



**CITY OF ALLEGAN  
CITY COUNCIL  
RULES OF PROCEDURE**

**Adopted: March 27, 2000**

**Amended: November 13, 2000**

**November 8, 2004**

**January 23, 2006**

**August 14, 2006**

**November 26, 2007**

**March 24, 2008**

**December 14, 2009**

**February 13, 2012**

**April 28, 2014**

**August 25, 2014**

**February 9, 2015**

**April 28, 2015**

**May 23, 2016**

**I. Scope**

These rules shall govern the City Council proceedings unless amended or suspended by a vote of four (4) Councilmembers. No amendment of a rule shall be effective until the next regularly scheduled meeting of the City Council. An amendment of these rules shall appear in the minutes of the meeting at which adopted and the text of the amendment and this date shall be certified by the City Manager/Clerk on an addendum to the official set of rules held by that official. Copies of the amended text shall be furnished to each Councilmember, the Mayor, the City Manager/Clerk and the City Attorney.

All references to "Charter Sections" are to Sections of the Revised Charter of the City of Allegan effective January 1, 1989.

**II. Council Meetings**

A. **Notice.** All Council meetings shall be conducted in accordance with the Open Meetings Act. Public notice of all meetings shall be given as provided in the Act, by the City Manager/Clerk.

B. **Regular Meetings.** Regular Meetings shall be held on the second and fourth Monday of each month unless adjourned by the Council or unless that day is a legal

holiday, in which case the meeting shall be held on the next day which is not a legal holiday. (Charter Section 5.11)

C. **Special Meetings.** Special Meetings shall be called by the City Manager/Clerk after written request of the Mayor or any two Councilmembers. Written notice stating each matter to be considered at the Special Meeting shall be given each Councilmember and the Mayor. (Charter Section 5.12)

D. **Meeting Packet.** The City Manager/Clerk shall prepare a meeting packet for each regular council meeting. The agenda and packet shall be sent electronically or delivered to the Mayor, each Councilmember and the City Attorney at their residence or place of business on Friday, Saturday, or Sunday of the weekend preceding the meeting. The packet pertaining to a special Council meeting shall be delivered by at least the day before the meeting. The packet for all meetings shall contain the proposed meeting agenda and all matters proposed to be considered at the meeting plus their supporting documents. (Amended February 13, 2012)

E. **Quorum.** A quorum of the Council is established when four (4) or more members are present in person at a meeting. (Charter Section 5.15)

F. **Attendance at Meetings.**

1. Mayor and Council. The Mayor and members of the City Council shall attend all meetings of the Council.

2. City Manager/Clerk. The City Manager/Clerk or representative shall attend all meetings of the Council and keep the minutes. Before each meeting, the City Manager/Clerk shall prepare the agenda and obtain reports for business matters and other items to be presented to the Council.

3. To the extent possible prospective absences and the reason for absence shall be reported to the Mayor before the meeting. The Council by resolution may decline to excuse the absence of any elective official from a meeting.

G. **Minutes.** An account of all proceedings of the Council and minutes of each meeting shall be prepared and kept by the City Manager/Clerk. Minutes shall be available for public inspection within (7) days after a meeting. (Charter Section 5.20)

H. **Closed Sessions.** The Council shall meet in closed session only for the purposes allowed by the Open Meetings Act\* which are:

- The Open Meetings Act is Act 267, Michigan Public Acts of 1976, as amended (MCL 15.261 et seq; MSA 4.1800 (11)et sec)

1. To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual

- agent, if the named person requests a closed hearing they may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open session.
2. 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 by the City up to the time an option to purchase or lease that real property is obtained.
  4. To consult with the City Attorney or any of his or her assistants 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 City Council.
  5. To review the specific contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. All interviews by the City Council for employment or appointment to a public office shall be held in an open meeting.
  6. To consider material exempt from discussion or disclosure by state or federal statute.

A closed session may be requested by the Mayor or any two (2) Councilmembers for reasons stated in accordance to the Open Meetings Act at any regular or special meetings. A person requesting a closed session shall state the purpose or purposes of such session. The stated purpose(s) for the session shall constitute the only agenda items.

