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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 (i.e. agendas, minutes, attachments, transcripts, recordings) are subject to FOIA, 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 11th Ed. If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules take precedence.
- 1.2 The President or Chair (Presiding Officer) **SHALL** (is required to) 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 first decide the question, it is the privilege of any member to "appeal from the decision." If the appeal is seconded, the Chairman states his decision, and that it has been appealed from, and then states the question thus: "Shall the decision of the Chair stand as the judgment of Council?" The Chairman can then, without leaving the chair, state the reasons for his decision, after which it is open to debate. The appeal shall be determined by a majority of the Councilpersons-elect.
- 1.3 City Council can appoint a person of their choosing to be the Parliamentary Authority, but any Council member 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 The rules may be suspended on the vote of two-thirds of the Councilpersons-elect.
- 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-elect for a one year term which shall end on the second Monday in November.
- 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.
- 4.2 The standing committees of the Council are Finance, Governmental Operations, Legislative, Grants, And Special Affairs. The Council President may determine in which order they are addressed.
- 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]
- 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]

- 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]
- 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]
- 4.7 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 6.8E]
- 4.8 All standing committees of Council shall be comprised of all members of Council who are not under disciplinary actions/restrictions.
- 4.9 The President, at his/her own discretion, may create ad hoc committees and shall appoint these committees' chairs and members. The President shall determine the number of Council members 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.
- 5.2 The regular meeting of the City Council is 5:30 p.m. on the second and fourth Monday of every month.
- 5.3 The Flint City Council may schedule other committee meetings as deemed necessary.

- 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 and the public are informed as is required by the Open Meetings Act.
- 5.5 The Mayor shall be notified of all meetings of the City Council.

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.
- 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.
- 6.3 The deadline for contacting staff for the purpose of adding matters to an agenda shall be by 12:00 pm (noon) on Thursdays.
- 6.4 City Council agendas for regular and standing committees shall normally be available to Councilpersons on the Friday before the meeting.
- 6.5 The presiding officer shall chose a person to lead the Pledge of Allegiance.
- 6.6 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.
- 6.7 Spiritual leaders (of many faiths) will 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

- 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.

- 6.8a Finance Committee Agenda - Roll Call, **Closed Session [Executive Session], **Special Order, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8b Legislative Committee Agenda - Roll Call, **Resolutions, Ordinances, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8c Governmental Operations Committee Agenda - Roll Call, **Special Order, **Licenses, Resolutions, Appointments, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8d Grants Committee Agenda - Roll Call, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8e Special Affairs Agenda - Roll Call, **Closed Session [Executive Session], **Special Order, Resolutions, Appointments, Ordinances, Discussion Items, Additional Council Discussion, Adjournment
- 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.

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
(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.)
- III Request for Changes and/or Additions to Agenda
(Council shall vote to adopt any amended agenda.)
- IV Presentation of Minutes
(Council shall vote to accept minutes.)
- V Special Orders

(Any Councilperson may request permission for a Special Order, but it must first be approved by both the Council President, and Committee Chair if during a Committee meeting.)

VI Public Hearings

(Council members may not speak during Public Hearings, nor may they make response comments to speakers. Public Hearing speakers are limited to a total of three [3] minutes.)

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.)

VIII Petitions and Unofficial Communications

IX Official Communications – From Mayor and Other City Officials

X Additional Communications

XI Appointments

XII Licenses

XIII Resolutions

(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 Licenses
- XV Introduction and First Reading of Ordinances
- XVI Second Reading and Enactment of Ordinances
- XVII Additional Discussion Items
- XVIII Final Council Comments
- XIV Adjournment

ORGANIZATION #3

EXECUTIVE OR CLOSED SESSIONS

(Refer to Open Meetings Act [OMA], Public Act 267 Of 1976, MCL 15.261 through 15.275, and The OMA Handbook By AG Bill Schuette.)

- 7.2 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."

7.4 **GOING INTO CLOSED SESSION [EXECUTIVE SESSION] – 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.**

7.5 **LEAVING A CLOSED SESSION [EXECUTIVE SESSION] – 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.

7.6 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."

7.7 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 ACTION BY COUNCIL; DIVISION 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.
- 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.
- 8.3 If a question before the Council is susceptible of division, it shall be divided on the demand of any Councilperson.

