

VILLAGE OF VICKSBURG  
VILLAGE COUNCIL  
*Rules of Order*

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## **1. AUTHORITY**

**1.1 Charter** - The Village of Vicksburg Council may determine its own rules and order of business for meetings pursuant to the authority of the Village of Vicksburg Charter [Section 65.5 (1)]. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules adopted in the manner provided by these rules. None of the rules herein stated may supersede the Village Charter, Village Code, or Laws of the State of Michigan.

## **2. GENERAL RULES**

**2.1. Meetings to be Public** - All official meetings of the Council shall be open to the public. The minutes of proceedings shall be open to public inspection as specified by the Village Charter and State law.

**2.2. Quorum** - A majority of the members of the Council, including the President, shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to the next regular scheduled meeting date.

**2.3. Minutes** - An account of all proceedings of the Council shall be kept by the Village Manager and shall be entered in a book constituting the official record of the Council.

**2.4. Right of Floor** - Any Council Member desiring to speak shall be recognized by the President, and shall confine his/her remarks to one subject under consideration or to be considered.

**2.5. Village Manager** - The Village Manager shall attend and participate in all meetings of the Council, unless excused, and the Village Manager or his/her designed shall be entitled to attend and participate in meetings of all Village Committees, Boards, or Commissions. The Village Manager may make recommendations to the Council and shall have the right to take part in all discussions of the Council, but shall have no vote. The Village Manager may purchase all supplies, including insurance for the Village, and approve all vouchers for payment of same.

**2.6. Village Attorney** - The Village Attorney may attend meetings of the Council and shall upon request of the Village President or Village Manager, give an opinion either written or oral on questions of law.



2.7. Officers and Employees - Department Heads of the Village, when there is pertinent business from their departments on the Council agenda, shall attend such Council meetings, upon request of the Village Manager.

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### 3. MEETINGS

3.1. Public Notice of Meetings - The Village Manager shall be responsible for providing the proper notice of all meetings of the Council, as specified by the State Open Meetings Act.

3.2. Regular Meetings - The Council shall meet at the Vicksburg Community Center at 7:00 p.m. for all meetings, unless otherwise announced and as specified by the State Open Meetings Act. The 1<sup>st</sup> and 3<sup>rd</sup> Mondays of each month, shall be considered a Regular Meeting.

3.3. Special Meetings - Special meetings may be called by the President or by two members of the Council. The call for a special meeting shall specify the day, hour, and location of the special meeting. The Village Manager shall give public notice, as specified by the State Open Meetings Act, and give each Council member notice as may be practical. (18 Hours notice required)

3.4. Annual Organizational Meeting - The first regular meeting after the fiscal year begins shall be considered an organizational meeting. In addition to any other business, such matters as: selection of a newspaper for public notices, selection of financial depository, review and selection of the Village Attorney, and review of Council rules, policies, and procedures, setting of dates for goal setting study session and scheduling organizational meetings of all committees, boards and commissions shall be accomplished.

3.5. Recessed Meetings - Any meeting of the Council may be recessed to a later date and time, provided that no adjournment shall be for a longer period than until the next scheduled meeting. If the meeting is recessed for more than 36 hours then 18 hours notice is required.

**3.6. Study Sessions** - The Council may meet informally in Study Sessions (open to the public), at the call of the President or two Council Members, to review forthcoming programs of the Village, receive progress reports on current programs or projects, or receive other similar information from the Village Manager, provided that all discussions and conclusions thereon shall be informal.

**3.7. Closed Meetings** – The Village Council may only meet in closed session for purposes defined in the Michigan Open Meetings Act as follows:

- A. 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.
- B. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement or related issues when either negotiating party requests a closed session.
- C. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. This does not include the sale, lease or other conveyance of Village property to others.
- D. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the Village.
- E. To review the specific contents of an application for employment or appointment to a public office when the candidate requests that the application remain confidential. All interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to the act.
- F. To consider material exempt from discussion or disclosure by state or federal statute.



**3.8.        Emergency Meetings** - Emergency Meetings shall be called, as specified in the State Open Meetings Act, without complying with the notice requirements, in the event that it is necessary to hold a meeting to deal with a severe and imminent threat to the health, safety, or welfare of the public, when two-thirds (2/3) of the Council decide that delay would be detrimental to the efforts to lessen or respond to the threat.

