

## **CHAPTER VI**

### **COUNCIL: PROCEDURES, POWERS AND DUTIES**

#### **Section 6.1. Regular Meetings.**

The council shall provide for the time and place of its regular meetings and shall hold at least two (2) such meetings each month.

#### **Section 6.2. Special Meetings Of The Council.**

Special meetings of the council may be called by the clerk on the written request of the mayor or any two (2) members of the council or the city manager on eighteen (18) hours written notice to each member of the council, designating the purpose of such meeting and served personally or left at his usual place of residence by the clerk or someone designated by the clerk. Nothing in this section shall bar a public body meeting in emergency session as defined in Open Meeting Act; Act 267 of 1976, Section 15.265, paragraph (5).

#### **Section 6.3. Business At Special Meetings.**

No business shall be transacted at any special meeting of the council unless the same has been stated in the notice of such meeting.

#### **Section 6.4. Meeting To Be Public.**

All regular and special meetings of the council shall be open to the public; conducted in accordance with the Open Meetings Act; and the rules of order of the council shall provide that the citizens shall have a reasonable opportunity to be heard at any such meeting on matters within the jurisdiction of the council. Council shall establish reasonable regulations for comments and conduct of the public.

#### **Section 6.5. Quorum.**

Four (4) members of the council shall be a quorum for the transaction of business, unless a greater number shall be required by applicable statutes of the State of Michigan. In the absence of a quorum, two (2) or more members may adjourn any regular or special meeting to a later date.

#### **Section 6.6 Attendance, Conduct, Sergeant-At-Arms.**

- (a) Any three (3) or more members of the council may by vote either request or compel the attendance of its members and other officers of the city at any meeting. Any members of the council or other officer, who when notified of such request for his or her attendance, fails to attend such meeting for

reasons other than confining illness or extenuating circumstances shall be deemed guilty of misconduct in office unless excused by the council.

- (b) The Mayor, or in the absence of the Mayor, the Mayor Pro-Tem, shall enforce orderly conduct at meetings and any councilperson or other officer who shall fail to conduct himself or herself in an orderly manner at any meeting shall be deemed guilty of misconduct in office.
- (c) Any police officer designated by the Mayor, or in the absence of the Mayor, the Mayor Pro-Tem of the meeting shall serve as the sergeant-at-arms of the council in enforcement of the provision of this section.

#### **Section 6.7. Organization, Rules, And Order Of Business.**

Each council shall determine its own organization, rules and order of business subject to the following provisions:

- (a) Minutes in the English language, of the proceedings of each meeting shall be kept by the clerk, and shall be signed by the presiding officer and clerk of the meeting.
- (b) A vote upon all ordinances and resolutions shall be taken by “yes” and “no” vote, and entered upon the records, except that where the vote is unanimous it shall only be necessary to so state.
- (c) Except as otherwise provided by Public Act 317 of 1968, as amended, being MCL 15.321 *et seq.*, regarding public contracts involving members of the council, no member of the council shall vote on any question in which he or she has a financial interest, or on any question concerning his or her own conduct, but on all other questions each member who is present shall vote when his or her name is called unless excused by the majority consent of the remaining members present. Any member refusing to vote except when not so required by this paragraph may be guilty of misconduct in office.
- (d) In all roll call votes the names of the members of the council shall be called in alphabetical order, and the name to be called first shall be advanced one position alphabetically in each successive roll call.
- (e) Any standing committee of the council shall be composed of at least two members. The council shall not assign the administration of any department or agency of the city to any member or committee of the council. The mayor, with approval of the council may appoint a member or members of standing committee(s).

## **Section 6.8. Investigation Into Conduct Of Office, Employee, etc; Power To Summon And Complete Attendance Of Witness And Production Of Evidence.**

- (a) The council or any person or committee authorized by it for the purpose, shall have power to inquire into the conduct of any department, office, officer or employee of the city and to make investigations as to matters in which the municipality has an interest. The council, for the purpose stated herein, may summon witnesses, administer oaths, and compel the attendance of witnesses and the production of books, papers, and other evidence.
- (b) Failure on the part of any officer to obey such summons or to produce books, papers, and other evidence as ordered under the provisions of this section shall constitute misconduct in office. Failure on the part of any employee to obey such summons or to produce books, papers, or other evidence as ordered under the provisions of this section, shall constitute a violation of this charter.
- (c) It is provided further that, in case of failure on the part of any person to obey such summons or to produce such books, papers, and other evidence as so ordered, the council may invoke the jurisdiction of the Circuit Court of Allegan County in requiring obeyance of such summons or production of such books, papers, and other evidence.

## **Section 6.9 Vote Required.**

Except as otherwise provided in this charter, no ordinance or resolution shall be adopted or passed except by the affirmative vote of at least four (4) members of the council.

## **Section 6.10 Misconduct.**

- (a) Grounds for misconduct, other than those described in this charter; and the penalty(s) for misconduct, shall be determined by the council.
- (b) Misconduct charges may be presented by any member of the council.
- (c) Misconduct charges and penalty(s) shall be adopted or passed by affirmative vote of at least four (4) members of the council.

**Section 6.11 Public Peace, Health And Safety, Composition And Powers Of Board Of Health.**

The council shall see that provision is made for the public peace and health, and for the safety of persons and property.

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