A roll call vote of the Councilmembers serving is required to call a closed session. The Council by majority vote may adjourn a closed session or open the meeting to the public. Councilmembers may deliberate during closed sessions, but shall not make any decisions, determinations, actions, votes or dispositions upon a proposal, recommendation, resolution, order or ordinance in closed session. A separate set of minutes of the closed session shall be taken by the City Manager/Clerk or other such designated person taking minutes at the closed session. These minutes shall be retained by the City Manager/Clerk and shall not be available to the public and shall only be disclosed if required by a civil action filed under Section 10, 11 or 13 of the Open Meetings Act. The minutes of a closed session shall be destroyed one year and one day after approval of the minutes of the regular meeting.

- I. **Public Participation.** The public is invited and encouraged to attend all City Council meetings and to address the City Council during the period reserved for public comment. The Council shall make every effort to reorder the agenda to encourage public participation. Unless granted more time by the Mayor, each member of the public is limited to between three (3) and five (5) minutes.
- II. **Conduct of Meetings**

- A. **Presiding Official.** The Mayor shall preside at all Council meetings. The Mayor Pro Tem shall preside in the absence of the Mayor. If neither person is present at a meeting, the Council shall select one of its members to preside until the Mayor or Mayor Pro Tem is present and seated. All matters to come before the meeting shall be addressed to the presiding official.

The presiding official shall endeavor to conduct the meeting in a fashion that draws a balance between the informality and congeniality possible in a small community the size of the City of Allegan while also maintaining the decorum and formality necessary to transact business in an orderly fashion.

- B. **Agenda.** All regular meetings shall be subject to an agenda which will be prepared by the City Manager/Clerk. The Mayor or any two Councilmembers can add an item to the agenda. Any item placed on the agenda shall appear on each successive agenda unless disposed of, tabled indefinitely or tabled until a certain date at which time the item shall reappear. The agenda of each regular meeting shall consist of the following:

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. MEETING PRAYER
4. ROLL CALL
5. APPROVAL OF MINUTES
6. MAYOR'S REPORT
7. CITY MANAGER'S REPORT
8. PETITIONS AND PUBLIC COMMENT
9. COMMUNICATIONS
10. HEARING
11. PROGRAMS
12. RESOLUTIONS
13. ORDINANCES
14. PERMITS/LICENSES/AGREEMENTS/GRANTS
15. REQUESTS FOR PAYMENT
16. REQUESTS FOR SERVICES AND EQUIPMENT
17. REPORTS/MINUTES OF BOARDS/COMMISSIONS
18. APPOINTMENTS
19. APPROVAL OF PAYROLL AND ACCOUNTS PAYABLE
20. DEPARTMENT SUPERVISOR'S COMMENTS
21. COUNCIL COMMENTS
22. ADJOURNMENT

(Amended February 13, 2012, February 9, 2015)

## Meeting Prayer

At every regular meeting, the City Council will have a prayer at the scheduled time as prescribed by the rules. All participation of the meeting prayer is voluntary and people may choose not to participate. The meeting prayer section is intended to reflect a generic, non-sectarian prayer that is not specifically intended to mention any particular deity and may refer to a generic creator or sustainer, a generic god, or in some other way do not refer to Jesus, Allah, or other specific deity. Local clergy will be asked to provide the meeting prayer, invocation, time of reflection, moment of silence, etc. at the meeting. Local clergy that may participate include protestant pastors, rabbis, priests, imams, etc., and may pray as they are comfortable. And by extension, a preference for any religion over another religion or for religion over atheism shall not be allowed. All requests for local clergy to participate can be submitted to City Hall and they will be scheduled. Periodically, notice to the interfaith associations, letters to places of worship listed in a local directory, etc. will be sent to indicate this policy, with notice to contact City Hall if they would like to participation. If others ask to participate they will be allowed to do so.

(Amended February 9, 2015)

## Voting/Conduct of Councilmembers

- A. **Required Vote of Members Present.** Unless otherwise stated in these rules, required by ordinance or charter, or by the state or federal law, the passage of all matters before the City Council shall require the affirmative vote of four members present at any meeting. (Charter Section 5.18)
- B. **Calling for the Vote.** In the first instance the Mayor or member presiding over the Council meeting shall call for a voice vote for and against the master, by “yes” and “no” responses. If on a voice vote no Councilmember states opposition to the motion, it shall be deemed to have passed unanimously. In the event any member votes no to any proposition, it shall be recorded in the minutes of the meeting.
- C. **Abstentions.** Every Councilmember present shall vote on all questions, unless a member has a conflict of interest, in which case the member’s conduct shall be governed by law. A Councilmember may abstain from a vote for approval of minutes if the member did not attend the meeting for which the minutes apply.
- D. Each Councilmember shall conduct himself or herself in a manner consistent with the dignity and decorum of the office and shall act in a manner which accords respect to the public, staff members the Mayor and fellow Councilmembers.
- E. Motions

