

CITY OF BANGOR

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RULES OF PROCEDURE

VAN BUREN COUNTY, MICHIGAN



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RULES OF PROCEDURE FOR THE CITY COUNCIL CITY OF BANGOR, MICHIGAN

Adopted: January 21, 2025

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1. AUTHORITY

Legal Citations. These rules of procedure for the conduct of City Council meetings are hereby adopted by the City of Bangor City Council under the authority of Chapter VII, Section 7.8 of the City of Bangor City Charter. These rules are subordinate to the City Charter, Code of Ordinances, and laws of the State of Michigan and the United States of America.

2. APPOINTMENT OF MAYOR PRO TEM

(Pursuant to City Charter Chapter V, Section 5.21 (a):

The selection of Mayor Pro Tem shall occur at the first meeting of the Council following each City election, the Council shall organize and elect one of its members to the office of Mayor Pro Tem.

3. DESIGNATION OF ACTING MAYOR

In the absence or disability of the Mayor and the Mayor Pro Tem, the Council Member present who has served longest shall be designated Acting Mayor and shall perform the duties of the Mayor.

4. CODE OF ETHICS

The City Council Ordinance No. 258 Ethical Standards of Conduct shall be reviewed in June of each calendar year, and all City Council members shall agree to abide by the City Council Standard of Conduct, and shall evidence this agreement by affixing their signature to a written copy of the Ethical Standards of Conduct at the earliest opportunity, and providing a copy to the City Clerk.

5. MEETINGS OF THE CITY COUNCIL

REGULAR MEETINGS

The City Council shall meet regularly at least twice (2) each month. Regular meetings shall be held in the Council Chambers at 7:00 P.M. Pursuant to the Michigan Open Meetings Act, before the end of each calendar year, the City Council shall approve by resolution its regular meeting schedule for the ensuing calendar year.

PLACE OF MEETINGS

All regular and special meetings of the City Council shall be held in the City Council Chambers in the City Hall unless otherwise stated in the meeting notice.

CHANGES IN MEETING SCHEDULE

Changes in the regular meeting schedule may be made with the approval of a majority vote of the City Council and will be properly noticed in accordance with the Michigan Open Meetings Act.

PUBLIC NOTICE OF MEETINGS

The City Clerk shall post a notice of the regular meeting schedule for the ensuing calendar year at the City Hall and in accordance with the Michigan Open Meetings Act. The City Clerk shall post notices of special meetings and public hearings at the City Hall and in accordance with the City Charter and the Michigan Open Meetings Act.

SPECIAL MEETINGS

A. CALLING OF SPECIAL MEETINGS

(Pursuant to City Charter Chapter VII, Section 7.4):

Special meetings shall be called by the Clerk on the written request of the Mayor, or any three (3) members of the Council on at least twenty-four hours written notice to each member of the Council, served personally or left at his usual place of residence; but a special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing.

B. DOCUMENTATION:

Special meetings shall be exclusively limited to items specifically referenced in the Call of the Meeting.

- **Special Meeting Posting:** Pursuant to City Charter a printed meeting notice for each specially called meeting shall contain the items indicated in the written notice calling the meeting.
- **Study Session (Special Meeting) Agenda and Posting:** Study Session Agendas shall contain the items as indicated in the motion calling the meeting.

C. POSTING AND DELIVERY:

Special Meeting Calling Notice and/or Agenda shall be personally delivered to each Council Member and posted for public display at least twenty-four (24) hours in advance of the meeting.

D. ORDER OF BUSINESS:

At each Study Session (Special Meeting) of the Council, the business to be considered shall include the items listed and in the following order:

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

- 1) Listing of Council Members
- 2) Excuse Absent Council Members pursuant to Section 6.2.

D. Public Comment Agenda Items Only

E. Items as Indicated in the Motion Calling of the Meeting

F. Items Not Indicated in the Motion Call the Meeting (Pursuant to City Charter Section 4.2):

- 1) Special meetings are limited to what is expressly indicated in the Call of the Meeting (Motion of Council or written notice), except as set forth below.

