

# **BROOKLYN VILLAGE COUNCIL RULES AND PROCEDURES**

**(Approved 4/10/2023)**

## **1. AUTHORITY**

These rules are adopted by the Council pursuant to the provisions of Article 3 of the Public Acts of 1895, as amended, known as the General Law Village Act (effectively, the Village Charter).

## **2. MEETINGS**

All meetings of the Village Council will be held in compliance with state statutes, including the Open Meetings Act, Public Act 267 of 1976 as amended, and with these rules.

2.1. Regular Meetings. Regular meetings of the Brooklyn Village Council will be held on the 2nd Monday of each month beginning at 6.00 p.m. at the Brooklyn Branch of the Jackson District Library at 207 N. Main Street, unless otherwise scheduled and posted with meeting notice. Agendas for all regular meetings will be posted on the Village website at [VillageOfBrooklyn.com](http://VillageOfBrooklyn.com) a minimum of 18 hours prior to each meeting.

2.2. Special Meetings. Special meetings shall be called by the Clerk upon the request of the Village President or any three members of the Council upon a minimum of 18 hours' notice to each member of the Council, either served personally, left at the council member's usual place of residence, or sent to the council member's village email address. In addition, notice of all special meetings and the agenda will be posted on the Village website at [VillageOfBrooklyn.com](http://VillageOfBrooklyn.com). 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. Special meeting notice shall state the purpose of the meeting. Additional items shall not be added to the agenda at the time of the special meeting.

2.3. Posting Requirements for Regular and Special Meetings Within ten (10) days after the first meeting of the Council in a new calendar year, a public notice stating the dates, times and places of the regular monthly council meetings shall be posted at the Village Office and on the Village website.

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 Village Office and on the Village website.

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 five

(2/3) members of the Council determine that delay would be detrimental to the Village's efforts in responding to the threat.

Copies of the notice of public meetings are available on the Village website or may be provided by first-class mail upon request and the payment of a reasonable fee for the cost of printing and postage.

2.4. Minutes of Regular and Special Meetings. The Clerk shall record all the proceedings and resolutions of the Council and shall attend its meetings. In the absence of the Clerk, the Council may appoint a Deputy Clerk from one of its own members or another person to temporarily perform the Clerk's duties. Draft minutes of the Council meeting and the votes of the council members shall be available from the Clerk eight (8) calendar days after the meeting. Approved copies of the minutes of each regular or special Council meeting shall be posted for the public's inspection at the village office during regular business hours, on the bulletin board adjacent to the Village Office, and on the Village website following the meeting at which the minutes are approved by Village Council.

2.5. Study Sessions. Upon the call of the Village President or the Council and with appropriate notice to the council members and the public, the Council may convene a work session devoted exclusively to the exchange of information relating to municipal affairs. No votes shall be taken on any matters under discussion, nor shall any council member enter into a formal commitment with another member regarding a vote to be taken subsequently. However, council members may express their opinions and indicate their probable votes as a result of the discussion.

### **3. CONDUCT OF MEETINGS**

3.1. Meetings to be Public. All regular and special meetings of the Village Council shall be open to the public. Citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Council may determine. 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. Meetings may be closed by two-thirds vote of the Council, but only as permitted by the Open Meetings Act of the State of Michigan.

3.2. Agenda Preparation. An agenda for each regular Council meeting shall be prepared by the Village Manager in consultation with the Village President, with the following order of business:

- a) Call to order and roll call of council.
- b) Public hearings on ordinances under consideration
- c) Approval of agenda
- d) Approval of council minutes
- e) Public comment on agenda items. Each individual may state their name, and have three (3) minutes to address the Council. You may only address the Board once under this public

comment opportunity and may not yield your time to others. Board members will not debate or answer questions at this time. This public comment opportunity will be for items listed on the agenda.

- f) Reports
- g) Communications
- h) Discussion items
- i) Action items
- j) Staff reports
- k) Payment of bills
- l) Public comment. Each individual may state their name, and have three (3) minutes to address the Council. You may only address the Board once under this public comment opportunity and may not yield your time to others. Board members will not debate or answer questions at this time. This public comment opportunity may address any need.
- m) Member Comments
- n) Adjournment.

Any council member shall have the right to add items to the regular agenda before it is approved. The agenda will be distributed to members of the Council by the Thursday preceding the meeting whenever possible.

3.3. Consent Agenda. A consent 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.

3.4. Agenda Distribution. Agenda for Council Meetings will be distributed by email with hard copies available for pick up in Village Office prior to meeting.

3.5. Quorum. A majority of the voting 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.

3.6. Presiding Officer. The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The village president is ordinarily the presiding officer. The village Council shall appoint one of its members as president pro tempore, who shall preside in the absence of the president. In the absence of both the president and the president pro tem., the Council shall appoint one of its members to preside.