1. The City Council shall take action by motion. No motion may be acted upon until supported or seconded by a Member of the City Council.
2. A member of the City Council who wishes to make a motion or second a motion must first be recognized by the Mayor. Except where permission is otherwise granted by the Mayor, discussion of a motion before the City Council or other pending business shall be limited to City Council.
3. The Mayor is a member of the City Council and may make a motion and/or support a motion.
4. An agenda item may be presented by the Mayor for discussion before a motion is made.
5. Any motion may be withdrawn by the sponsor at any time before decision or amendment by the City Council.
6. The maker of a motion and the member of the City Council seconding or supporting a motion may consent to modifying the motion at any time before a vote is taken on the motion. Before the vote is taken, the Mayor shall restate the motion as modified.
7. The following motions may be offered:
  - (a) To offer a resolution
  - (b) To call the question.
  - (c) To amend or modify a motion made to take action. An amending motion will be disposed of before any other motion to amend or modify the original motion will be in order.
  - (d) To table for subsequent consideration.
  - (e) To reconsider a vote (including a vote resulting in a tie) or other action that has been taken by the City Council, but only if no action has been taken in reliance upon such vote or action.
    - (i) Any City Council Member on the prevailing side on a vote or action may move for reconsideration of such vote or action at the same meeting the vote or action was made or at the next regular meeting of the Board, but at no other subsequent meeting.
    - (ii) This does not preclude the City Council from again dealing with an issue, policy, decision or other action based upon significant new information unavailable to the Board when the decision or other action was initially taken or based upon a material change in the proposed action.
  - (f) To go into closed session as permitted by and in accordance with the Open Meetings Act.

(Amended August 25, 2014)

## **Council Standing Committees**

Committees may be established by these Rules to assist the City Council in its work. The Committees are not formed for the purpose of removing prerogatives from the Mayor or the Council granted by the City Charter, but rather to enhance their abilities to perform efficiently and economically.

- A. Committee Structure, Terms of Members. Each standing committee shall consist of three (3) Councilmembers appointed by the Mayor and confirmed by the Council. The specific subcommittee is to be established by the City Council.
  - B. The City Manager/Clerk and/or representative, who shall keep minutes, shall attend meetings of each committee.
  - C. Standing committees shall meet on an as needed basis at a time and location agreed upon by the members. Each committee shall submit minutes of its meetings to the Council.
1. Duties of the Finance Committee.
- a. Meets quarterly or at the discretion of a member of the committee or the City Manager.
  - b. Review, advise the City Manager and make recommendations to the City Council on all union contracts.
  - c. Review, advise the City Manager and make recommendations to the City Council on benefits/compensation.
  - d. Make recommendations to the City Council on the appointment and dismissal of certain positions as stated in the city charter.
  - e. Advise the City Manager and make recommendations to the City Council in the development of personnel policies.
  - f. Advise the City Manager on personnel issues at the discretion of the City Manager.
  - g. Review any financial matters, including general direction on investments, audits, etc. as requested by the City Manager.
  - h. A Member-At-Large from the community shall also be voting member of the committee. The Member-At-Large shall be appointed for a one year term, subject to reappointment.

(Amended August 14, 2006, February 13, 2012, February 9, 2015, May 23, 2016)

2. Duties of the Public Works Committee

- a. Meets quarterly or at the discretion of a member of the committee or the City Manager
- b. Provides a recommendation to the City Council on the annual multi-year capital improvement plan
- c. Provides a recommendation to the City Council on funding the annual multi-year capital improvement plan and individual projects, including rate increases and fund contributions
- d. Reviews change orders on projects with the City Manager, City Engineer, City Finance Director and assigned department supervisors on capital projects
- e. Review operational changes at the DPW, WTP and WWTP as requested by the City Manager

(Amended November 26, 2007, February 13, 2012)

