule 25.4: Requiring explanation of the point of order in 10 seconds with citation to specific rules.</li> <li>Rule 26.2: Clarifying improper requests for information.</li> <li>Rule 27.2: Explicitly incorporating Roberts Rules of Order provision empowering Chair to call members to order.</li> <li>Rule 28.4: Limiting default debate on main motions to 2 rounds of 3 minutes.</li> <li>Rule 28.5: Clarifying pausing of the debate clock.</li> <li>Rule 29.3: Extending the registration requirement for public comment at City Council meetings to all committees.</li> <li>Rules 30.2-30.4: Code of conduct for councilmembers during debate.</li> </ul>			
<b>BUDGETED EXPENDITURE?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>PRE-ENCUMBERED?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>IS A CONTRACT NEEDED?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>CONTRACT LENGTH</b>	N/A
<b>EST. AMT. BY BUDGET YEAR:</b>	N/A	<b>OTHER IMPLICATIONS</b>	None

**Proposed Amended Council Rules (clean)**

## **RULES GOVERNING MEETINGS OF THE FLINT CITY COUNCIL**

	<b>PREAMBLE</b>
<b>RULE 1</b>	<b>PARLIAMENTARY AUTHORITY</b>
<b>RULE 2</b>	<b>SUSPENSION AND AMENDMENT OF RULES</b>
<b>RULE 3</b>	<b>COUNCIL PRESIDENT; PRESIDING AT MEETINGS</b>
<b>RULE 4</b>	<b>APPOINTMENT OF COMMITTEES</b>
<b>RULE 5</b>	<b>TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS</b>
<b>RULE 6</b>	<b>AGENDA AND ORDER OF BUSINESS</b>
<b>RULE 7</b>	<b>CLOSED SESSIONS</b>
<b>RULE 8</b>	<b>FORM OF ACTION AND CONSENT AGENDA</b>
<b>RULE 9</b>	<b>VOTING</b>
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<b>RULE 11</b>	<b>CONSIDERATION OF PROCEDURAL MOTIONS</b>
<b>RULE 12</b>	<b>SUPPORT FOR MOTIONS</b>
<b>RULE 13</b>	<b>MOTION TO ADJOURN</b>
<b>RULE 14</b>	<b>MOTION TO RECESS</b>
<b>RULE 15</b>	<b>MOTION TO POSTPONE TEMPORARILY</b>
<b>RULE 16</b>	<b>MOTION TO VOTE IMMEDIATELY</b>
<b>RULE 17</b>	<b>MOTION TO LIMIT OR EXTEND DEBATE</b>
<b>RULE 18</b>	<b>MOTION TO POSTPONE DEFINITELY</b>
<b>RULE 19</b>	<b>MOTION TO REFER (COMMIT)</b>
<b>RULE 20</b>	<b>MOTION TO AMEND</b>
<b>RULE 21</b>	<b>MOTION TO POSTPONE INDEFINITELY</b>
<b>RULE 22</b>	<b>MOTION TO RECONSIDER</b>
<b>RULE 23</b>	<b>MOTION TO RESCIND</b>
<b>RULE 24</b>	<b>REQUEST TO WITHDRAW A MOTION</b>
<b>RULE 25</b>	<b>INCIDENTAL MOTIONS – POINT OF ORDER</b>
<b>RULE 26</b>	<b>INCIDENTAL MOTIONS – REQUEST FOR INFORMATION</b>
<b>RULE 27</b>	<b>MAINTENANCE OF ORDER AND DEBATE</b>
<b>RULE 28</b>	<b>RIGHT TO SPEAK IN DEBATE</b>
<b>RULE 29</b>	<b>PARTICIPATION BY THE PUBLIC</b>
<b>RULE 30</b>	<b>STANDARDS OF CONDUCT</b>
<b>RULE 31</b>	<b>ETHICS</b>
<b>RULE 32</b>	<b>DISCIPLINARY ACTIONS</b>
<b>RULE 33</b>	<b>ANNUAL REVIEW OF CITY COUNCIL RULES</b>

## **PREAMBLE**

These rules govern the orderly conduct of Flint City Council meetings. Meetings of the Flint City Council are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 through 15.275. 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 otherwise exempt under that statute.

