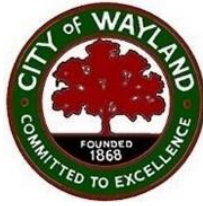


City of Wayland

City Council Bylaws



A. Regular and special meetings

All City Council meetings will be held in compliance with state statutes, including the Open Meetings Act, 1976 PA 267, as amended ("Act 267"), and with these rules.

1. Regular meetings

Regular meetings of the City Council will be held on the 1st and 3rd Mondays of each month, beginning at 7:00 p.m. at City Hall unless otherwise rescheduled by resolution of the Council; provided that, the dates for Council meetings established in the annual calendar of regular meetings by the Council each year in accordance with Act 267 shall control in the event of a conflict with the days specified herein.

2. Special meetings

A special meeting shall be called by the Clerk upon the written request of the Mayor or any three members of the Council on at least 24 hours' written notice to each member of the Council served via email with return receipt requested, or by personal service, or by being left at the Council Member's usual place of residence. Special meeting notices shall state the purpose of the meeting. No official action shall be taken at any special meeting of the Council unless the item has been stated in the notice of such meeting.

3. Posting requirements for regular and special meetings

A. Within 10 days after the first meeting of the Council following the election, a public notice stating the dates, times, and places of the regular monthly Council meetings will be posted at City Hall and as otherwise required under Act 267.

B. For a rescheduled regular or a special meeting of the Council, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting at the City Hall.

C. The notice described above is not required for a meeting of the Council in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Council determine that delay would be detrimental to the City's efforts in responding to the threat.

D. Act 267 requires that copies of the notice of public meetings be provided by first-class mail upon request and payment of a reasonable yearly fee for the costs of printing and postage. Please

contact the City Clerk if you would like to take advantage of this option.

4. Minutes of regular and special meetings

The Clerk shall attend the Council meetings and record all the proceedings and resolutions of the Council in accordance with Act 267. In the absence of the Clerk, the Council may appoint one of its own members or another person to temporarily perform the Clerk's duties.

Except as otherwise provided in Act 267, the Clerk shall make the minutes of each public meeting available for public inspection within 8 days of the applicable meeting. Meeting minutes for each meeting shall be approved by the Council at its next regularly scheduled meeting.

5. Study sessions

The City Council will schedule a Committee of the Whole (COTW) at 6:00 PM for the second meeting of the month. No votes shall be taken on any matters under discussion, nor shall any Council Member enter a formal commitment with another member regarding a vote to be taken subsequently.

B. Conduct of meetings

1. Meetings to be public

All regular and special meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Council may determine, except that the meetings may be closed to the public and the media in accordance with Act 267.

All official meetings of the 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.

2. Agenda preparation

An agenda for each regular Council meeting shall be prepared by the City Manager and/or Mayor with the following order of business:

6:30 COTW (if Applicable)

A. Preliminary

- a. Call to Order and Welcome
- b. Pledge of Allegiance
- c. Roll Call

d. Excuse Absent Council Members (Due to illness or prior notification of absence)

e. Adoption of Meeting Agenda

B. Ceremonial items

C. Consent Agenda

Approval of Minutes

Payroll

Accounts Payable

Tax Register

Monthly Financial Reports

Other

D. Public Comment

E. Staff Reports and Communication

F. Public Hearing/Presentation

G. Old Business

H. New Business

I. Board and Commission Reports

J. Student Representative Report (if applicable)

K. Written Communications

L. Public Comment

M. Staff Comments

N. City Council Comments

O. Adjournment

Any Council Member shall have the right to motion to add items to the regular agenda before it is approved.

3. Consent Agenda

A routine business items agenda may be used to allow the Council to act on numerous administrative or noncontroversial items at one time. Included on this agenda can be noncontroversial matters such as approval of minutes, payment of bills, approval of recognition resolutions, etc. Upon request by any member of the Council, an item shall be removed from the consent agenda and placed on the regular agenda for discussion.

4. Agenda distribution

The agenda shall be completed on the Friday before the next Council meeting. Packets are distributed depending on the desire of the Council Member, and can be emailed, picked up, or delivered.

5. Quorum

A majority of the entire elected or appointed and sworn members of the Council shall constitute a quorum for the transaction of business at all Council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

6. Attendance at Council meetings

Election to the City Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Council activities and represent the residents of the City. Attendance at Council meetings is critical to fulfilling this responsibility.

The Council may excuse absences for cause. If a Council Member has more than three unexcused successive absences for regular or special Council meetings, the Council may enact a resolution of reprimand.

7. Presiding officer

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Mayor is ordinarily the presiding officer. The Council shall appoint one of its members Mayor pro tempore, who shall preside in the absence of the Mayor. In the absence of both the Mayor and the Mayor pro tempore, the member present who has the longest consecutive service on the Council shall preside.