3. Duties of the Public Safety Committee

- a. Meets quarterly or at the discretion of a member of the committee or the City Manager
- b. Provides recommendations to the City Council on capital improvement items for either the Allegan Area Fire District, Ambulance Services, Code Enforcement and Police
- c. Provides recommendations on non-personnel contracts which the City Council is required to decide upon in areas related to the Allegan Area Fire District, Ambulance Services, Code Enforcement and Police
- d. Provides recommendations to the City Council on items specifically referred to the committee by either the City Manager or the City Council in the areas related to the Allegan Area Fire District, Ambulance Services, Code Enforcement and Police

(Amended March 24, 2008)



#### 4. Duties of the Development Committee

- a. Meets quarterly or at the discretion of a member of the committee or the City Manager
- b. Provides recommendations to the City Council on the purchase or sale of property owned by the City, at the discretion of the City Council or the City Manager
- c. Provides recommendations to the City Council on development of city owned property, at the discretion of the City Council or City Manager
- d. Provides recommendations to the City Council on private development in the city, if requested by the City Council or the City Manager
- e. Provides recommendations to the City Council on items specifically referred to the committee by either the City Manager or the City Council in the areas related to development

(Amended December 14, 2009)

#### **Election of Mayor/Mayor Pro Tem**

The City Council shall elect one member of the City Council to be the Mayor and Mayor Pro Tem. The election shall be held on the first meeting in November. The terms are for one year.

(Amended November 8, 2004)

#### **Board/Commission Selection Process**

These rules shall be used to create a uniform process for the filling of vacancies of City Council boards/commissions. The City Council can suspend these rules by a vote of five (5) members.

1. Once an opening is official or a term is near expiration, the City Manager/ Clerk shall announce the vacancy at the next available Council meeting.

2. The Council shall select a committee which shall consist of three members including one (1) councilmember, preferably the one who sits on the board/committee with the vacancy, and (2) additional councilmembers.
3. The City Manager/Clerk shall prepare a notice which provides the minimum information needed to apply.
4. The notice shall be posted at City Hall, on the official city website and at least once in the Allegan County News. The advertising period shall be for twenty-one (21) days.
5. The committee shall select and interview applicants that are most qualified for the board/commission. The committee shall make a formal recommendation to the City Council for final decision.

(Amended January 23, 2006, February 9, 2015)

### **Public Participation Plan for Development Areas and Master Planning Efforts for all Boards Committee and commission for the City of Allegan**

The City Council continues to seek through the community, committees and boards opportunities to engage a diverse set of stakeholders in planning development areas as it is incorporated in the master plan and other plans and reports. The goals of the process are to seek the following in order to maximize community involvement.

- Solicit public participation in each phase of the process
- Seek broad identification and representative involvement of all residents of the community
- Utilize effective and equitable avenues for distributing information and receiving comments
- Provide educational materials and design participation initiatives that will support and encourage effective participation
- Maintain and develop staff expertise in all aspects of participation
- Support and encourage continuous improvement in the methods used to meet the public need for information and involvement
- Record results of public engagement and recount these results back to the public.
- State Regulations on Public Participation

Once development areas and the five year master plan is identified for study, the Council shall require a public participation plan to complete the study which shall incorporate as many of the methods listed as following:

Basic Announcement Methods for Public Meetings- The following methods are often used to advertise public meetings. Many times, this does not result in involvement of all stakeholders, especially those with visual impairments, non-English speakers, the

illiterate, youth, citizens with limited mobility and those who work during the time of the public meeting.

- Newspaper posting
- Website posting
- Flier posting on community hall door
- Announcements at council meeting
- Post card mailings
- Attachments to water bills
- Local cable notification

Proactive Practices- The following are some example public participation methods that are less reactive and more focused on education and collaborative visioning. Many of these methods would not be possible without strong partnerships with stakeholders identified earlier in the P<sup>3</sup> and a community that is committed to public input.

- Surveys-Surveys are useful for identifying specific areas of interest or concentration from a broad scope of ideas or issues. These areas of interest can then be further explored using other methods like the ones outlined below. A community may use a survey to identify where to start in the planning process, or the general climate surrounding a topic. Surveys can be useful to get a general idea of something, but should not be used as the sole method of public input. It is helpful for a municipality to administer surveys with partners. For example, schools can send surveys home with children, churches can have them available to fill out and neighborhood groups can put them in mail boxes. As with most public input efforts, it is best to vary the delivery method (mailed, handed out, electronic) and include bilingual language if applicable in your community.