## **PARLIAMENTARY AUTHORITY**

- Rule 1.1 All matters of procedure not specifically addressed by the Council Rules, state, or local law, shall be governed by Robert's Rules of Order 12<sup>th</sup> Ed. If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules shall take precedence.
- Rule 1.2 The Chair shall preserve order and decorum, may call other Councilmembers to order, and may speak to points of order in preference to other Councilmembers. The Chair shall decide all questions arising under these rules and general parliamentary practice and may seek the advice of others at the Chair's discretion.
- Rule 1.3 After the Chair decides on a question, any member may "appeal from the decision," except that no appeal may be made while another appeal is pending. If the appeal is seconded, the member making the appeal has up to 1 minute to state the reason for the appeal. The Chair then has up to 1 minute to state the reason for the decision.
- Rule 1.4 The Chair then states the question as: "Shall the decision of the Chair be reversed?" There shall be no further debate on the appeal and no other member shall participate in the discussion. Unless a majority of Councilmembers-elect vote to overturn the Chair's ruling, the Chair's ruling stands.
- Rule 1.5 City Council may appoint a person to serve as Parliamentarian. At the request of any Councilmember, the parliamentarian shall rule on questions of parliamentary procedure. 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.

## **COUNCIL PRESIDENT; PRESIDING AT MEETINGS**

- Rule 3.1 The Council shall have a President and a Vice-President, 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 meetings of the Council as Chair 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 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.
- Rule 4.3      Finance Committee - Business conducted consists of all matters relating to City finances (e.g. spending, revenue, contracts, fees, budgets, audits, etc.).
- Rule 4.4      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.).
- Rule 4.5      Legislative Committee - Business conducted consists of all matters relating to City legislation (e.g. ordinances, policies, etc.).
- 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.
- 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 appoint those committees' chairs and members. The President shall determine the number of Councilmembers comprising these committees.

### **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 meetings of the City Council are 5:30 p.m. on the second and fourth Monday of every month, and regular meetings of the finance, governmental operations, and legislative committees shall be at 5:00 PM the Wednesday preceding.
- Rule 5.3      The Clerk shall notify Councilmembers and the public, as required by the Open Meetings Act, of special meetings or a change in the time or place of meetings.
- Rule 5.4      The Mayor shall be notified of all meetings of the City Council.
- Rule 5.5      Without a quorum, the City Council may take no action except to convene or adjourn.

- Rule 5.6 Once a meeting has been convened, quorum is not lost so long as sufficient members are present in the Council Chambers. If quorum is lost during a meeting, the Chair shall immediately recess the meeting for up to 15 minutes.
- Rule 5.7 City Council may, by resolution, adjourn all meetings for a two-week period. A pro-forma meeting of the City Council shall be scheduled immediately preceding the other Council committee meeting in that month.

### **AGENDA AND ORDER OF BUSINESS**

- Rule 6.1 Matters shall be placed on the agenda of any meeting of the City Council by action of the Council President any chairperson of any committee of the Council, or by the Mayor, prior to the start of the meeting.
- Rule 6.2 Any agenda items that require official Council action at the meeting for final adoption (i.e., resolutions, budget amendments, grant acceptances, etc.) must be accompanied by appropriate documentation and signed by the required signatories.
- Rule 6.5 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 6.6 The Chair shall choose a person to lead the Pledge of Allegiance.
- Rule 6.7 Opening Ceremonies will consist of the Pledge of Allegiance, a short prayer or blessing, and may include requests for moments of silence. 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.
- Rule 6.8 Items denoted with \*\* will only appear on an agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda. If there are no items on a committee agenda, the committee meeting will be cancelled by the Clerk.
- Rule 6.8a Finance Committee Agenda - Roll Call, Request for Agenda Changes/Additions, \*\*Closed Session, Public Comment, \*\*Consent Agenda, \*\*Presentation of Quarterly Financial Reports, Resolutions, \*\*Special Orders/Discussion Items, Adjournment
- Rule 6.8b Legislative Committee Agenda - Roll Call, Request for Agenda Changes/Additions, Public Comment, \*\*Consent Agenda, \*\*Resolutions, Ordinances, \*\*Special Orders/Discussion Items, Adjournment
- Rule 6.8c Governmental Operations Committee Agenda - Roll Call, Request for Agenda Changes/Additions, Public Comment, \*\*Consent Agenda, \*\*Licenses, Resolutions, Appointments, \*\*Special Orders/Discussion Items, Adjournment
- Rule 6.8d Special Affairs Agenda - Roll Call, Request for Agenda Changes/Additions, \*\*Closed Session, Public Comment, \*\*Consent Agenda, Resolutions, Appointments, Ordinances, \*\*Special Orders/Discussion Items, Adjournment
- Rule 6.9 Rules 6.2, 6.3 and 6.4 also apply to Committee meetings, as does section 31.10 of the Flint Code of Ordinances, the disorderly persons ordinance.



**Rule 6.10** Items may be placed on the agenda of any committee agenda by request of any Councilmember, the Mayor, or the Clerk. Special orders must be approved by the Council President or the Committee Chair for a committee meeting. The Clerk may reassign items to an appropriate committee at his or her discretion.