G. Amendments/Additions to Agenda (Pursuant to City Charter Section 7.5):

In order for City Council to address items at a Special Meeting that are in addition to the Items expressly indicated in the Call of a Special Meeting, all members of City Council must consent to the requested addition(s) in writing and all Council members present at the Special Meeting must consent.

H. Public Comment Non-Agenda Items Only

I. Council Member Comments

J. Adjournment

6. AGENDA

- A. Regular Meeting Agenda:** A printed agenda for each regularly scheduled meeting shall be produced at least forty-eight (48) hours in advance of the meeting. Every item of business to come before the Council shall be filed with the City Clerk by noon on the Wednesday preceding the Monday on which the Council meets. It shall be the duty of the City Clerk to have delivered, as soon as practical, to each member of the Council a complete agenda of the items to be considered at the following meeting. Each item on the agenda shall have sufficient explanation to indicate its intent. All items introduced by the City Council members that do not meet the Wednesday noon deadline will be referred to a later meeting, except by suspension of these rules. A packet, excluding all confidential items, will be posted on the City's Website at least 48 hours prior to Council meetings.
- B. Closed Session Agenda:** Where a Closed Session is requested for a pending case pursuant to MCL 15.268 (e), the specific name(s) of each case is to be identified in the Notice, even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested for any collective bargaining unit discussion pursuant to MCL 15.268 (c), the specific bargaining unit is to be identified pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

7. ORDER OF BUSINESS

At each Regular meeting of the Council, the business to be considered shall be taken up for consideration and disposition in the following order:

- A. **Call to Order**
- B. **Pledge of Allegiance**
- C. **Roll Call**
 - 1) Listing of Council Members
 - 2) Excuse Absent Council Members pursuant to Section 6.2
- D. **Approval of Agenda**
- E. **Consent Agenda Items**
 - 1) Approval of "E" Items NOT Removed for Discussion
 - 2) Address of "E" Items Removed for Discussion
- F. **Public Comment for Items On the Agenda**
- G. **Regular Business** (Resolutions, Appointments, and Presentations)
 - 1) Department Head Reports (Second Meeting of Each Month)
- H. **Postponed Items**
- I. **Unfinished Business**
- J. **New Business**
- K. **Public Comment for Items Not on the Agenda**
- L. **Council Referrals** - Items appearing under Council Referrals are items intended for City Council action that are brought forward by the Mayor or Council Members in accordance with Chapter VI, Section 6.13.
- M. **Council Closing Comments** - Items for the good of the order brought forward by Mayor and Council.
- N. **Closed Session**
- O. **Return to Open Session**
- P. **Adjournment**

8. LIVE STREAMING OF CITY COUNCIL MEETINGS

All City Council Meetings will be broadcast live on YouTube, with the exception of closed sessions and Council retreats.

ATTENDING PUBLIC LIVE STREAMING OF CITY COUNCIL MEETINGS

The right of a person to attend a meeting of a public body includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of a public body at a public meeting. The exercise of this right does not depend on the prior approval of the public body. However, a public body may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting. MCL Section 15.263, Sec. 3, (1)

ATTENDING PUBLIC RULES FOR PUBLIC WHEN LIVE STREAMING

Any person, group, company, or organization that wishes to record, videotape, broadcast live on radio or telecast live on television a public meeting shall be subject to the following rules and regulations:

- Video or television cameras that are used for purposes of recording or broadcasting live reports from the City Council Chambers shall remain, at all times, at the rear of the City Council Chambers unless prior approval of the City Council, City Manager, or the City Clerk has been obtained to place said video or television cameras in a different location. The location of the video or television cameras shall not interfere in any way with the City of Bangor's equipment or telecast.
- All audio or video equipment shall be prohibited from being placed, attached, connected or in any way joined to the existing cable television equipment operated by the City of Bangor in the City Council Chambers. All such audio or video equipment shall be completely self-supportive and shall not be allowed to use any electrical power of the City or placed on Council Chambers meeting table.
- No Obstruction of Views:
 - Recording devices, including cameras and phones, must not obstruct the view of other attendees, City Council members, or staff.
- Clear Aisles:
 - Recording equipment or individuals recording must not block aisles or designated pathways, as these areas must remain clear for safety and accessibility.
- Unimpeded Pathways:
 - Pathways leading to and from seating, exits, or other areas of the meeting space must not be blocked by recording equipment or individuals.
- Placement of Equipment:
 - Tripods, monopods, or other recording equipment must be placed in areas designated for such use, if applicable, or in a manner that complies with the above guidelines.
- Compliance with Staff Requests:
 - Attendees recording the meeting must comply with any requests or instructions from City staff or officials to relocate or adjust equipment to maintain order, safety, and accessibility.