**3.9.        Public Hearings** - Public hearings shall be called, as directed by the Charter, state law, village ordinance, or a decision of a majority of the Council. The procedure for conducting the hearing shall be posted at the time of the hearing and available to the public.

**3.10.       New Member Orientation** - After the Official canvas of the vote and before their first meeting as an elected official, the Village Manager shall provide newly elected officials the information necessary to assume the responsibility of their office and update them on matters pending before the Council. All Council Members will receive copies of the following documents: Village Charter, Code of Ordinances Book, Rules of Order, MML Newly Elected Officials Handbook, US and Michigan Constitutions. These documents will be returned to the Village offices one month prior to the expiration of the Commissioners term of office.

**3.11.       Attendance of Media** - All official meetings of the Village Council and its committees shall be open to the media, freely subject to recording by radio, television, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings as determined by a majority of the quorum of the members of the Village Council present.

#### **4.        PRESIDENT AND DUTIES**

**4.1.        President** - The Village President, if present, shall preside as Chairman at all meetings of the Council. In the absence of the President, the President Pro-Tem shall preside. In the absence of both the President and the President Pro-Tem, the Council shall elect a Chairman for that meeting.

**4.2.        Call to Order** - The meetings of the Council shall be called to order by the President or, in his/her absence, by the President Pro-Tem. In the absence of both the President and the President Pro-Tem, the Village Manager shall call the meeting to order. The Village Clerk shall call the roll, and preside over the election of a temporary Chairman.

**4.3. Preservation of Order** – The presiding officer may call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time, or speaking vulgarities. Such person shall not be permitted to continue to speak at the same meeting except by special leave of the Council. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the Village police to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting. The presiding officer shall preserve order and decorum and may speak to points of order in preference to other Village Council members. The presiding officer shall decide all questions arising under this parliamentary authority and shall be subject to appeal, which shall be determined by a majority of the Village Council members present.

Any member may appeal to the Council from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and presiding officer may briefly state the ruling. There shall be no debate on the appeal and no other member shall participate in the discussion. The question shall be: "Shall the decision of the Presiding Officer be sustained?" If the majority of the members present vote "aye", the ruling of the presiding officer is sustained; otherwise it is overruled.

The following order shall prevail:

- A. Agenda item is read
- B. Testimony by the person(s) causing the item to be before council
- C. President shall call to each council member for their questions, each member shall have 10 minutes.
- D. Motion
- E. Second
- F. Repeat (C).
- G. Vote (if roll call vote is required, voting shall start in rotation)
- H. President shall announce result of vote

During the Council discussion and debate, no member shall speak until recognized for that purpose by the presiding officer. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order raised by another member. Speakers should address their remarks to the chair, maintain courteous tone, and avoid interjecting a personal note into the debate. No member shall speak more than once on the same question unless every member



desiring to speak to that question shall have had the opportunity to do so.

The presiding officer, at his/her discretion and subject to the appeal process mentioned in Section 4.3, may permit any person to address the council during its deliberations.

**4.4. Restrictions** - The presiding officer of the Council (President, President Pro-Tem, or temporary Chair) may debate from the Chair, subject only to such limitations of debate as are imposed on all members; however, the presiding officer shall not move or second a motion without first vacating the chair to the President Pro-Tem or temporary Chair.

## **5. ORDER OF BUSINESS AND AGENDA**

### **5.1. Order of Business**

A.- The order of business in the regular meeting, shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Prayer
4. Roll Call
5. Amendments to Agenda
6. Approval of Agenda
7. Approval of Minutes
8. Scheduled Appearances
9. Public Inquiry
10. Public Hearings
11. Village Manager's Time
  - A. Reports of Officers, Boards and Committees, routine monthly reports from departments
  - B. Communications
12. Resolutions and Ordinance
13. Village President's Time
14. Village Trustee's Time
15. Adjournment

B.- The order of business at a workshop meeting will be as follows:

1. Call to Order
2. Roll Call
3. Amendments to Agenda
4. Approval of Agenda
5. Public Inquiry
6. Communications
7. Goals and Objectives
8. Old Business
9. New Business
11. Adjournment



C.- The order of business at Special Meetings, will be as follows:

1. Call to Order
2. Roll Call
3. Action Item
4. Adjournment

**5.2. Agenda** - The order of business of each meeting shall be as contained in the Agenda prepared by the Manager and President. Any other member or representative of committees, boards or commissions desiring to place a matter on the agenda shall notify the Village Manager and such agenda items must be submitted by 5:00 PM seven (7) days preceding the scheduled meeting. The Agenda shall be a listing by topic of subjects to be considered at the Council Meeting and, when possible, preceding a Special Council Meeting to which it pertains. An agenda amendment or Council action may be considered at a workshop or special meeting with a majority (4 of 7) vote.