**Rule 6.11** 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** Disorderly Persons Warning
- III** Request for Agenda Changes/Additions
- IV** \*\*Public Hearings
- V** Public Speaking
- VI** Consent Agenda
- VII** Presentation of Minutes
- VIII** \*\*Petitions and Communications
- IX** \*\*Appointments
- X** \*\*Resolutions
- XI** \*\*Licenses
- XII** \*\*Introduction and First Reading of Ordinances
- XIII** \*\*Second Reading and Enactment of Ordinances
- XIV** \*\*Special Orders/Discussion Items
- XV** Final Council Comments
- XVI** Adjournment

### **CLOSED SESSIONS**

**Rule 7.1** 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 7.2**      **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 7.3**      **LEAVING CLOSED SESSION** – The City Council may leave a closed session upon a majority vote of the Councilmembers-elect.

**Rule 7.4**      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 7.5**      All matters discussed in closed session are privileged and not to be shared with any person outside of the closed session.

### **FORM OF ACTION AND CONSENT AGENDA**

**Rule 8.1**      All official action of the Council shall be by ordinance or resolution, but decisions on parliamentary procedure may be made upon motion. Other action may be made by motion, including decisions on parliamentary procedure.

**Rule 8.2**      The Chair has the duty to determine whether a motion is in order and may do so at any time before restating the question.

**Rule 8.3**      No motion may be debated by the Council until it has been restated by the Chair and it must be reduced to writing if requested by any Councilmember. All resolutions and ordinances must be in writing.

**Rule 8.4**      The Chair may request the adoption of a "Consent Agenda" consisting of, as listed on the agenda, (a) approval of minutes; (b) accepting and placing on file communications, (c) approving appointments, resolutions, and licenses; (d) approving ordinances for introduction and first reading or second reading and enactment.

**Rule 8.5**      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 the Consent Agenda shall be separated at the request of any Councilmember. After 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.

**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.
- 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. This rule 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 AND RESOLUTIONS**

- Rule 10.1 Upon the introduction of any ordinance or resolution, the City Clerk shall proceed as directed in Section 3-301 *et seq* of the Flint City Charter.
- Rule 10.2 After completing a public hearing for a resolution or ordinance, any Councilmember may move to enact the resolution or ordinance.
- Rule 10.3 If the ordinance or resolution 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 City Attorney for review and approval as to form prior to enactment.

## **CONSIDERATION OF PROCEDURAL MOTIONS**

Rule 11.1 Unless otherwise stated, until debate on a main motion (i.e. to approve or move to Council) regarding an agenda item has begun, the following motions are not in order. Otherwise, the following motions may be made by a member holding the floor:

Rule 13	to adjourn	Rule 19	to refer to committee
Rule 14	to recess	Rule 20	to amend
Rule 15	to postpone temporarily	Rule 21	to postpone indefinitely
Rule 16	to vote immediately	Rule 22	to reconsider
Rule 17	to limit debate	Rule 25	point of order
Rule 18	to postpone definitely	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, and if the same motion is made by multiple Councilmembers, the chair may address those motions at the chair's discretion.

Rule 11.3 Unless otherwise stated, there is no debate on any of these motions.

Rule 11.4 If the substance of a motion made by a Councilmember has the purpose of a motion listed above, the chair shall address it according to its purpose, regardless of how the motion is named by the Councilmember making it.

## **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.

## **MOTION TO ADJOURN**

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

Rule 13.2 The Chair may order an adjournment, without objection.

## **MOTION TO RECESS**

Rule 14.1 A motion to recess is always in order and shall state the recess length, which may be up to 36 hours.

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 of up to 15 minutes at any time.

## **MOTION TO POSTPONE TEMPORARILY/RESUME CONSIDERATION**

Rule 15.1 The Council may postpone temporarily any pending matter. This motion postpones the question, all amendments, and other adhering motions, until later in the meeting.

Rule 15.2 If a decision is made to resume consideration of a matter, it shall return in the same form as when it was postponed temporarily.

Rule 15.3 A motion to resume consideration must be made at the same meeting that the matter was postponed. If a motion to resume consideration fails or is not made, the pending matter shall be added to the next meeting agenda.

#### **MOTION TO VOTE IMMEDIATELY**

Rule 16.1 Any Councilmember may move to vote immediately. If the motion is supported, debate will cease immediately.

#### **MOTION TO LIMIT OR EXTEND DEBATE**

Rule 17.1 A motion to limit or extend debate is always in order. Any Councilmember may move to limit or determine the time for discussion of a pending motion or to modify or remove limitations already imposed. This motion must include a time limit for each Councilmember.

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.

#### **MOTION TO POSTPONE DEFINITELY**

Rule 18.1 Any Councilmember may move to put off consideration of a pending main motion and to set a definite date/time for its consideration.

Rule 18.2 If a date/time is not set by the maker of the motion, debate on the motion to postpone definitely shall be limited to one round of discussion, 1 minute per councilmember, and shall be limited to the date/time the main motion shall be taken up,.