VOTING

- Rule 9.1 The determination of any question at a regular City Council meeting shall require a roll call vote.
- 9.2 The determination of any question at a committee meeting shall be upon call of the Chair for a vote. If there is an objection, a roll call vote shall be taken.
- 9.3 The voting on all roll calls shall be rotated so that the Councilperson representing the First Ward shall cast the first vote on the first roll call of any meeting, the Councilperson 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. Following the first vote on any roll call, the remaining Councilpersons shall be called in consecutive order until all nine Councilpersons have been afforded an opportunity to vote on any question.
- 9.4 **A COUNCILPERSON MUST BE SEATED AT HIS/HER DESIGNATED SEATING PLACE IN ORDER TO VOTE. PROXY VOTES ARE NOT ALLOWED.**
- 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.**
- 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.**
- 9.7 **CHANGING ONE'S VOTE - A MEMBER HAS A RIGHT TO CHANGE HIS VOTE UP TO THE TIME THE RESULT IS ANNOUNCED. AFTER THAT S/HE CAN MAKE THE CHANGE ONLY BY THE UNANIMOUS CONSENT OF THE ASSEMBLY REQUESTED AND GRANTED, WITHOUT DEBATE, IMMEDIATELY FOLLOWING THE CHAIR'S ANNOUNCEMENT OF THE RESULT OF THE VOTE.**
- 9.8 **ABSTAINING VOTES - TO "ABSTAIN" MEANS TO NOT VOTE AT ALL.**

- 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 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
(BOTH CITY 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 3-302 of the Charter.
- 10.2 After a public hearing has been completed, any Councilperson may move the enactment of the ordinance.
- 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 3-302 are complied with.
- 10.4 Every ordinance must state the date that it becomes effective. After the vote on the enactment of the ordinance, any Councilperson 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 Councilpersons-elect.
- 10.5 Every ordinance shall be submitted to the Chief Legal Officer ~~of the City~~ **(FOR CORRECT FORMAT, NOT CONTENT)** for review 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 INFORMATION

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 at least one other Councilperson and has been properly stated by the Chair.

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 the count of a vote, it will not be considered until after the vote is announced.

13.2 A motion to adjourn will be decided without debate. However, the issue of the time to reconvene may be debated if it is introduced by the maker of the motion or by amendment.

MOTION TO RECESS

- Rule 14.1 A motion to recess shall state the length of the recess and shall be decided without debate.
- 14.2 When a recess is taken during the pending of any question, the consideration of the question shall be resumed upon the reassembling of the Council.
- 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.
- 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.
- 15.3 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.
- 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.
- 15.5 A motion to postpone temporarily or to resume consideration shall be decided without debate.

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

- Rule 16.1 Any Councilperson may move to vote immediately. If the motion is supported, debate will cease **IMMEDIATELY. A TWO/THIRDS VOTE IS REQUIRED FOR THE MOTION TO CARRY. FAILURE TO CEASE TALKING SHALL RESULT IN DISCIPLINARY ACTION. VIOLATORS SHALL BE REMOVED FROM THE MEETING.**
- 16.2 If the motion receives a majority of the votes of the Councilpersons-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.

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 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 COUNCILPERSON 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.**

17.2 **IF EACH COUNCILPERSON HAS A LIMITED TIME TO SPEAK, THIS TIME LIMIT SHALL INCLUDE ANY QUESTIONS ASKED AND/OR ANSWERED PER THE COUNCILPERSONS REQUEST.**

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 time for its consideration.

18.2 The debate on the motion to postpone definitely shall be limited to the reasons for the postponement and the time the main motion shall be taken up.

MOTION TO REFER (COMMIT)

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.

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.

MOTION TO AMEND

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

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.
- 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.

MOTION TO RECONSIDER

- Rule 22.1 A motion to reconsider any decision of the City Council may be made by any Councilperson that voted in the affirmative on the motion in question.
- 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 notice has been given to the Council prior to the start of the meeting.
- 22.3 No question may be reconsidered more than once.
- 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.
- 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 Councilpersons-elect to waive the notice.
- 23.3 Motions to rescind may be reconsidered regardless of whether the vote was affirmative or negative.

REQUEST TO WITHDRAW A MOTION

- Rule 24.1 Any Councilperson may withdraw his or her motion before it has been restated by the Chair and placed before the assembly. The Councilperson

need not obtain concurrence of any other person.

