CITY OF BESSEMER
RESOLUTION # 2025-01

CITY COUNCIL RULES OF ORDER

The following Resolution was offered by:

WHEREAS, Rules of Order help councils run more efficient meetings and deal with the public, media, and city staff in a positive manner; and

WHEREAS, Section 4.6 bullet point (f) of the Charter grants the city council to determine its own rules and order of business; and

NOW, THEREFORE, BE IT RESOLVED, that the Rules of Order to be followed by the Bessemer City Council are as follows:

REGULAR MEETINGS

- The council meets on the second and fourth Monday of each month beginning at 6:00 p.m. unless a holiday interferes.
- A list of all regular meetings including dates and times will be posted at least 10 days prior to the first meeting of the calendar year on the City Center bulletin board and the city website.
- All meetings are open to the public.

SPECIAL MEETINGS

- Special meetings can be called by the Clerk on the written request of any two members with 24-hour notice.
- Special meeting notices will be posted on the City Center bulletin board and the city website as soon as possible, but not less than 18 hours before the meeting.
- Special meeting notices will include all of the business to be transacted at the special meeting. A minimum of four (4) council members are required for quorum when a special meeting is called. If all five City Council members are present, the council can choose to add items to the agenda however, this is discouraged in instances other than emergencies.

WORK SESSIONS

- Work sessions will be held as necessary, scheduled by the council and will be devoted exclusively to the exchange of information relating to municipal affairs. No votes shall be taken on any matters under discussion.
- Work sessions will be posted on the City Center bulletin board and the city website as soon as possible, but not less than 18 hours before the meeting.

CLOSED MEETINGS

- In order for the council to hold a closed meeting, a roll call vote must be taken.
- The purpose for which the closed meeting is being called must be stated in the meeting when the roll call is taken.
- An affirmative vote of two-thirds of the membership of the Council (4) is needed to go into closed session for the following matters:
    - To consider the purchase or lease of real property.
    - To consult with our attorney about a trial or settlement strategy in pending litigation, but only when an open meeting would have a detrimental financial effect on the public body's position.
    - To review the contents of an application for employment or appointment to a public office when the candidate requests the application remain confidential. However, all interviews by a public body for employment or appointment to a public office must be conducted in an open meeting.
    - To consider material exempt from discussion or disclosure by state or federal statute
- An affirmative vote of a majority of the membership of the Council (3) is needed to go into a closed session for the following matter:
    - To consider dismissal, suspension or discipline of, or to hear complaints or periodic personnel evaluations of, a public officer or employee if requested by the named person.
    - For strategy and negotiation sessions necessary to reach a collective bargaining agreement if either party requests a closed hearing.
- Following the closed session, the council will reconvene the regular meeting. The council may take action at the meeting before adjourning the meeting or may adjourn the meeting without taking action.

AGENDAS

- The agenda of each meeting shall be prepared by the city manager and clerk at least 48 hours prior to each regular meeting of the council and shall be prepared prior to the posting of any special meeting. Due to our Monday meetings, to get on the published agenda, we need all agenda information by noon on Thursday so agendas can go out at noon on Friday.

- Agenda packets will be delivered via email to councilors at least by noon on Friday before a regular meeting and are available for pickup in the City Clerk's office. Special meeting agendas will be available at least 12 hours before the meeting by email or pickup.

- The Council may add items to the agenda at the last minute if it is of pressing concern.

ORDER OF BUSINESS

The order of business for regular meetings of the council shall be as follows:

- Call to order
- Pledge of Allegiance- Roll call.
- Agenda Approval
- Public Comment – limited to 3 minutes per person
- Presentations
- Public Hearings
- Consent Agenda
- Claims
- Documents and Correspondences
- Old Business
- New Business
- Reports
- Public Comment – limited to 3 minutes per person
- Closed Sessions
- Action from Closed Sessions
- Adjourn

ATTENDANCE

- A quorum of the council consists of 3 members for regular meetings. Councilors are asked to notify the city manager if they will be unable to attend a meeting so the administration will know if a quorum will be present. In the absence of a quorum, two (2) members may adjourn any regular or special meeting to a later date.

- Officers who miss four consecutive regular meetings of the council or 25% of meetings in a fiscal year without permission from the council is grounds for forfeiture of office (Charter 3.4).

CONDUCT OF MEETINGS

- Presiding Officer - The mayor is the presiding officer of the council. In the absence or disability of the mayor, the mayor pro tem shall be the presiding officer. In the absence or disability of both, the city clerk shall call the council to order and shall preside until an acting mayor shall be chosen. While the presiding officer shall strive to maintain decorum and impartiality in presiding, they shall not be restricted from full participation in council proceedings.

- Rules - The council shall be governed by Robert's Rules of Order, Newly Revised, as amended, except where such rules are inconsistent with the City Charter, ordinances, policies, or these Rules of Order.

- Voting - Except for a procedural matter, voting will be done on a roll-call basis.

- Councilors must vote on a motion unless they have a conflict of interest. A conflict of interest is defined by state law, a summary of which is available in the MML Handbook for municipal officials. A councilor must disclose any monetary interest in a contract under consideration to the City Council. Unless he or she will directly benefit in an amount less than $250.00 and less than 5% of the public cost of the contract, or the contract is for emergency services or repairs and the council member files a Sworn Affidavit to that effect in writing 7 days before the meeting at which a vote is to be taken, the contract can still be approved. The disclosure must also be made public by way of appropriate notice at least 7 days before the same meeting. If there is such a conflict, the contract must be approved by not less than 2/3 of the City Council without the vote of the council member making the disclosure.