#### **MOTION TO REFER TO COMMITTEE**

Rule 19.1 Any Councilmember may move to refer an agenda item from a City Council meeting to a committee.

#### **MOTION TO AMEND**

Rule 20.1 Any Councilmember may move to amend the underlying agenda item (i.e. resolution or ordinance) that is subject to the main motion.

Rule 20.2 There is no limit on the number of times an underlying agenda item may be amended. At the Chair's discretion, or at the request of a Councilmember, the chair shall solicit proposed amendments to an underlying agenda item during debate on the main motion, followed by a vote on each proposed amendment after debate has been exhausted, and concluding with a vote on the finalized agenda item as amended.

#### **MOTION TO POSTPONE INDEFINITELY**

Rule 21.1 The Council may decide to postpone consideration of a matter indefinitely.

- Rule 21.2 A matter 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 matter.

### **MOTION TO RECONSIDER**

- Rule 22.1 A motion to reconsider any decision on an agenda item that failed may be made, at the same City Council meeting, by any Councilmember who voted in the affirmative, or at any subsequent City Council meeting, if reconsideration is placed on the agenda at the request of any Councilmember who voted in the affirmative or by the Mayor.
- Rule 22.2 No question may be reconsidered more than once at any given meeting.
- Rule 22.3 If a Council decision has gone into effect, the motion to reconsider is not in order.

### **RESCINDING/REPEALING PRIOR ACTION**

- 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 intention to rescind a previous action must be given to the Clerk at least two days prior to the meeting at which resolution or ordinance rescinding or repealing the prior action is introduced. However, the Council may vote by two-thirds of Councilmembers-elect to waive the notice requirement.
- Rule 23.3 Debate on a rescinding or repealing an action is as for any main motion.

### **WITHDRAWAL OF MOTIONS**

- Rule 24.1 Any Councilmember may withdraw his or her motion before it has been restated by the Chair. A request to withdraw a motion does not require a second.
- Rule 24.2 After the motion has been restated by the Chair, it may only be withdrawn by majority consent of the Councilmembers present. A request to withdraw is undebatable.
- Rule 24.3 No request to withdraw may be made after the vote on the motion has commenced.

### **POINT OF ORDER**

- Rule 25.1 The purpose of a point of order is to correct a breach in the rules when the Chair does not correct it, or when the Chair breaches 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, or to improperly take the floor. Multiple violations of this rule shall be cause for disciplinary action.
- 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, subject to an appeal pursuant to Rule 1.3.
- Rule 25.4 The member making a point of order must explain their point of order in 10 seconds or less, and must cite the specific provision in Council Rules, Robert's rules, or the Flint City Charter that has allegedly been violated.

- Rule 25.5 A point of order cannot be ignored by the Chair. A ruling of “agree – 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 Chair can rule.

### **REQUEST FOR INFORMATION**

- Rule 26.1 A request for information requests information from the member holding the floor. Its purpose is to help the member making the request for information understand the process and the potential consequences of the next vote.
- Rule 26.2 A request for information that asks a question for which the requestor already knows the answer (i.e. “isn’t it true that...”, “do you realize that...”) is improper. A request for information seeking information about the speaker’s knowledge or state of mind (“do you know that...” or “why do think/feel/believe that...”) is also improper.
- Rule 26.3 A request for information cannot be ignored by the Chair, but the Chair may decide whether the request is legitimate or whether the speaker is misleadingly utilizing this motion to secure the floor for other purposes. The Chair 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.

### **MAINTENANCE OF ORDER AND DEBATE**

- Rule 27.1 When a member is called to order, the Chair shall determine if he or she is in order.
- Rule 27.2 The Chair does not have to wait for a point of order to be raised but may rule a councilmember out of order on the Chair’s initiative.
- Rule 27.3 Councilmembers may not engage in any type of argumentative discourse with members of the audience, at any time, for any reason.
- Rule 27.4 Only the Chair may call an individual up to speak or answer questions. Other Councilmembers must petition the presiding officer to make this request.
- Rule 27.5 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, and shall address all remarks to the Chair.
- 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 must first obtain the floor by being recognized by the Chair. A Councilmember must be in their seat to request the floor.
- Rule 28.4 Unless otherwise specified by these rules, each member has the right to speak up to twice on the same main motion, for 3 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.

- Rule 28.5 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. Once the timer has started, only the Chair may order that the timer be paused or adjusted, and only if a subsidiary motion has been properly made and seconded.
- Rule 28.6 Councilmembers may request, from the presiding Chair, the opportunity to ask questions of staff or others during debate on any agenda item. Any such questions and responses shall count against the Councilmember's allotted time.

