



CITY of NOVI CITY COUNCIL

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**Agenda Item 5
November 13, 2007**

SUBJECT: Referral of Council Organization Rules and Order of Business

SUBMITTING DEPARTMENT: City Clerk *M.C.*

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

After each local election, the Rules Committee may decide to meet to review and propose any changes to the Organizational Rules and Order of Business.

RECOMMENDED ACTION: Referral of Council Organization Rules and Order of Business

	1	2	Y	N
Mayor Landry				
Council Member Capello				
Council Member Crawford				
Council Member Gatt				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				



COUNCIL ORGANIZATION RULES AND ORDER OF BUSINESS

ADOPTED: December 15, 1997
AMENDED: March 18, 2002
AMENDED: July 7, 2003
AMENDED: February 2, 2004
AMENDED: November 22, 2004
AMENDED: August 14, 2006

**CITY OF NOVI
COUNCIL ORGANIZATION RULES
AND ORDER OF BUSINESS**

PROLOGUE

The City Council of the City of Novi consists of seven members, including the Mayor, elected at large in a non-partisan election. These Rules shall serve as guidelines for the organization and the conduct of the Council so that the City is governed in an orderly fashion. This document shall be reviewed every two years, following the Regular City Election.

1. ORGANIZATION

A regular meeting of the Council shall be held on the Monday following each Regular City Election (Charter, Sec. 6.1). The Mayor shall, at the first regular meeting of the Council after the election of the Mayor, appoint another member of the Council to serve as Mayor Pro Tem, who, during the absence or inability of the Mayor to perform his duties shall act in the name and stead of the Mayor and shall, during the time of such absence or inability, exercise all the duties and possess all the powers of the Mayor. (Charter, Sec. 4.5a) In the absence of both the Mayor and the Mayor Pro Tem, the most senior member of Council shall preside. The seniority shall be determined by the length of the concurrent terms as listed below. In those instances where concurrent terms are of equal length, seniority shall be determined by the number of votes received in the most recent election of the members with such equal terms:

Mayor Landry – Elected 2007
Council member Capello – Elected 2005
Council member Crawford - Elected 2007
Council member Gatt - Elected 2007
Council member Margolis – Elected 2005
Council member Mutch – Elected 2005
Council member Staudt – Elected 2007

2. REGULAR MEETINGS

The Council shall hold two Regular Meetings per month in accordance with the Schedule of Regular Meetings to be established by the City Council during the month of December for the upcoming year. Meetings shall be held at 7:00 P.M. in the Council Chambers of the Novi Civic Center and shall begin promptly at the appointed time.

In addition to the regular meetings above, the Council shall hold a regular meeting on the Monday following the Regular City Election. This meeting is intended to be an organizational meeting for orientation of new Council Members.

The Council will have as a goal to conclude the meetings by 11:30 P.M.

If the Council meets at a place other than its regular meeting place, then public notice to such effect shall be published in a newspaper circulated in the City. (Charter, Sec. 6.1)

3. **SPECIAL MEETINGS**

Special Meetings of the Council may be called by the Clerk on the written request of the Mayor or by any two members of the Council. There shall be at least twenty-four (24) hours' written notice to the public and each member of the Council designating the time, place, and purpose of a special meeting and served personally on, or left at, the usual place of residence of each of the Council members. Any special meeting of the Council at which all members of the Council are present or have in writing waived the requirements that the required notice be given, and at which a quorum of the Council is present, shall be a legal meeting. (Charter, Sec. 6.2) It is the preference of Council that special meetings are held on Mondays. Every effort will be made to schedule special meetings on Thursdays when a Monday is unavailable.

4. **JOINT MEETINGS**

The City Council may hold Joint Meetings with School Boards, Boards, Commissions, Committees, and municipal governments who share a community of interest with the City of Novi. Such meetings shall be scheduled for a specific purpose or goal, agreed to by the Council and other entity or entities before the meeting.

5. **EXECUTIVE SESSIONS**

A two-thirds (2/3) roll call vote of members elected or appointed and serving shall be required to call a closed session, except for those circumstances where the Open Meetings Act, 1976 PA 267 permits the calling of an executive session by a lesser vote. Those circumstances not requiring a two-thirds (2/3) vote are sessions:

To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent, when the named person requests a closed hearing.

For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.

The purpose of the meeting will be stated in the motion to call the closed session and shall be in accordance with the Open Meetings Act.