8. Breach of the Peace

The Mayor may call to order any person who is actually breaching the peace by, without limitation, speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time, or speaking vulgarities. Such a person shall be seated until the chair determines whether the person is in order.

If the person engaged in a breach of the peace is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the Council. If the person commits a

breach of the peace during the meeting, the chair may order the person removed from the meeting.

C. Closed meetings

1. Purpose

Closed meetings may be held only for the reasons authorized in the Act 267.

2. Calling closed meetings

The Council may call a closed session in accordance with the provisions of Act 267. The roll call vote, if a roll call vote is necessary, and purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

3. Minutes of closed meetings

A separate set of minutes shall be taken by the Clerk or the designated secretary of the Council at the closed session in accordance with the provisions of Act 267. These minutes will be retained by the Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by Act 267. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

D. Discussion and voting

1. Rules of parliamentary procedure

The rules of parliamentary practice as contained by standard Robert Rules of Order shall govern the Council in all cases to which they are applicable, provided that they are not in conflict with these rules, City ordinances, or applicable state statutes. The Mayor may appoint a parliamentarian.

The chair shall preserve order and decorum and may speak to points of order in preference to other Council Members. The chair shall decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the Council Members present.

Any member may appeal to the Council 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 the 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 chair be sustained?" If the majority of the members present vote "aye," the ruling of the chair is sustained; otherwise, it is overruled.

2. Conduct of discussion

During the Council discussion and debate, no member shall speak until recognized for that purpose by the chair. 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 or privilege raised by another

member. Speakers should address their remarks to the chair, maintain a courteous tone, and avoid interjecting a personal note into 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 chair, at his or her discretion and subject to the appeal process mentioned in Section D.1., may permit any person to address the Council during its deliberations.

3. Ordinances and resolutions

Unless otherwise provided by law, no ordinance, except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, and that subject shall be clearly stated in its title.

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes, unless a roll call vote is required by law or by Council rules.

4. Roll call

In all roll call votes, the names of the members of the Council shall be called in alphabetical order. [Names may be called with all names in alphabetical order or alphabetical order with the Mayor voting last or the Council may select another system.]

5. Duty to vote

Election to a deliberative body carries with it the obligation to vote. Council Members present at a Council meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law.

All deliberations and official action of the City Council shall be taken as required by Act 267.

The Mayor and all Councilmembers are expected to make all required disclosures and to abstain from voting as required by the provisions of Act 317, Public Acts of Michigan, 1968, as amended.

6. Results of voting

In all cases where a vote is taken, the Mayor shall declare the result. It shall be for any Council Member voting in the majority to move for a reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the Council. When a motion to reconsider fails, it cannot be renewed.

E. Citizen participation

1. General

Each regular Council meeting agenda shall provide for reserved time for audience participation. If requested by a member of the Council, the Mayor shall have discretion to allow a member of the audience to speak at times other than the reserved time for audience participation.

2. Length of presentation

Any person who addresses the Council during a Council meeting or public hearing shall be limited to 3 minutes in length per individual presentation. The Clerk will maintain the official time and notify the speakers when their time is up.

3. Addressing the Council

When a person addresses the Council, he or she shall state his or her name and home address. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

F. Miscellaneous

1. Adoption and amendment of bylaws

These bylaws of the Council will be placed on the agenda of the first meeting of the Council following the seating of the newly elected Council Members for review and adoption. A copy of the bylaws adopted shall be distributed to each Council Member. The Council may alter or amend the bylaws at any time by a vote of a majority of its members after notice has been given of the proposed alteration or amendment.

2. Suspension of rules

The rules of the Council may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members present, except that Council actions shall conform to state statutes and to the Michigan and the United States Constitutions.

3. Bid awards

Except as otherwise provided by law or ordinance, bids will be awarded by the Council during regular or special meetings. A bid award may be made at a special meeting of Council if that action is announced in the notice of the special meeting.

4. Committees

a. Special committees of the Council will be appointed by the Mayor. They shall be members of the Council. The Mayor shall fill any committee vacancies. The committee member shall serve for a term of one or two-year term and may be re-appointed. Special committees may be established for a specific period by the Mayor or by a resolution of the Council, which specifies the task of the special committee and the date of its dissolution. All committee meetings shall be held in accordance with Act 267.

b. Citizen task forces may be established by a resolution of the Council, which specifies the task to be accomplished and the date of its dissolution. Members of such committees will be appointed by the Mayor, subject to approval by a majority vote of the Council, and must be residents of the City. Vacancies will be filled by the majority vote of the Council in the same way appointments are made.