



Rules of Procedure

Village Council Village of Lake Orion

(Adopted April 10, 2000)
(Amended August 11, 2003)
(Amended June 27, 2005)
(Amended November 13, 2018)
(Amended July 9, 2019)

WHEREAS, the Village Council of the Village of Lake Orion has considered the adoption of Rules of Procedure regarding the conduct of the meetings of the Village Council, and

WHEREAS, the Village Council of the Village of Lake Orion believes it is in the best interest of the citizens of the Village of Lake Orion to adopt Rules of Procedure to provide the structure for the orderly conduct of its meetings which provides for citizen participation and for the opportunity for review and discussion by the Council,

WHEREAS, the Village Council of the Village of Lake Orion adopted their Rules of Procedure on April 10, 2000 and amended them on August 11, 2003, June 27, 2005 and November 13, 2018;

THEREFORE, BE IT HEREBY RESOLVED: That the following Rules of Procedure for the Village of Lake Orion be the same are hereby **amended and re-adopted**:

BE IT FURTHER RESOLVED: In compliance with Section 3 (5) of the Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, Rules of Procedure of the Lake Orion Village Council are hereby established and recorded as follows:

RULES OF PROCEDURE

- A. Meetings:** All meetings of the Lake Orion Village Council shall be held in accordance with the provisions of the Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, and with all applicable provisions of the Charter of the Village of Lake Orion.

B. Notification of Meetings: The Policy of the Lake Orion Village Council regarding notification of said meetings shall be in compliance with the Open Meetings Act and additionally as follows:

- Notice shall be provided to the local cable TV coordinator to be run on the Local Government Channel.
- Notice (Agenda) shall be emailed ***and/or mailed*** on the day of packet preparation, to any individual who has a position on any Village board, commission or committee or a specific individual who the Village Administration knows or has reason to believe may be directly affected by discussion and action by the Village Council, as it relates to a specific Agenda Item. (This Paragraph Adopted by Village Council on August 11, 2003 and amended on November 13, 2019).

C. Public Participation: contribution which can be made to good government by members of the public, meetings of the Council shall be conducted in a manner which will encourage attendance by and participation of members of the public.

D. Regular Meetings: The Regular Meetings of the Council shall be held in the Village Hall at 7:30 P.M. on the second and fourth Monday of each month. Change in time and/or place shall be permitted upon proper legal notifications. If any time set for the holding of a Regular Meeting of the Council shall be a holiday, then such meeting shall be held on the next secular day which is not a holiday.

Items of business to be transacted at Regular Meetings of the Council shall be in accordance with a prepared Agenda which has been submitted to the Council in advance of the meeting, and which shall be approved by the Council at the meeting to which it applies.

To be included on the prepared Agenda, an item of business shall be submitted in written form to the Village Clerk no later than noon on the Tuesday preceding the Regular Meeting. Such written presentation of the item of business shall include sufficient detail to provide Council with full information regarding the scope and cost of any proposal. If such information is not provided, Council reserves the right to set aside action on the proposal until such time as full and complete information is available.

E. The prepared agenda, except for the first meeting in November following the General Election shall be in the following format (Amended November 13, 2018):

1. Call to order by President or President Pro Tem
2. The Pledge of Allegiance
3. Roll Call and Determination of Quorum
4. Presentations (amended April 8, 2019).
5. Call to the Public (amended June 27, 2005)

In this portion of the Agenda, members of the public may make brief comments or complaints. If the item requires substantial Council discussion or action, the item may be added to the Agenda under the provision of Item F and placed at the end of the prepared Agenda. At the preference of the member of the public introducing the comment, it may be placed on the Agenda for a succeeding meeting.

Any member of the public wishing to speak at any time during a meeting shall identify himself by giving his name and address and shall limit his remarks to no longer than five (5) minutes.

6. Consent Agenda (amended June 27, 2005)

The Consent Agenda includes items of a routine nature and will be approved with one motion. The motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak on the recommended action by removing an item from the Consent Agenda and having it considered as a separate item. Any item removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard.

7. Approval of Agenda

In this portion of the Agenda, Council will consider addition of items to the prepared Agenda which have been generated from the "Call to the Public" portion of the meeting.

Council will also consider requests of members of Council, the Administration and/or the Attorney to add items to the prepared Agenda. Addition of items to the prepared Agenda shall require the affirmative vote of at least four (4) members of Council.

Unless Council shall decide a different placement of the item is more appropriate, approved items shall be added at the end of the prepared Agenda in the following order:

1. Those generated from the "Call to the Public" in order of their introduction by members of the public
2. Those introduced by members of Council in order of their introduction

In general, items added to the prepared Agenda which involve the expenditure of Public funds shall not be acted upon by Council until a successive meeting. It is the intent of this provision to require that Council be provided with written information fully explaining the scope and cost of a proposal in advance of the meeting at which action on the proposal is to be taken. However, Council may add an item to the list of vouchers at the request of the Administration if it is an item for which goods and/or services have already been received.

8. Public Hearing, if needed
9. Agenda Items for Consideration
 - A. Financial Matters
 - B. Other Items

Every effort is to be made by the Administration in putting together the Agenda to put items of public interest or controversy and then items for which there will be input from consultants or other professionals and then items that may require comment from the Village Attorney before items of routine business.