6. **AGENDA - REGULAR MEETINGS**

The City Manager and the City Clerk, with consultation and concurrence of the Mayor, shall prepare an agenda of business to be considered at each regular Council Meeting. Items of business must generally be submitted by 3:00 P.M. of the Wednesday preceding the next regular meeting and

include a sign-off sheet provided by the City Clerk in order to be placed upon the agenda of the next regular meeting, subject to the discretion of the City Manager. The Mayor and Administration will strive to have agendas resulting in consistent length of meetings.

The Meetings will be held in the Council Chambers UNLESS OTHERWISE NOTED ON THE AGENDA. No items will be added to the published agenda unless approved by a majority vote of the City Council. The Agenda of Regular Meetings of the City Council shall be prepared in accordance with the following format:

- A. Call to order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approval of Agenda
- E. Special Reports, Committee Reports, etc.
- F. Proclamations
- G. Public Hearings - Special Assessment Hearings
- H. Reports:
 - 1. Manager
 - 2. Departments
 - 3. Attorney
- I. Audience Participation
- J. Consent Agenda - Approval or Removals (Items removed from Consent Agenda will be discussed under Item R).
- K. Matters for Council Action - PART I
 - 1. Proposed Zoning Ordinance Map Amendments - 2nd Reading not required.
 - 2. Other Ordinances - First Reading (Introduction) (Read by Title Only)
 - 3. Action on Special Reports
 - 4. Other Ordinances - Second Reading (Adoption) (Emergency Ordinances may be given 1st and 2nd reading and adopted at the same meeting if approved by the Council)
 - 5. Other matters to be acted upon by Council
- L. Audience Participation
- M. Matters for Council Action - PART II
 - 1. Ordinances -
 - 2. Other matters to be acted upon by the Council
- N. Committee Reports
- O. Mayor and Council Issues
This item shall be limited to matters as to which a Council member is seeking to receive comments or other reaction from other Council members, or to gain a consensus for giving direction to City staff. For an item to be listed on the printed agenda, Council members must request that the item be placed on the agenda by 3:00 P.M. of the Wednesday preceding the meeting and provide the language for the item in writing or verbally. Each Council member present at a meeting may also request placement of one (1) additional item on the agenda under Mayor and Council issues for that meeting. With respect to any such issue placed on

the agenda, if a Council member is requesting information from City staff as part of the item the Council member shall have first called the City Manager and requested such information prior to the meeting, and shall so state at the time of placement of the item on the agenda.

P. Consent Agenda

Only the following kinds of items may be included on the Consent Agenda:

1. Personnel matters requiring Council action, not including reviews of employee grievances or appointments and terminations.
2. Routine financial management actions, such as approval of warrants, transfer of funds, approval to advertise for bids.
3. Approval of licenses.
4. Setting dates of Public Hearings.
5. Ordinances at second reading and/or resolutions which do not require public hearings prior to adoption.
6. Approval of minutes
7. Approval of contracts and agreements not to exceed \$100,000.
8. Referral to committees.
9. Approval of easements
10. Additional items which administration feels could be included on Consent Agenda for final approval.

In order to limit the number of items removed from the Consent Agenda, all members of Council will make an effort to contact the administration before the meeting to have questions answered. Unless a member of the Council specifically requests that an item listed on the Consent Agenda be removed therefrom and action be taken separately on said item, those items listed on the Consent Agenda shall be approved, accepted, etc. by motion and unanimous roll call vote of the Council. Those items so approved under the heading "Consent Agenda" shall appear in the Council minutes in the proper form.

Q. Communications - Received by the Agenda deadline

R. Audience Participation

S. Adjournment

7. **AGENDA - SPECIAL MEETINGS**

No business shall be transacted at any special meeting of the Council unless the same has been stated in the notice of such meeting. However, other than the enactment of an ordinance, any business which may lawfully come before a regular meeting may be transacted at a special meeting, if all the members of the Council present consent thereto and all the members absent file their written consent. (Charter Section 6.3). The notice of such meeting, setting forth the time, place and purpose, together with the agenda shall be served in accordance with the City Charter upon each member of the Council.

8. **AUDIENCE PARTICIPATION RULES**

- A. All members of the Audience addressing the meeting (hereinafter speaker) shall direct their remarks to the person in charge of the meeting (hereinafter Chair).