**5.3. Reports and Written Information** - Reports and written information pertaining to items on the Agenda shall be included with the delivery of the Agenda.

## **6. ORDINANCES, RESOLUTIONS, MOTIONS, AND VOTING**

**6.1 Form** - Ordinances and resolutions shall be presented to the Council only in printed or typewritten form. Ordinances must include a title.

**6.2. Review** - All proposed ordinances and resolutions shall be reviewed by the Village Manager. All proposed ordinances shall be approved as to form and legality by the Village Attorney.

**6.3. Distribution of Ordinances and Resolutions** - The Village Manager shall prepare copies of all proposed ordinances for distribution to all members of the Council at least 24 hours before the Council meeting at which the ordinance is to be introduced. If the ordinance carries an emergency clause, copies of the ordinance must be distributed at least 12 hours prior to the meeting of the Council at which said ordinance is to be considered.

**6.4. Introduction of Ordinances and Amendments** - A proposed ordinance shall be introduced by the reading of the title only. A full reading of a proposed ordinance or amendment shall be done at the request of any member. Amendments or modifications to ordinances must be referenced by ordinance number.

6.5. Recording of Votes - A voice vote shall be taken, unless required by policy or law, requested by a Council Member, or when the Chairman cannot determine the results of a voice vote. Roll call votes shall be called in random order, with the President always voting last. Responses are "Yes", "No", or "Abstain". All votes shall be specifically entered into the record.

6.6. Abstention from Vote - 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. On all other questions, each member who is present shall vote when his name is called unless excused by the unanimous consent of the remaining members present. Any member refusing to vote when required by this paragraph shall be guilty of misconduct in office.

6.7. Majority Vote Required - A majority of membership (4 votes) shall be required on the voting of ordinances and amendments, votes changing these Rules of Order, excusing a member's absence, abolishment of a board or commission, removing a member of a board or commission, or calling a public hearing. A 2/3 majority (5 votes) is required to call a closed meeting, if required by the Open Meetings Act, or to dismiss a Council Member for misconduct as defined in the Charter [Section 65.5 (1)]. (reference: Open Meetings Act, Section 8). A unanimous vote is required to appoint a relative of a sitting Council Member to a village office. All other votes require a majority of members attending. In the event of a tie vote, the motion shall be considered failed.

6.8. Conflict of Interest - The procedure for determining a conflict of interest can be initiated by any Member. The steps shall be:

1. Presentation to the Village Manager for an opinion
2. Notification of conflicted Member, if being brought to the Council for a decision
3. Obtain an opinion from the Village Attorney, if needed.

If a conflict of interest is determined to exist, that Member shall in no way enter discussion on the specific, or related, issue and shall abstain from voting if a vote is taken.

6.9. Ordinance and Resolution Numbering - Ordinances shall be numbered consecutively and Resolutions shall be numbered by Month-Meeting#-Year-Resolution Acted On (#-#-##-#) by the Village Manager.



**6.10. Ordinance Passage Procedure** - When passed by the Village Council, an ordinance shall be signed by the Village President, attested by the Village Clerk, and shall immediately be filed and thereafter preserved in the office of the Village Manager. The Ordinance will be immediately published in the local newspaper and will take effect 15 days after passage or the day of publication whichever comes first unless passed as an emergency measure in which case it will have immediate effect.

**6.11. Rule of Order** – The Council shall follow the Rules of Order as stated in the latest edition of Robert’s Rules of Order to extent possible without violating any statute, ordinance, policy, or a specific provision of these Rules of Order.

## **7. CREATION OF COMMITTEES, BOARDS, AND COMMISSIONS**

**7.1. Creation** - The Village Council may create committees, boards, and commissions to assist in the conduct of the operation of the Village government with such duties as the Village Council may specify while remaining consistent with the Village Charter.