Failure to adhere to these rules may result in being asked to reposition equipment or cease recording to ensure compliance.

- Interviews of interested parties shall be prohibited in the City Council Chambers and adjacent hallways during the time meetings are in session.
- Only television, videotape, photographic and audio equipment that does not produce distracting sound or light shall be utilized to cover public proceedings.

Any person who fails or refuses to comply with any rule promulgated by these guidelines, after being appraised of such non-compliance by the City Manager or designee, shall be deemed to have committed a breach of the peace and shall be subject to removal of their audio/video/photographic equipment from the City Council Chambers and adjacent hallways.

EDITING POLICY

- **Public Meetings:** Any public meeting live streamed shall not be edited or subject to editorial comment. Meeting coverage shall be from gavel to gavel. Supplementary information on agenda items that will aid the viewer in understanding the issues may be provided. Live streaming of public meetings shall be performed with no commentary whatsoever. Let it also be noted that in the event that a meeting goes beyond the length of a tape, it is upon the discretion of the videographer whether or not to begin a second tape for said meeting.
- **Departmental Programs:** Any program prepared by or provided by an individual city department shall be subject to review and consideration for channel use in accordance with this operational policy. Such review shall be conducted by the City Manager or designee.
- **Bulletin Board:** Message capabilities will be disabled for all videos.
- **Errors:** The City of Bangor and its employees shall not be liable for any inaccuracy or incorrect information being displayed or used on the system.
- **Promotions:** Promotional announcements for City-sponsored events and for events held in City facilities shall be acceptable for live streaming. Promotional announcements for events, charities, or outside organizations, in which the City has no official interest or sponsorship shall be allowed with the consent of the City Council and/or the City Manager. Any questions regarding the appropriateness of an announcement or any change to existing policy, shall be reviewed by the City Manager and the City Clerk and a recommendation for action forwarded to the City Council for final action.
- **Use of City Equipment:** Use of City-owned equipment shall be limited to City employees or City Manager who have had prior training in the proper operation thereof. Loaning of equipment for personal use is not authorized.

9. MINUTES

A. **Minutes:** The minutes will be distributed to the Council prior to their approval. The minutes will be placed on the Consent Agenda for approval.

Closed Session Minutes: City Council will approve closed session minutes at the meeting after which they were conducted. Each Council Member will receive a numbered (1-7) paper copy for review at the meeting they are to be approved and will promptly return to the Clerk for sealing. The closed session minutes will reflect only the reason for the closed session (in compliance with Open Meetings Act, Act 267 of 1976), the date, the

starting and ending time and the persons in attendance.

A journal of the proceedings of each meeting of the City Council shall be prepared and maintained by the City Clerk, and shall be available to the public, in accordance with the Michigan Open Meetings Act. The minutes shall be summary in nature but shall properly record all actions of the City Council with respect to motions, including the name of the maker of the motion, the member seconding the motion, and the result of the vote. The City Clerk shall not be required to maintain a written record of discussion or comments of the City Council or members of the public made at council meetings unless directed to do so by a majority vote of the City Council. If a member of the City Council is permitted to abstain from a vote in accordance with Sec. 13, the abstention shall be recorded in the meeting minutes together with the reason for abstention. The City Council shall make any corrections to the minutes at the next meeting after the meeting to which the minutes refer. The corrected minutes shall show both the original entry and the correction.

10. PROCLAMATIONS

Proclamations, which are formal public announcements made by City Council, shall be included in the agenda under Other Regular Business and may be brought before Council or City Administration for consideration by any member. Proclamations will be placed on the Agenda for approval and may include a presentation listed under *Other Regular Business*.

11. QUORUM FOR CONDUCT OF BUSINESS

Four (4) members of the City Council shall constitute a quorum for the conduct of business at all meetings.