- B. No speaker shall address the meeting unless recognized by the Chair for that purpose.
- C. Remarks shall be limited to those pertaining to matters before the Council, to City business or policy, or to issues of community concern or interest. While comment upon the action, inaction, or performance of the Council and the City of Novi commissions, boards, employees and consultants is allowed, inappropriate, profane, vulgar or abusive language and personal attacks will not be tolerated.
- D. No speaker shall continue to address the meeting after being advised by the Chair that the speaker's time for addressing the meeting has expired.
- E. There shall be no audience comment by voice, clapping, or otherwise, showing approval or disapproval of any remarks of the speaker or member(s) of the public body.
- F. The Chair has the authority to grant additional time, if requested by a speaker, for good cause. Each speaker may address the meeting for 3 minutes. At the end of 3 minutes, the Chair shall direct the speaker to wrap up and the speaker shall not exceed 4 minutes. Persons representing an Association or Group with a voted position may speak for 5 minutes. At the end of 5 minutes, the Chair shall direct the speaker to wrap up and the speaker shall not exceed 6 minutes. This time limitation shall include any video presentations. Video presentations may not be substituted for audience participation unless submitted by 5:00 P.M. the Wednesday prior to the meeting. Time may not be deferred to other speakers or to other portions of the meeting.
- G. Council Members or the Mayor shall not respond to general Audience Participation. The Mayor or Council members can bring up a point of order in regard to false information and direct it to the parliamentarian for a response. The Mayor may direct the administration to respond to the speaker, if appropriate, during or outside of the meeting. The Mayor may also respond with an indication of the appropriate action to be taken.
- H. Committee Reports will not be accepted during Audience Participation. An Applicant or Representative may present proposals for a period of time at the discretion of the Chair.

9. **CABLE TV VIDEO AND AUDIO TAPES POLICY**

- A. All Regular, Special, and Joint Council meetings shall be held in the Council Chamber and will be cable cast, except interview meetings unless Council Chambers are unavailable.
- B. Meetings will be cablecast live - the City will retain tapes of meetings for 90 days. These tapes are not the official record of the meeting.
- C. Only City Council, Parks Recreation & Forestry Commission, Planning Commission and Zoning Board of Appeals Meetings will be cable cast live.
- D. Audio tapes will be retained until the approval of the minutes.

10. **RECONSIDER/RESCIND/REPEAL A QUESTION**

When a question has been taken, it shall be in order for any member who was on the prevailing side in the original action to move for reconsideration thereof at the same or next regular meeting. If a matter is to be brought for reconsideration at a succeeding meeting, the Councilmember making the request must notify the City Manager or City Clerk in writing by the Wednesday prior to the meeting who shall place the matter of reconsideration of the matter on the agenda.

A motion to rescind or repeal some previous action may be made at any time at any regular or special meeting of the Council, provided, such matter has been formally placed on the agenda for consideration and it is in order.

11. VOTING

A Roll Call vote shall be required on all ordinances and the "Yes" or "No" vote shall be entered upon the records opposite the name of the Councilmember. Whenever the vote is unanimous, it shall only be necessary to so state.

No member of the Council shall vote on any question in which he/she has a financial interest other than the common public interest or on any question concerning his own conduct.

12. QUORUM

Four members of the Council shall be a quorum for the transaction of business at all meetings of the Council, but in the absence of a quorum, the Mayor or any two members may adjourn any regular or special meeting to a later date. (Charter, Sec. 6.5)

13. COMMITTEES

Council Committee assignments will be established at the 2nd regular meeting following the Election. The descriptions provided within this section stating the purposes, functions and membership of Boards, Commissions and Committees are for informational purposes. The provisions of the Charter, the Novi Code of Ordinances and the resolutions establishing such bodies shall define the purposes, functions and membership of such bodies.

Council will be provided with the attendance record of all applicants for reappointment at the time of interview.

Annual interview schedule for Boards, Commissions, and Committees

Interview Date / Committee Name	Terms Expire On	Approx. # of Vacancies per year
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EARLY FEBRUARY

Beautification Commission	March 1	1 to 3
Building Authority	March 1	1
Library Board	March 1	1
Cable Access Committee	March 1	1
Construction Board of Appeals	March 1	2

EARLY-MID JUNE

Planning Commission	June 30	3
Parks & Recreation Commission	June 30	2 to 3
Historical Commission	January 1	2 to 3

LATE OCTOBER

HCD Advisory Committee	Jan. 1	1 to 2
Election Commission	Jan. 1	0 to 1
Zoning Board of Appeals	Jan. 1	2
Board of Review	Jan. 1	2 to 4
EDC	March 1	1 to 3

Applications/Interviews will be considered current until the next annually scheduled interview date for the particular body for which the applicant applied. Council may schedule other interview sessions for newly created committees on an as-needed basis.