**7.2. Membership and Selections** - Membership requirement and selection of members shall be as provided by the Village Council, if not specified by the Village Charter or state law. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Village Council. No committee, board or commission so appointed shall have powers other than advisory to the Village Council or the Village Manager, except as otherwise specified by the Village Charter or state law. Board members will be selected by the Village President and approved by the Village Council. Duties of said committees, boards and commissions created are to be approved by the Council preceding appointment. The Village President shall convene the initial meeting of all committees, boards, and commissions. Each committee, board and commission shall select a chairperson at the first meeting of said committee, commission, or board.

**7.3. Independent Boards** - A Village representative may be appointed by the Village Council to any board independent of the Council at the independent board’s request. These representatives should give an annual oral or written report to the Council, which should include any actions, issues, or information of interest to the Council or the Village as a whole.

**7.4.           Removal of Members of Boards and Commissions** - The Village Council may remove any member of any board or commission which it has created or as created by the Village Charter or any village representative appointed to an independent board, by a vote of a majority of the Village Council. Any board or commission may request removal of any appointee by stating in writing the reasons for removal.

**7.5.           Terms for Committees and Boards** - Attached to these rules of order as addendum "A" is the current list of all Boards and Committees and the terms associated with each.

## **8.   CITIZEN'S RIGHTS**

**8.1.           Addressing the Council** - Members of the public desiring to address the Council by oral communication shall first secure permission from the presiding officer. Preference will be given to those persons who have notified the Village Manager in advance of the Regular Meeting of their desire to speak in order that their name may be placed on the agenda and they will be recognized by the presiding officer without further notice.

**8.2.           Manner of Addressing the Council** - Each person addressing the Council shall come forward to the podium provided for such presentations, and shall give his/her name and address in an audible tone of voice for the record. Unless further time is granted by the Council, their address shall be limited to 5 minutes. All remarks shall be addressed to the Council, as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion. No questions shall be asked of the Council members, except through the Chairman.

**8.3.           Personal or Slanderous Remarks** - Any person making personal, impertinent, slanderous remarks, or who shall become boisterous while addressing the Council, may be requested to leave the meeting. (reference 3.5 and 4.3)

**8.4.           Written Communications** - Interested parties, or authorized representatives, may address the Council by written communication in regard to any matter concerning the Village's business or over which the Council has control at anytime by direct mail or by addressing the Village Manager, and copies will be distributed to Council Members.



## **9. PUBLIC RELATIONS**

**9.1.** Members of the Village Council should refrain from argument with a member of the public or staff at Village Council meetings since these arguments seldom resolve concerns and many times inflame feelings at a public meeting. Any concerns by a member of the Village Council over the behavior or work of a Village employee during a Council meeting should be directed to the Village Manager to ensure the concern is addressed.

## **10. VILLAGE COUNCIL RELATIONS WITH VILLAGE STAFF**

**10.1** There shall be mutual respect from both Staff and Council members of their respective roles and responsibilities when and if expressing criticism in public session.

**10.2** Requests for information or questions by the Village Council shall be directed to the Village Manager. All non-routine requests should be submitted to the Village Manager's office. All complaints should be submitted to the Village Manager.

**10.3.** All written informational material requested by individual Council members shall be submitted to the Village Manager in writing, who will transmit them to all Council members with the notation indicating which Council members requested the information.

**10.4.** The Village Council shall not attempt to correct or influence Staff in the selection of employees, recommendations for the awarding of contracts, the selection of consultants, the processing of development applications or the granting of Village licenses or permits.

**10.5.** Incoming mail shall not be opened when addressed to individual Council. The Village Manager's office will advise Village Council members if they have received mail which must be acknowledged, in order that the Council may timely respond.

**10.6.** A Council member shall not direct Staff to initiate any action or prepare any report that is significant in nature or initiate any project or study without the approval of a majority of the Village Council. All such requests will be first directed to the Village Manager.

## **11. SUSPENSION AND THE AMENDMENT OF THESE RULES**

**11.1. Suspension of these Rules** - Any provision of these rules not governed by the Village Charter or Village Code may be temporarily suspended by a vote of a majority of the Village Council. The vote on any such suspension shall be taken by roll call and entered upon the record.

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**11.2. Amendment of these Rules** - These rules may be amended, or new rules adopted, by a majority vote of all members of the Village Council.