### **PARTICIPATION BY THE 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 or its committees, they may do so during the time designated for public comment.
- Rule 29.3 Members of the public who wish to address the City Council or its committees must register before the meeting begins. A box will be placed at the entrance to the Council Chambers for collection of registrations. No additional speakers or slips will be accepted after the meeting begins.
- Rule 29.4 Members of the public shall have no more than 2 minutes per speaker during public comment, with only one speaking opportunity per speaker.
- Rule 29.5 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. Final Council comments shall be limited to 2 minutes.
- Rule 29.6 Members of the public shall have no more than 3 minutes to speak during a public hearing. A member of the public 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. Comments during a public hearing must be germane to the public hearing.
- Rule 29.7 Councilmembers may not speak during public hearings nor respond to speakers.
- Rule 29.8 Any person 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, or any other violation of these rules.
- Rule 29.8 Any person who is called to order shall yield the floor until the Chair shall have determined whether he or she is in order. If a person is determined to be out of order, that person must yield the floor and forfeit any remaining time.

### **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.

- Rule 30.2**      Speakers should address their remarks to the chair, maintain a courteous tone, and avoid interjecting a personal note into debate.
- Rule 30.3**      During meetings of the City Council, Councilmembers should refer to each other only as "Councilmember from the [number] Ward" and in a respectful manner.
- Rule 30.4**      The Chair may require Councilmembers to yield the floor for failure to follow these standards, failure to be germane, for excessive repetition, for remaining silent while having the floor, or for failure to follow any other Council rule.

### **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 Chair may order discipline up to and including removal from a meeting. Any discipline issued is subject to an appeal raised pursuant to Rule 1.3. 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**      Once a year, 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 appoint a committee to review and offer revisions of City Council Rules.

**RULES ORIGINALLY ADOPTED: MAY 10, 1976**  
**1<sup>ST</sup> AMENDMENT ADOPTED: MAY 24, 2010**  
**2<sup>ND</sup> AMENDMENT ADOPTED: APRIL 27, 2015**  
**3<sup>RD</sup> AMENDMENT ADOPTED: JUNE 12, 2017**  
**4<sup>TH</sup> AMENDMENT ADOPTED: FEBRUARY 27, 2023**

**Proposed Amended Council Rules (redline)**

## 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 AND ;~~ORDER OF BUSINESS 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 AND RESOLUTIONS

### MOTIONS #1

- RULE 11 CONSIDERATION OF PROCEDURAL MOTIONS  
RULE 12 SUPPORT FOR MOTIONS  
RULE 13 MOTION TO ADJOURN  
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RULE 15 MOTION TO POSTPONE TEMPORARILY (~~LAY ON THE TABLE~~)  
RULE 16 MOTION TO VOTE IMMEDIATELY (~~CALL THE QUESTION~~)  
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### 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 THE PUBLIC~~

### CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

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

DRAFT

## 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 of the Flint City Council 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 otherwise exempt under that statute.

### PARLIAMENTARY AUTHORITY

- Rule 1.1 All matters of procedure not covered specifically addressed by the Council Rules, State, or Local law, shall be governed by Robert's Rules of Order 12<sup>th</sup> Ed. If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules shall take precedence.
- Rule 1.2 The Chair shall preserve order and decorum, may call other Councilmembers to order, and may speak to points of order in preference to other Councilmembers. The Chair shall decide all questions arising under these rules and general parliamentary practice and may seek the advice of others at the Chair's discretion.
- Rule 1.3 After the Chair decides on a question, any member may "appeal from the decision," except that no appeal may be made while another appeal is pending. If the appeal is seconded, the member making the appeal has up to 1 minute to state the reason for the appeal. The Chair then has up to 1 minute to state the reason for the decision.
- Rule 1.4 The Chair then states the question as: "Shall the decision of the Chair be reversed?" There shall be no further debate on the appeal and no other member shall participate in the discussion. Unless a majority of Councilmembers-elect vote to overturn the Chair's ruling, the Chair's ruling stands.
- 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 1.35 City Council may appoint a person to serve as ~~its~~ Parliamentarian. At the request of any ~~member of the City Council~~ Councilmember, the parliamentarian shall rule on questions of parliamentary procedure. ~~If a Parliamentarian is not present, 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 as Chair and, in the absence of the President, the Vice-President shall preside. If both the President and Vice-President are absent, a cChairperson from a Council cCommittee 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 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.).
- Rule 4.54 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 meetings of the City Council ~~is~~ are 5:30 p.m. on the second and fourth Monday of every month, and regular meetings of the finance, governmental operations, and legislative committees shall be at 5:00 PM the Wednesday preceding.

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 Councilmembers and the public, are informed as is required by the Open Meetings Act, of special meetings or a change in the time or place of meetings.~~

Rule 5.54 The Mayor shall be notified of all meetings of the City Council.