12. VOTING DUTY

Whenever a question is called by the Chair, every member of the City Council shall vote on that question by a verbal aye or nay vote, or a roll call vote as called by the City Clerk. A roll call vote shall be made to call for a Closed Session, or at any other time required by law. No member shall abstain from voting unless that member states a bona fide conflict of interest. Conflict of interest shall be the only reason for a request to abstain from voting. The City Council shall, by a majority vote of the remaining members, determine if the member will be allowed to abstain from such vote. A majority vote of the entire membership of the City Council shall be necessary to approve any action of the City Council unless otherwise required by law.

13. RECONSIDERATION OF QUESTIONS

A motion to reconsider any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members elect. If such a motion to reconsider passes, and new information has been brought forward, then any member of Council may move to take action on the motion that is to be reconsidered, and any such motion would pass by an affirmative vote of the majority of the Council Members elect.

14. WITHDRAWAL OF MOTIONS PRIOR TO VOTING

Any motion may be withdrawn by its maker prior to voting. A motion to withdraw must receive a second and the affirmative vote of the majority of the Council Members present.

15. PUBLIC HEARING

Public Hearings will be held after required notice has been provided. Notices shall inform recipients of possible continuations of hearings. The City Council may upon affirmative vote of a majority of its members "continue" said hearing at a future date designated in the resolution. If the City Council elects to continue the Public Hearing it will appear in the designated meeting Agenda under the topic of "Public Hearings".

16. CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That 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 in opposition to the recommended action by removing an item from the Consent Agenda and having it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. Public comment on Consent Agenda Items will be permitted under Agenda Item F.

17. APPOINTMENTS

A. Appointments to Boards, Commissions and Committees:

The Mayor shall, with City Council concurrence, appoint members of Boards or Committees as governed by State Statute or local ordinances.

The Mayor or any Council Member desiring to nominate a person for appointment to a Board, Commission, or Committee shall at the meeting prior to the appointment, submit such name, for nomination. A brief summary of background and personal data as to nominee's qualifications should be presented at the time of nomination, except that such a resume shall not be required for the re-nomination of a current member, or if the Council unanimously agrees that a resume is not necessary. Resumes will be submitted on or before the time of nomination.

Nominations will occur during any regular meeting of the Council. A resolution to nominate will be considered during the "Regular Business" of the agenda. All nominations are subject to Section "B" which appears below.

B. Method of Voting on Nominees:

- 1) Where the number of nominees does not exceed the number of positions to be filled, a roll call vote shall be used.
- 2) Where the number of nominations exceeds the number of positions to be filled, voting shall take place by the City Clerk calling the roll of the Council and each Council Member is to indicate the names of the individuals he/she wishes to fill the vacancies
- 3) When no candidate receives a majority vote, the candidate(s) with the least number of votes shall be eliminated.
- 4) Persons nominated, but not appointed during this process will be sent a letter thanking them for their willingness to serve the community.
- 5) Recognition will be given to persons who have concluded their service to the community on Boards and Commissions.

18. MEMBERS OF THE PUBLIC AND VISITORS

Any person not a member of the City Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry or comment. ***NOTE TO THE PUBLIC:*** *City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the Public Comment for Items On the Agenda portion of the Agenda.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the Public Comment for Items Not on the Agenda portion of the Agenda.
- All members of the public who wish to address the Council at a meeting shall be allowed
- to speak only if they have raised their hand during the appropriate public comment time and wait to be called on by the Chair. If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

Prior to *Public Comment for Items On the Agenda*, the Mayor will provide a verbal notification of the rules of decorum for City Council meetings. In addition, the written Agenda Packet will include the following language, as approved by City Council:

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required raise their hand and what to be called on by the Chair. There are two Public Comment portions of the Agenda – one for Item(s) On the Agenda Only and one for any item(s) not on the Agenda. Also, there is a timer on the wall behind the public area. It will be started once a speaker starts talking and will beep when the time is up.

In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including being asked to leave the meeting and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation.

Please avoid these consequences and voluntarily assist us in maintaining the decorum befitting this great City.