3.7. Disorderly Conduct. The presiding officer may call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, failing to be appropriate, speaking longer than the allotted time, or speaking vulgarities. Such person shall be thereupon seated until the

chair determines whether the person is in order. If the person so engaged in presentation shall be 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 shall continue to be disorderly and disrupt the meeting, the chair may order the removal of 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.

#### **4. CLOSED MEETINGS**

4.1. Purpose. Closed meetings may be held only for the reasons authorized in the Open Meetings Act.

4.2. Calling closed meetings. At a regular or special meeting, the councilmembers, elected or appointed and serving, by a two-thirds roll call vote may call a closed session under the conditions outlined in the Michigan Open Meetings Act. The roll call vote 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.

4.3. 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. 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 the Michigan Open Meetings Act. 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.

#### **5. DISCUSSION AND VOTING**

5.1. Rules of Parliamentary Procedure. The rules of parliamentary practice as contained in the latest edition of Roberts 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, the ordinances of the Village of Brooklyn, or state statutes applicable to the Village of Brooklyn. The Village President 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 and shall be subject to appeal, which shall be determined by a majority of the 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 Chair be sustained?" If the majority of the members present vote "aye", the ruling of the Chair is sustained; otherwise, it is overruled.

5.2. 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 raised by another member. Speakers should address their remarks to the chair, maintain a 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 Chair, at his or her discretion and subject to the appeal process mentioned in Section 45.1, may permit any person to address the council during its deliberations.

5.3. Ordinances and Resolutions. 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, which 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 Village Ordinance.

5.4. Roll Call. In all roll call votes, the names of the members of the Council shall be called. (Names may be called with all names in alphabetical order or alphabetical order with the President voting last.)the clerk shall keep a list of the order of voting and shall rotate the order of voting so that the person who voted first shall vote second in any subsequent roll call vote.

5.5. Duty to Vote. Election to a deliberative body carries with it the obligation to be a voting member. Council members present at a council meeting are expected to vote on every matter before the body. Unless otherwise provided by law or excused by the council, a member of the village council who is recorded as present shall vote on all questions decided by the council. A council member who is present and does not vote shall be counted as voting with the prevailing side and shall be so recorded. Conflict of interest, as defined by statute (Public Act 317 of 1968 as amended) shall be the sole reason for a member to abstain from voting. No member shall abstain from voting unless that member states his or her conflict of interest. If a question of conflict of interest arises, the council shall by a simple majority vote of those present determine whether a conflict exists. The right to vote is limited to the members of council present at the time the vote is taken. Voting by proxy or by telephone is not permitted, unless permitted by gubernatorial executive order or act of the legislature. The village council who is recorded as present shall vote on all questions decided by the council. A council member who is present and does not vote shall be counted as voting with the prevailing side and shall be so recorded. Conflict of interest, as defined by statute (Public Act 317 of 1968 as amended) shall be the sole reason for a member to abstain from voting. No member shall abstain from voting unless that member states his or her conflict of interest. If a question of conflict of interest arises, the council shall by a simple majority vote of those present determine whether a conflict exists. The right to vote is limited to the

members of council present at the time the vote is taken. Voting by proxy or by telephone is not permitted, unless permitted by gubernatorial executive order or act of the legislature.

5.6. Results of Voting. In all cases where a vote is taken, the Chair shall declare the result. It shall be in order 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 can not be renewed.

## **6. CITIZEN PARTICIPATION**

6.1. General. Each council meeting agenda shall provide time for general audience participation. If requested by a member of the council, the presiding officer shall have discretion to allow a member of the audience to speak.

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

6.3. Addressing the Council. When persons address the village council, they may be asked to state their name and home address for the minutes, but are not required to do so. They should confine discussion to the question at hand and to its merits. Speakers should address their remarks to the Chair, maintain a courteous tone, and avoid interjecting a personal note into debate. 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 the opportunity to speak.

## **7. MISCELLANEOUS**

7.1. Adoption and Amendment of Rules and Procedure. These rules of procedure of the Village Council will be reviewed and adopted by a majority vote at the first meeting of the council following the seating of the council members elected in November of even numbered years. A copy of the rules adopted shall be distributed to each council member. The council may alter or amend its rules at any time by a majority vote of its members after notice has been given of the proposed alteration or amendment.

7.2. Suspension of Rules. The rules of the Village 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.

7.3. Appointments. The Village President shall submit a list of appointments annually in November for confirmation by the Village Council prior to the beginning of each calendar year. These appointments shall include, but not be limited to, Council representatives to the Brooklyn

Planning Commission, members of the Construction Board of Appeals, Building Inspector, Electrical Inspector, Zoning Administrator, President pro tem, representative to the Region II Planning Commission, members of the Brooklyn Historical Commission, representative to the River Raisin Watershed Council, members of the Corridor Improvement Authority, Deputy Clerk, Deputy Treasurer, Village Auditor, Village Attorney, and such committees and task forces as deemed necessary.