~~Rule 5.5 Without a quorum, the City Council may take no action except to convene or adjourn.~~

~~Rule 5.6 Once a meeting has been convened, quorum is not lost so long as sufficient members are present in the Council Chambers. If quorum is lost during a meeting, the Chair shall immediately recess the meeting for up to 15 minutes.~~

Rule 5.76 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 AND ORDER OF BUSINESS

- 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 chairperson~~ of any committee of the Council, or ~~at the request of~~ by 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~~ items 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 6.53 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 6.64 The ~~C~~presiding officer ~~hair~~ shall choose a person to lead the Pledge of Allegiance.
- Rule 6.75 Opening Ceremonies will consist of ~~the~~ 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 an committee agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda. ~~If there are no items on a committee agenda, the committee meeting will be cancelled by the Clerk.~~
- Rule 6.8a Finance Committee Agenda - Roll Call, Request for Agenda Changes ~~and/or Additions to Agenda~~, \*\*Closed Session {Executive Session}, Public Comment, \*\*Consent Agenda, \*\*Presentation of Quarterly Financial Reports, Resolutions, \*\*Special Orders/Discussion Items, Adjournment
- Rule 6.8b Legislative Committee Agenda - Roll Call, Request for Agenda Changes ~~and/or Additions to Agenda~~, Public Comment, \*\*Consent Agenda, \*\*Resolutions, Ordinances, \*\*Special Orders/Discussion Items, Adjournment
- Rule 6.8c Governmental Operations Committee Agenda - Roll Call, Request for Agenda Changes ~~and/or Additions to Agenda~~, Public Comment, \*\*Consent Agenda, \*\*Licenses, Resolutions, Appointments, \*\*Special Orders/Discussion Items, Adjournment
- Rule 6.8d Special Affairs Agenda - Roll Call, Request for Agenda Changes ~~and/or Additions to Agenda~~, \*\*Closed Session {Executive Session}, Public Comment, \*\*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, as does ~~Section 31.10 of the Flint Code of Ordinances, 2 of the~~ ~~Disorderly Persons Ordinance~~ applies to all committee meetings.

Rule 6.10 Items may be placed on the agenda of any committee agenda by request of any Councilmember, the Mayor, or the Clerk. Special orders must be approved by the Council President or the Committee Chair for a committee meeting. The Clerk may reassign items to an appropriate committee at his or her discretion.

### ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

Rule ~~6.7.1~~ 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~~ Warning
  - III Request for Agenda Changes/ and/or Additions to Agenda
  - ~~IV Consent Agenda~~
  - ~~V Presentation of Minutes~~
  - ~~VII~~ IV \*\*Public Hearings
  - ~~VII~~ Public Speaking
  - ~~VI~~ Consent Agenda
  - ~~VII~~ Presentation of Minutes
  - ~~VIII~~ IX \*\*Petitions and Unofficial Communications
  - ~~X~~ Official Communications From Mayor and Other City Officials
  - ~~XI~~ Additional Communications
  - ~~IX~~ \*\*Appointments
  - ~~XII~~ \*\*Resolutions
  - ~~XIII~~ \*\*Liquor Licenses
  - ~~XV~~ Other Licenses
  - ~~XII~~ VI \*\*Introduction and First Reading of Ordinances
  - ~~XIII~~ VII \*\*Second Reading and Enactment of Ordinances
  - ~~XIV~~ VIII \*\*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.)
- ~~XVI~~ Final Council Comments
  - ~~XVII~~ Adjournment

### ORGANIZATION #3

### CLOSED SESSIONS

Rule 7.21 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 7.23** 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 7.34** LEAVING CLOSED SESSION – The City Council may leave a closed session upon a majority vote of the Councilmembers-elect.

**Rule 7.45** ~~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 7.56** 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 ~~by~~upon motion, including decisions on parliamentary procedure.

**Rule 8.2** The Chair has the duty to determine whether a motion is in order and may do so at any time before restating the question.



**Rule 8.3** No motion may be debated by the Council until it has been restated by the ~~presiding officer~~ Chair 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 8.43** The ~~Presiding Officer or~~ Chair may request the adoption of a "Consent Agenda" consisting of, as ~~applicable~~ listed on the agenda, (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 8.54** 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-the~~ Consent Agenda shall be separated ~~at that~~ 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~~ This 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 AND RESOLUTIONS

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

Rule 10.1 Upon the introduction of any ordinance or resolution, the City Clerk shall proceed as directed in Section 3-301 *et seq* of the Flint City Charter.

Rule 10.2 After completing a public hearing ~~for a resolution or ordinance has been completed~~, any Councilmember may move to enact the resolution or ordinance.

Rule 10.3 If the ordinance or resolution 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~~ City Attorney for review and approval as to form prior to enactment.