Council will proceed to address the items on the approved Agenda as follows:

- a. Presentation of item by sponsor, staff member or consultant.
- b. Discussion of item by Council, utilizing staff and/or consultants
- c. Call to the public for any discussion of the item. This period is to allow members of the public a reasonable, uninterrupted opportunity to present information or to express opinions regarding an item. This period of discussion shall be closed by the President or President Pro Tem when, at his discretion, the public has received a reasonable opportunity to participate.

- d. Deliberation on and action by Council. This period shall be uninterrupted by the public.
10. Call to the Public
11. Council Comments
12. Village Manager Comments
13. Closed Session Items, if needed
14. Reconvene in Open Session, if needed
15. Business from Closed Session
16. Adjournment

E. Special Meetings

Special Meetings may be called in accordance with the provisions of the Charter of the Village of Lake Orion. The nature of items discussed at special meetings may be such that the topic requires an intensified degree of concentration of study and consultation with advisors. The following Rules of Procedure for the conduct of Special Meetings are therefore hereby established.

All Special Meetings shall be conducted in accordance with the provisions of the Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, and with all applicable provisions of the Charter of the Village of Lake Orion. The conduct of the meeting shall be in accordance with the following format:

1. Call to order by President or President Pro Tem.
2. Pledge of Allegiance
3. Roll Call and Determination of Quorum
4. Statement by President or President Pro Tem of the purpose of the meeting as outlined in the call to the meeting
5. Call to the Public
6. Agenda Item(s) for Consideration

The Council shall proceed to address the items of business stated in the call. The initial period of discussion shall be reserved for Council, staff, consultants or advisors and shall afford adequate opportunity for full and complete discussion of the subject by these individuals. This period of discussion shall be uninterrupted by members of the public.

When, at the discretion of the President or President Pro Tem, Council has had full opportunity to discuss the subject and secure adequate information from those advisors it has invited to be present, the President or President Pro Tem shall call on the public to afford members of the public a reasonable, uninterrupted opportunity to speak regarding the item under consideration. When, at the discretion of the President or President Pro Tem, the public has received a reasonable opportunity to participate in the discussion, the President or President Pro Tem shall close this portion of the discussion.

The Council shall then re-address the item of business and take whatever action it deems appropriate. This period shall be uninterrupted by the public.

7. Closed Session, if needed
8. Reconvene in Open Session, if needed
9. Adjournment

NOTE: Only items listed in the call of a special meeting may be considered at a special meeting. However, if all members of Council are present, then any business which might lawfully come before a regular meeting of Council may be transacted as such special meeting

G. Change in Order of Business

The order of business of any meeting may be changed upon the affirmative vote of at least four (4) members of Council.

F. Conflict of Interest

If any member of Council believes he has a potential conflict of interest or what may be perceived as having a conflict regarding an item on the approved agenda, he shall reveal that potential conflict when the Presiding Officer introduces that item and before any comment has been made and shall explain the particulars of the potential conflict. After a Council member has revealed and explained the potential conflict, the remaining Council members shall discuss, if necessary, and vote to excuse or not excuse that member from deliberating and voting on the item in question. It shall

require the unanimous vote of the remaining Council members present to excuse a member from voting.

G. Requirement to Vote

Each Council member is required to vote on each item of business on the approved Agenda. A Council member shall not abstain from voting on any given item unless he has revealed a potential conflict of interest and has been excused by the other Council members from deliberating and voting on the item in question.

H. Parliamentary Procedure

Robert's Rules of Order, newly revised, shall prevail as to parliamentary procedure. The Village Attorney shall be the parliamentarian.

I. Conflicts with Statutes or Charter

In all matters where the rules adopted herein may conflict with the Statutes of the State of Michigan as adopted or with the provisions of the Charter of the Village of Lake Orion, then and in such event, the State Law and Charter shall in all cases prevail

CERTIFICATION

I, Susan C. Galeczka, Clerk of the Village of Lake Orion, do hereby certify that the foregoing is a true and complete copy of a resolution, duly adopted by the Village Council of the Village of Lake Orion at a Regular Meeting held on the 10th day of April, 2000 (On Motion By Council President Pro Tem Van Portfliet, Seconded by Council Member Stephen and Adopted. Ayes – 7.)

Amended at a Regular Meeting held on the 11th day of August, 2003 (On Motion by Council Member Van Portfliet, Seconded by President Pro Tem Stephen and Adopted. Ayes – 7.)

Further amended at a Regular Meeting held on the 27th day of June, 2005 (On Motion by Council President Pro Tem Stephen, Seconded by Council Member Hollenbeck and Adopted. Ayes – 6, Absent – 1 (Albert).

Further amended at a Regular Meeting held on the thirteenth day of November 13, 2018 (On a Motion by Council President Pro Tem Mathisen, seconded by Council Member Ranville, and adopted. Ayes: 5; Nays:0; Absent: 2 [Churchill, Rutt])

Further amended at a Regular Meeting held on the eight day of July, 2019 (On a motion by Council President Pro Tem Mathisen, seconded by Council Member Ray Hammond and adopted. AYES: 7; NAYS: 0.)



Susan C. Galeczka, CMC Mi PMC
Village Clerk