For any mid-term vacancy, Council may opt to hold an additional interview session.

Council Action on Interviewing and Appointing newly created committees

Any new committee adopted by Council shall have in its resolution language to the effect of the following:

That the position will be advertised for applications within ten days of the adoption of the resolution creating the committee.

That Council will hold interviews within three weeks of adoption of the resolution.

That Council will make appointments at the Regular Meeting following the interview meeting.

All Boards, Commissions and Committees established by Charter or Ordinance and all Boards, Commissions and Committees established by Charter as advisory/implementation committees will provide the City Clerk with an agenda of their meetings in a timely manner and a summary of actions taken at each meeting within one week following the meeting which will include a cumulative attendance record of their members. Irrespective of whether such Boards, Commissions, and Committees are public bodies within the meaning of the Open Meetings Act, meetings shall be open to the public and a notice of the date, time and location of each meeting shall be posted by the City Clerk or her designee within the lobby of the City Hall no later than 48 hours before the meeting. The requirements of the preceding sentence shall not apply to the Consultant Review Committee or the Appointed Officials Evaluation & Compensation Committee.

STANDING COMMITTEES

The following standing committees of the Council shall be composed of at least three members who shall be appointed by the Mayor. (Charter, Sec. 6.7(e))

1. Capital Improvements Program - Three Council representatives.
2. Consultant Review Committee - Three members of Council appointed on a rotation basis with one new member each year.

3. Rules Committee - The Mayor and two members of Council appointed on a rotation basis to begin their review of the Council Rules immediately following the first meeting following the November Election.
4. Ordinance Review Committee - The Mayor and two members of Council appointed on a rotation basis.

COUNCIL REPRESENTATION ON REGIONAL BODIES/INTER-GOVERNMENTAL BODIES

1. SEMCOG - one Delegate (Elected Official) and one Alternate (Elected or Appointed) appointed by the Council.

BOARDS AND COMMISSIONS ESTABLISHED BY CHARTER OR ORDINANCE

1. Beautification Advisory Commission - Nine members appointed to three-year terms by the Council. Terms expire January 1st (Sec. 2-171 City Code).
2. Board of Review - Six members and two alternate members - appointed to two-year terms by the Council. Terms expire January 1st of each odd year (Sec. 9.6 City Charter).
3. Construction Board of Appeals - Five members and two alternate members - Appointed to four-year terms by the City Council. Terms Expire March 1st. (Sec. 7-19 City Code)
4. Economic Development Corporation -Nine members - Appointed to five-year terms by the Mayor with advice and consent of Council. Terms Expire March 1st (EDC Articles of Incorporation)
5. Election Commission - Three members, including the City Clerk – Appointed to three-year terms by the Council. Terms expire January 1st (Sec.3.4 City Charter)
6. Historical Commission -Five members - Appointed to three-year terms by the Council. Commission also includes a representative of the Novi School District and the Novi Library. Terms expire January 1st. (Sec. 17-18 City Code)
7. Library Board - Seven members - appointed to three-year terms by the Mayor with approval of Council. Terms expire March 1st. (Sec.19-21 City Code)
8. Parks and Recreation Commission - Seven members - Appointed to three-year terms by the Council. Terms expire June 30th (Sec. 25-37 City Code)
9. Planning Commission - Nine members - Appointed to three year terms by the Mayor with approval by the Council. Terms expire June 30th (Sec. 27-18 City Code)

10. Street Name Review Committee -Representatives of the Department of Community Development, Police Department, Fire Department and Building Department. (Sec. 31-51 City Code).
11. Zoning Board of Appeals - Six members and one alternate member appointed to three-year terms by the Council. Terms expire January 1st (Sec. 3100 Zoning Ordinance)

ADVISORY/IMPLEMENTATION COMMITTEES ESTABLISHED BY COUNCIL

1. Housing & Community Development Advisory Committee - Six members – 5 voting resident members, appointed to three-year terms by the Council, 1 Administrative non-voting Member shall serve on the Committee. Terms expire January 1st.
2. Storm water Management and Watershed Stewardship Committee - 7 members, residents at-large, appointed by the Council and 1 member of Council as a liaison. Term expiration to be set.
3. Public Access Promotion Committee -Three members - Appointed to three-year terms by the City Council. Terms expire March 1st. (Cable TV Administration Resolution)
4. Pathway and Sidewalk Prioritization – Two members.

Council Advisory Committees will not establish an Ad Hoc Committee without the approval of the Council. This does not prevent a committee from appointing subcommittees of their members.