## MOTIONS

### CONSIDERATION OF PROCEDURAL MOTIONS

Rule 11.1 ~~Unless otherwise stated, until debate on a main motion (i.e. to approve or move to Council) regarding an agenda item has begun, the following motions are not in order. When a question is under Otherwise debate,, the Chair will receive only the following motions may be made by a member holding the floor:~~

\_\_\_\_\_ Rule 13 to adjourn \_\_\_\_\_ Rule 19 to refer to  
committee

\_\_\_\_\_ Rule 14 to recess \_\_\_\_\_ Rule 20 to amend

\_\_\_\_\_ Rule 15 to postpone temporarily \_\_\_\_\_ Rule 21 to postpone  
indefinitely

~~(lay on the table)~~

\_\_\_\_\_ Rule 16 to vote immediately ~~(previous question)~~ \_\_\_\_\_ Rule 22

\_\_\_\_\_ to reconsider

\_\_\_\_\_ Rule 17 to limit debate \_\_\_\_\_ Rule 25 point of order

<del>Rule 18</del>	<del>to postpone definitely</del>	<del>Rule 26</del>	<del>request</del>	<del>for</del>
<del>information</del>				
<del>Rule 19</del>	<del>to refer (commit)</del>			
<del>Rule 20</del>	<del>to amend</del>			
<del>Rule 21</del>	<del>to postpone indefinitely</del>			
<del>Rule 22</del>	<del>to reconsider</del>			
<del>Rule 23</del>	<del>to rescind</del>			
<del>Rule 24</del>	<del>to withdraw a motion</del>			
<del>Rule 25</del>	<del>point of order</del>			
<del>Rule 26</del>	<del>request for information</del>			

Rule 11.2 If more than one of the above motions are made, they shall be considered in the order listed, and if the same motion is made by multiple Councilmembers, the chair may address those motions at the chair's discretion.

Rule 11.3 Unless otherwise stated, there is no debate on any of these motions.

Rule 11.4 If the substance of a motion made by a Councilmember has the purpose of a motion listed above, the chair shall address it according to its purpose, regardless of how the motion is named by the Councilmember making it.

### **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 13.23 The Chair may order an adjournment, without objection.

#### **MOTION TO RECESS**

Rule 14.1 A motion to recess is always in order and shall state the length of the recess length, which may be up to 36 hours 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 of up to 15 minutes at any time without objection.



## MOTION TO LAY ON THE TABLE/POSTPONE TEMPORARILY/RESUME CONSIDERATION

- Rule 15.1 The Council may ~~decide to~~ postpone temporarily any pending matter ~~pending before it. A decision to lay upon the table. This motion~~ postpones the question involved, all ~~pending~~ amendments, and other adhering motions, until later in ~~that the~~ 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 A motion to resume consideration must be made at the same meeting that the matter was postponed. 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 A motion to limit or extend debate is always in order. Any Councilmember may move. 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~~ motion must include ~~a~~ a limit of time limit 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 Any Councilmember may move. The Council may decide to put off consideration of a pending main motion and to ~~fix-set~~ a definite date/time for its consideration.
- Rule 18.2 If a date/time is not set by the maker of the motion, Debate on the motion to postpone definitely shall be limited to one round of discussion, 13 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. Any Councilmember may move to refer an agenda item from a City Council meeting to a committee.~~
- 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** ~~Any Councilmember may move to~~ A motion to amend must be germane to the main motion ~~amend the underlying agenda item (i.e. resolution or ordinance) that is subject to the main motion.~~
- Rule 20.2** ~~An amendment may be amended but an amendment to an amendment may not be amended.~~ Rule 20.2 There is no limit on the number of times an underlying agenda item may be amended. At the Chair's discretion, or at the request of a Councilmember, the chair shall solicit proposed amendments to an underlying agenda item during debate on the main motion, followed by a vote on each proposed amendment after debate has been exhausted, and concluding with a vote on the finalized agenda item as amended.

### **MOTION TO POSTPONE INDEFINITELY**

- Rule 21.1** ~~The Council may decide to prevent further discussion on a question by voting to postpone consideration of a matter~~ it indefinitely.
- Rule 21.2** ~~A motion~~ matter ~~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~~ matter.
- 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~~ decision on an agenda item that failed may be made, at the same City Council meeting, by any Councilmember who voted in the affirmative, or at any subsequent City Council meeting may be made by any Councilmember that voted in the affirmative on the motion in question, if reconsideration is placed on the agenda at the request of any Councilmember who voted in the affirmative or by the Mayor.
- 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 22.23 No question may be reconsidered more than once ~~at any given meeting.~~

Rule 22.43 If a ~~Council~~ decision ~~of the Council~~ has gone into effect, the motion to reconsider ~~shall~~ is not be in order.