- The council member with the conflict may participate in making a decision on the contract to the extent the council member's participation is required by law. If 2/3 of the council members are not eligible under the act to vote or there are not enough members to constitute a quorum, the council member with the conflict may be counted for purposes of a quorum and may vote on the contract as long as the council member's direct benefit from the contract is less than $250.00 or than 5% of the public cost to the contract, whichever is less, and the council member files a Sworn Affidavit to that effect, which must be part of the record.

- The right to vote is limited to present councilmembers at the time the vote is taken. Voting by proxy or by telephone is not permitted.

- Discussion - During council discussion and debate, no member shall speak until recognized by the chair. 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. Speakers should maintain a courteous tone. No member shall speak more than once on the same question unless every member desiring to speak to that question shall have the opportunity to do so.

- Reconsideration of Motions – When a question has been decided, it shall be in order for any councilor who voted on the prevailing side of the question to move the reconsideration at the same meeting, provided no action has been taken as a result of the previous vote.

- Recension of Motions: When a question has been decided, it shall be in order for any councilor to move the recension at a future meeting, provided no action has been taken as a result of the previous vote.

- General Consensus – General consent or consensus may be used to give direction and the minutes should indicate that a majority consented.

- Appeals – Any ruling of the presiding officer relative to the proper interpretation of any rule of the council shall be subject to appeal, which appeal shall be determined by a majority of the members present. If an appeal is taken by any member from the ruling of the presiding officer, the member of the council desiring to appeal shall state that he or she claims an appeal from the ruling of the presiding officer and shall state briefly what in his or her opinion the ruling should have been. If this appeal is seconded, the presiding officer shall state clearly the question at issue and shall then call for the vote of the council on the question: "Shall the decision of the presiding officer be sustained?" The presiding officer shall preserve order and decorum and may speak to points of order in preference to other members. He or she may express his or her opinion on any subject under debate without the substitution of another presiding officer.

CITIZEN PARTICIPATION

- Citizens will have the opportunity to address the council at every meeting during the *Public Comment* item on the agenda. The council may choose to impose a time restriction of 3 minutes or greater per individual per public comment section. The Clerk will maintain the official time and notify the speakers when their time is up.

- At public hearings and special meetings, public comment will be confined to the subject of the public hearing or special meeting.

- The presiding officer may call to order any person who is being disruptive by speaking out of order or otherwise disrupting the proceedings, speaking longer than the allotted time or speaking vulgarities.

- If requested by a member of the Council, the Presiding Officer/Chairperson shall have discretion to allow a member of the audience to speak at times other than reserved time for audience participation.

MINUTES

- Proposed minutes will be available within 8 business days after the meeting.

- Approved minutes will be available within 5 days after the meeting at which they were approved. Minutes of closed sessions will be taken by the clerk or by a recording secretary appointed by the council if the clerk is not present. They are not available for public inspection and will only be disclosed if required by a civil action. The closed session minutes must be kept for one year and one day after they have been approved by the council. Approval of the closed session minutes will be made at the next regular meeting of the council.

CONDUCT OF COUNCILORS

- Councilors and Committee Members shall abide by the Open Meeting Act and all other state, local, and federal laws.

- The City Council members will sign and abide by the City of Bessemer Policy & Procedures for Volunteers and Councilors and all other approved Bessemer Policies and Procedures documents.

- Contact on behalf of the city with county, state and federal representatives and staff shall only be made by the city manager or mayor unless authorized by the City Council.

- The presiding officer/chairperson may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to stay on topic, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the chair determines whether the person is in order.

- If the person so engaged in participation 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 shall continue to be disorderly and disrupt the meeting, the chair may order for the removal of said individual from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

COMMITTEE APPOINTMENTS

- Appointments will recommended by the mayor with the council appointing.

COUNCIL MAIL

- That the City Clerk (or an agent appointed by the Clerk) be authorized to open all mail addressed to the City Council and that the Clerk make a sufficient number of copies of the ordinary mail received to be mailed/delivered with the agenda preceding the meeting. Further, that copies of all urgent correspondence be made and emailed to the Councilors without delay.

COUNCIL VACANCIES

- When a vacancy occurs, the position will be advertised in the local newspaper, on the city website, and on the City Center bulletin board. All applications received will be given to the council for review. The vote of the council will be made by ballot at a public meeting with the results read by the clerk. In the case of a tie vote, another vote will be taken between the two applicants that received a tie vote. An affirmative vote of a majority of the councilors present is needed for appointment.

- The appointment must be done within 30 days concurrent to the charter.

SUSPENDING RULES

- If a rule creates a harmful situation for Bessemer, a rule may be temporarily suspended on a vote of 4 members or by the city manager if warranted.

CONTROLING AUTHORITY

- These rules shall be followed unless preempted by city charter, state laws, or the courts.

Resolution adopted this 10th day of November, 2025.

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Samantha Zakovec, City Clerk
City of Bessemer, Michigan

CERTIFICATION

The foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Bessemer, County of Gogebic, State of Michigan, at a regular meeting held on the 10th of November, 2025, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and MCL - Section 67.13, and the Minutes of said meeting have been or will be made available as required by said Act.

Members Present: Nelson, Movrich, McDonald, Tacconelli

Members Absent: Serwe

It was moved by Nelson and supported by Tacconelli to adopt the Resolution.

Members voting yes: Tacconelli, Nelson, McDonald, Movrich

Members voting no: None

The Resolution was declared adopted by the Mayor and has been recorded.

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Samantha Zakovec, City Clerk
City of Bessemer, Michigan