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

MOTIONS #3

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.
- 25.2 A point of order should not be used for minor infractions.
- 25.3 A point of order does not need a second, can interrupt a speaker, is not debatable, and is decided by the chair.
- 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 FOR THE PRESIDING OFFICER TO RULE. FAILURE TO CEASE TALKING SHALL RESULT IN DISCIPLINARY ACTION. VIOLATORS SHALL BE REMOVED FROM THE MEETING.**
- 25.5 **ANY TWO MEMBERS HAVE THE RIGHT TO APPEAL THE PRESIDING OFFICER'S DECISION ON A POINT OF ORDER. 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. MEMBERS HAVE NO RIGHT TO QUESTION THE DECISION OR RULING OF THE PRESIDING OFFICER UNLESS THEY APPEAL FROM HIS/HER DECISION.**

INCIDENTAL MOTIONS – POINT OF INFORMATION

- Rule 26.1 A point of information generally applies to information desired from a speaker.
- 26.2 Its purpose is to help one understand the process and the potential consequences of the next voting.
- 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".**
- 26.4 **A POINT OF INFORMATION CAN BE GIVEN WITH A VERY SHORT EXPLANATION, BUT USING THIS TACTIC AS AN OPPORTUNITY TO GAIN THE FLOOR IS NOT ALLOWED. MULTIPLE ABUSES OF USE OF POINT OF 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 31-10 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 27.1 **NO COUNCILPERSONS SHALL LEAVE THEIR SEATS WHILE A MOTION IS ON THE FLOOR.** No councilpersons shall leave a meeting of the council without first having obtained leave to do so from the president, **PRESIDING OFFICER** or committee chair. **IF A COUNCILPERSON LEAVES A MEETING WITHOUT HAVING OBTAINED THIS PERMISSION, THE PRESIDING OFFICER IS TO ASSUME THE COUNCILPERSON HAS LEFT THE MEETING AND WILL NOT, CANNOT, RETURN WITHOUT THE PRESIDING OFFICER'S**

PERMISSION. A COUNCILPERSON WHO HAS LEFT A MEETING MAY NOT VOTE WITHOUT HAVING FIRST OBTAINED THE PRESIDING OFFICER'S PERMISSION TO RETURN TO THE MEETING.

- 27.2 When a member has been called to order, the Chair shall determine whether or not 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.
- 27.3 **DURING ANY PORTION OF ANY MEETING, COUNCIL MEMBERS 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.**
- 27.4 **ONLY THE PRESIDING OFFICER MAY CALL AN INDIVIDUAL (OR STAFF MEMBER, OR DEPARTMENT HEAD, ETC.) UP TO THE PODIUM (AND/OR TABLE) TO SPEAK. OTHER COUNCIL MEMBERS WOULD HAVE TO PETITION THE PRESIDING OFFICER TO MAKE THIS REQUEST.**

RIGHT TO SPEAK IN DEBATE

- Rule 28.1 Every Councilperson and every person granted the privilege of speaking to the Council shall address all remarks to members of the Council and shall not speak until recognized.
- 28.2 When two or more Councilmembers address the Chair at the same time, the Chair shall name the Councilperson who is first to speak.

PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

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

- 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 members may not also address council as a member of the public at this time. Speakers may not allocate or "donate" their allotted time to another person.
- 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.
- 29.5 Members of the public shall have no more than 10 minutes to address the City Council during a public hearing.
- 29.6 Any person while being heard at a Council meeting may be called to order by the President or any Councilperson for failure to be germane, for vulgarity, for personal attack of persons or institutions, or for speaking in excess of the allotted time.
- 29.7 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 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.
- 29.8 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 and is subject to all rules of decorum and discipline.

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

GENERAL CONDUCT AND STANDARDS OF CONDUCT

RULE 30.1 EVERY COUNCILPERSON IS SUBJECT TO THE ESTABLISHED RULES OF GENERAL CONDUCT AND THE STANDARDS OF CONDUCT.

ETHICS

RULE 31.1 EVERY COUNCILPERSON IS SUBJECT TO THE ESTABLISHED RULES OF THE CITY OF FLINT ETHICS ORDINANCE.

DISCIPLINARY ACTIONS

RULE 32.1 EVERY COUNCILPERSON IS SUBJECT TO THE ESTABLISHED RULES AND DISCIPLINARY ACTIONS FOR VIOLATIONS OF RULES AND CITY ORDINANCES.

REVIEW OF CITY COUNCIL RULES

ANNUAL REVIEW OF CITY COUNCIL RULES

Rule 303.1 Every December, the City Council shall place an item on the ~~Committee of the Whole~~ SPECIAL AFFAIRS Committee agenda for a review of these rules.

33.2 AT HIS/HER OWN DISCRETION, THE COUNCIL PRESIDENT MAY AT ANY TIME APPOINT A COMMITTEE AND IT'S MEMBERS TO REVIEW AND OFFER REVISIONS OF CITY COUNCIL RULES.

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.

33.4 IT IS THE RESPONSIBILITY AND DUTY OF THE COUNCIL PRESIDENT, VICE PRESIDENT AND ALL 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

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