### **MOTION TO RESCINDING/REPEALING PRIOR ACTION**

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 intention ~~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~~ resolution or ordinance rescinding or repealing the prior action is introduced. 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.~~ Debate on a rescinding or repealing an action is as for any main motion.

### **MOTIONS #3**

#### **REQUEST TO WITHDRAWAL OF ~~A~~ MOTIONS**

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 A request to withdraw a motion does not require a second. ~~need not obtain concurrence of any other person.~~

Rule 24.2 After the motion has been ~~placed before the assembly~~ restated by the Chair, it may only be withdrawn by majority consent of all the 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~~ Chair does not correct it, or when the ~~presiding officer~~ Chair ~~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, or to improperly take the floor. Multiple violations of this rule shall be cause for disciplinary action.

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, subject to an appeal pursuant to Rule 1.3.

Rule 25.4 The member making a point of order must explain their point of order in 10 seconds or less, and must cite the specific provision in Council Rules, Robert's rules, or the Flint City Charter that has allegedly been violated.

Rule 25.54 A point of order cannot be ignored by the ~~presiding officer~~Chair. 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~~Chair 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. Its purpose is to help the member making the request for information understand the process and the potential consequences of the next vote.

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. "isn't it true that...", "do you realize that...") is improper. A request for information seeking information about the speaker's knowledge or state of mind ("do you know that..." or "why do think/feel/believe that...") is also improper. (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~~Chair, but the ~~presiding officer~~Chair – 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~~Chair 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 is~~ called to order, the Chair shall determine ~~whether if~~ he or she is in order. ~~Every question of order shall be decided by the Chair subject to an appeal.~~

Rule 27.2 The Chair does not have to wait for a point of order to be raised but may rule a councilmember out of order on the Chair's initiative.

Rule 27.32 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 27.43 Only the ~~presiding officer~~Chair may call an individual up ~~to the podium (and or table)~~ to speak or answer questions. Other Councilmembers ~~would have to~~must petition the presiding officer to make this request.

Rule 27.54 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, and~~ shall address all remarks to ~~members of the Council the Chair 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 first obtain the floor by being recognized by the ~~presiding~~ Chair. A Councilmember must be in their seat ~~when requesting to be recognized~~request the floor.

Rule 28.4 Unless otherwise specified by these rules, each member has the right to speak up to twice on the same ~~question on the same day~~main motion, for ~~3~~ 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.~~

Rule 28.5 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. Once the timer has started, only the Chair may order that the timer be paused or adjusted, and only if a subsidiary motion has been properly made and seconded.

Rule 28.64 Councilmembers may request, from the presiding Chair, the opportunity to ask questions of ~~Administrative staff~~Staff, etc. or others, during debate on any agenda item. Any such questions and responses shall ~~be incorporated as part~~ count against of the Councilmember's allotted time.

### **PUBLIC MEETINGS AND PARTICIPATION BY THE 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 ~~or its committees,~~ they may do so ~~at the regular City Council meeting~~during the time designated for public comment.

Rule 29.3 Members of the ~~public~~ who wish to address the City Council or its committees must register before the meeting begins. A box will be placed at the entrance to the Council Chambers for collection of registrations. No additional speakers or slips will be accepted after the meeting begins. 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 29.44** Members of the public shall have no more than 3 minutes per speaker during public comment, with ~~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 29.59** ~~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.~~

**Rule 29.64** Members of the public shall have no more than 3 minutes to speak during a public hearing. ~~If a~~ 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. Comments during a public hearing must be germane to the public hearing.

**Rule 29.75** ~~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 29.87** 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, or any other violation of these rules.

**Rule 29.8** Any person who is called to order shall ~~thereupon~~ yield the floor until the President Chair 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 must yield the floor and forfeit shall not be permitted to continue at the same meeting except on special leave of the Council any remaining time.~~

**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.

- Rule 30.2** ~~Speakers should address their remarks to the chair, maintain a courteous tone, and avoid interjecting a personal note into debate.~~
- Rule 30.3** ~~During meetings of the City Council, Councilmembers should refer to each other only as "Councilmember from the [number] Ward" and in a respectful manner.~~
- Rule 30.4** ~~The Chair may require Councilmembers to yield the floor for failure to follow these standards, failure to be germane, for excessive repetition, for remaining silent while having the floor, or for failure to follow any other Council rule.~~

### **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 1.32. 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~~ Once a year, 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  
 1<sup>ST</sup> AMENDMENT ADOPTED: MAY 24, 2010  
 2<sup>ND</sup> AMENDMENT ADOPTED: APRIL 27, 2015  
 3<sup>RD</sup> AMENDMENT ADOPTED: JUNE 12, 2017  
 4<sup>TH</sup> AMENDMENT ADOPTED: FEBRUARY 27, 2023