19. POSTPONE

A motion to postpone may be made for a definite period of time. Items will automatically appear on the appropriate agenda.

20. RULES OF ORDER

Robert's Rules of Order, current edition, as clarified by the City Clerk, is hereby adopted and made a part hereof, except as modified by these Rules of Procedure, the Charter, and the City Code.

21. MISCELLANEOUS EXPENSES

Reasonable and necessary expenses incurred in service on behalf of the City shall be paid for the Mayor and Council, provided that at the end of each month a detailed expense report is submitted and approved by the City Council.

22. EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS

- A. Funds providing for Council representation at State and National conferences sponsored by affiliations of cities will be annually approved in the budget for the subject fiscal year. The City Council will by advance resolution grant authorization for out of town travel to specific places, for conference purposes. Members of the City Council will submit expense vouchers exceeding \$50.00 per day to attend out-of-town meetings and conferences, with additional allowances being made for transportation (paid at the air coach rate, City pool car, City Vehicle rental rate, or gas mileage at current IRS guidelines, depending upon the mode of transportation) and lodging. Expenses may be authorized for payment by the City Manager, and a copy of the expense report form will be placed on the Council agenda under Reports and Communications.
- B. Detailed and receipted expenses, not to exceed \$150.00, to attend legislative committee hearings, legislative meetings, etc., may be authorized for payment by the City Manager without prior authorization by the Council, and a copy of the expense report form, along with receipts, will be placed on the Council agenda under Reports and Communications.

23. ABSENCES AT COUNCIL MEETINGS

- A. Council members who are unable to attend a Council meeting and desire an excused absence shall notify the City Manager, City Attorney or City Clerk of their absence in writing prior to the meeting and indicate the reason for the absence. The reason shall be entered in the proceedings of the Council at the time of each absence.
- B. In the event of an absence of a Council member at a meeting, the City Manager is directed to supply such absent Council member with information about any special meetings that may have been scheduled.

24. SUSPEND RULES

The Rules of Procedure may be waived by a simple majority.

25. COUNCIL DISCUSSION

No member of Council shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard. No member of Council shall be allowed to speak for more than five (5) minutes at a time.

26. AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS

Mayor and Council Members submitting an agenda item that calls for a vote shall send the item to the City Manager in a timely manner in writing. Staff professional opinion may be written to accompany the item. Rule 17 would govern, limiting any presentations to 15 minutes.

27. VIDEO AND AUDIO PRESENTATIONS

Video and Audio Presentations may not be submitted for presentation at a Council meeting unless submitted to the Bangor City Clerk by noon on the day of the meeting. Inappropriate material will be prohibited.

28. VIOLATIONS

The City Clerk shall be responsible for reporting violations of time limitations or speaking sequence to the Chair.

29. WIRE COMMUNICATIONS BY AND TO COUNCIL MEMBERS DURING ANY MEETING OF COUNCIL

All communications are subject to the Michigan Open Meetings Act, therefore members of the City Council shall not engage in any form of wire communication, as defined by U.S. Code Title 18, Part I, Chapter 119, Section 2510, during any meeting of the Council.

30. AMENDMENTS TO COUNCIL RULES OF PROCEDURE

Procedure for Amending Rules. Any member of the City Council may request that the City Council Rules of Procedure be amended by submitting such request in writing to the City Manager together with the specific change being recommended. The City Manager shall submit the request to the City Council at the council's next regularly scheduled meeting by placement of the request on the council's Action Items agenda. A majority vote of the council shall be necessary to approve any amendment to the rules of procedure. Upon approval, the City Clerk shall revise the rules of procedure and provide a copy of the revised rules to each member of council and to the City Manager not later than the next regularly scheduled meeting of the council after approval of the amendment.

**CITY OF BANGOR
VAN BUREN COUNTY, MICHIGAN**

**City Council
2025 Rules of Procedure**

CERTIFICATION

I, Shelly Umbanhowar, Clerk of City of Bangor, Van Buren County, Michigan, hereby certify that the foregoing Rules of Procedure was adopted by the City Council at the regular meeting of said board held on 01/21/25 at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth that said rules of procedure was ordered to take immediate effect.



Shelly Umbanhowar
Bangor City Clerk