14. STANDARDS OF CONDUCT FOR CITY COUNCIL MEMBERS

- A. General Rules. City Council members will be governed by the Standards of Conduct of Novi Officers, Employees, and Consultants, as adopted and amended from time to time by City Council Resolution. Those standards generally include (but are not limited to) the following:
 1. Confidential Information. A Council member shall not divulge to an unauthorized person, confidential information acquired in the course of the Council member’s duties in advance of the time prescribed for its authorized release to the public.
 2. Representations. A Council member shall not represent his or her personal opinion as that of the City.
 3. City resources. A Council member shall use personnel resources, property, and funds under the Council member’s official care and control judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
 4. Gifts. A Council member shall not solicit or accept a gift or loan of money, goods,

services, or other thing of substantial value for the benefit of a person or organization, other than the City, which tends to influence the manner in which the Council member performs official duties. . It shall be presumed that a non-monetary gift having a value of less than fifty dollars (\$50.00) does not evidence a violation of the above paragraph. "Non-monetary gifts" do not include gift certificates, vouchers, or any other item which is readily used in place of cash.

5. Profit from Position. A Council member shall not engage in a business transaction in which the Council member may receive a substantial profit from his or her official position or authority or a substantial financial benefit from confidential information which the Council member has obtained or may obtain by reason of that position or authority. A Council member shall not use, or attempt to use, his or her official position to unreasonably secure, request or grant, any privileges, exemptions, advantages, contracts, or preferential treatment for themselves or others.

B. Financial Interest in Contract, Purchase, or Employment

1. No Council member shall vote on any question in which the member has a financial interest other than the common public interest or on any question concerning his or her own conduct. (Charter, Sec. 6.7)
2. Except as otherwise provided by State law (including all disclosure requirements), a Council member shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the Council member's official duties, or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties. If such employment or services for a private or public interest (except the City of Novi) requires the appearance, directly or indirectly, by a Council member before any employee, agency or body of the City of Novi, it shall be conclusively presumed that such appearance is incompatible and in conflict with the Council member's official duties. Except as otherwise provided by State law (including all disclosure requirements), a Council member shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating directly to a business entity in which the Council member has a financial or personal interest.
3. No Council member shall be a party, directly or indirectly, to any contract between himself and the City, except as provided by state law and City Charter.
4. Members of the City Council shall disclose, upon a form provided by the City Clerk, the following information: Any interest in any property within the City of Novi held by the member, the member's spouse, any child of the member, a trust for the member, any corporation in which the member is an officer, director, or shareholder,

or by any partnership, limited partnership, or co-partnership in which the member has an interest. The disclosure shall be submitted by City Council members upon taking the oath of office, and annually thereafter.

15. **DEBATE AND DECORUM**

Where these rules or the City Charter are silent, "Roberts Rules of Order Newly Revised" shall, to the extent reasonably feasible, govern the proceedings of the Council. The City Attorney shall act as Parliamentarian. In addition, the following general rules of debate shall apply:

- A. The maker of a motion is entitled to speak first.
- B. A Council Member must obtain the floor by being recognized by the Mayor.
- C. No Council Member is entitled to speak a second time on the same motion while any other Council Members wish to make their first speech.
- D. A Council Member may not speak against his/her own motion, but may vote against it.
- E. Remarks must be confined to the merits of the pending question.
- F. Questions and remarks must be addressed through the Mayor. Council Members are not to speak directly to each other or to a staff member.
- G. A courteous tone must be maintained. Interjecting personal notes or attacking another member's motives is prohibited.
- H. Use of a Council Member's name is to be avoided, if at all possible; for example, you should refer to "the maker of the motion" or "the previous speaker" whenever possible.
- I. Reading from books, reports, etc. is only allowed with general consent of the Council by vote or general consent, that is, if there are no objections.
- J. No Council Member may comment adversely on any prior act of the Council that is not pending.

16. **COUNCIL APPROVAL OF INDIVIDUAL COUNCIL MEMBER NON-ROUTINE REQUESTS FOR INFORMATION OR INVESTIGATIONS BY CITY STAFF**

Prior to any individual Council members request to City staff for reports or other information, other than routine (requests that can be answered within 5-10 minutes), the requests must be raised at the Council table and approved. (Motion made July 7, 2003 meeting)

17. **SUSPENSION AND AMENDMENT OF RULES**

These rules may be suspended or amended at any time, in accordance with the Charter of the City of Novi by a vote of the majority of the Council elected and serving.