Community workshops- These could be as simple as a series of question and answer sessions or as creative as creating a board game. The P<sup>3</sup> should identify potential venues, considering access for the disabled and citizens without vehicles. In addition, the P<sup>3</sup> should identify how to reach underrepresented groups. For example, holding workshops in different languages to suit your community's demographic and at different locations and times. This section is an ideal place to identify who would facilitate the workshops; whether it is an outside consultant, active citizen or municipal staff. Often workshops are a great way to educate the community surrounding a specific topic and hear concerns, questions and ideas.

Charrettes- The charrette differs from a workshop because it is a multi-day event where designers and planners work on a plan in-between what are called "feedback loops". Usually between three and seven days, citizens can come to the "charrette studio", which is an office on or near the location of the proposed plan or project. Citizens offer ideas while the charrette team facilitates and observes. From these suggestions, the designers and planners change the plan to suit community input and present their creation the next day where the community offers feedback again. This makes up one cycle of a "feedback loop". There can be up to five feedback loops, resulting in a final plan shortly thereafter. This process can be completed with many different budgets, depending on the expertise

of municipal staff and local residents. Charrettes take much planning beforehand. The P<sup>3</sup> offers an opportunity to begin planning for how a community would hold a charrette and who would be involved. For more information, visit <http://www.charretteinstitute.org>.

- **Walkabouts-** Walkabouts offer candid feedback from a variety of stakeholders when discussing a specific area. They can be paired with community workshops or charrettes to measure the perceived safety and comfort of pedestrians in a downtown, neighborhood or corridor. Walkabouts are also useful for identifying desired design, problem properties or safety concerns. The P<sup>3</sup> should identify how citizens will be notified of a walkabout, keeping in mind the limitations of just one notification method. In addition, the P<sup>3</sup> should determine if community partners and staff can facilitate the sessions, or if a consultant will be necessary.

\***One-on-one interviews-** Interviews are a great way to get specifics on a topic. In the stakeholder section of the P<sup>3</sup>, specific community leaders may have been identified, making them ideal candidates for an interview. Some communities have individuals that are very vocal about issues in the community. Interviewing them may give some perspective on how to address their concerns. It is important to remember that one interview reflects the opinion of one individual and should not be considered the standing of the entire community.

- **Focus groups-** Like interviews, focus groups can help to narrow down concepts or get a specific side of the story. Stakeholders groups identified earlier in P<sup>3</sup> make ideal participants of a focus group.

- **Standing committees-** These are focus groups that repeatedly meet and will differ depending on the needs of a community. They are perfect for concerned residents, underrepresented groups, or groups that may have specific needs in a community, such as students or seniors. This is an opportunity for a municipality to draw from the expertise of residents, perhaps organizing a standing committee of real estate professionals, business owners and brokers to offer feedback.

- **Social networking-** Technology offers a unique opportunity to give and receive information to a mass of people. Municipalities can post events, share information and even solicit feedback. This public participation method is best used in conjunction with other methods because it excludes those who do not use social media. The P<sup>3</sup> should identify the social media venues a community will use, the target audience of these venues and who will be responsible for making posts and monitoring the posts of others. The ability to spread misinformation or post disrespectful comments makes it important to plan for the use of social media.

## Communicating and Evaluating Results

After the plan has been developed, it is important to communicate and receive evaluations through a variety of methods for not only the content, but the public process. One or more of the following methods shall be employed to assure effectiveness:

Public Meetings- The results of the report and inquires on how effective the process was shall be conducted at a public meeting. These efforts will be recorded in the minutes of record.

Surveys-Surveys will be distributed to inform the community of the report, but to also solicit feedback on the content as well as the process.

Community Workshops – Additional Charrettes- If the report requires additional steps, the Council encourages more public input and charrettes. These efforts will be announced at a minimum at public meetings as well as through the community e-newsletter (Connector), Allegan news, and on the city website.

One-on-one interviews- Interview results will be sought for individual comfort

Referral to Committees – Because of the extensive citizen representation in the committee process developed by the City Council, and depending on the content of the report and feedback, the report may be referred back to a committee for follow-up and recommendation. Meeting minutes will be taken by person, posted online, and a copy shall be provided to the City Council.

Amended April 28, 2015