

**BIRMINGHAM CITY COMMISSION
MUNICIPAL BUILDING, 151 MARTIN
MONDAY, FEBRUARY 5, 2024
6:30 P.M.
SPECIAL MEETING – **AMENDED AGENDA**
(WORKSHOP)**

This will be considered a workshop session of the City Commission. No formal actions will be taken. The purpose of this workshop is to engage in a presentation regarding Parliamentary Procedure and Robert’s Rules of Order.

I. CALL TO ORDER

Elaine McLain, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

III. PRESENTATION & DISCUSSION

A. Introduction

B. Presentation – Eleanor “Coco” Siewert

1. Amended on 2/2/24 at 5:30pm to include slides regarding meeting minutes

C. City Commission Discussion and Comment

D. City Commission Discussion on future Ethics Board Presentation

IV. PUBLIC COMMENT


V. ADJOURN

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through

ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk’s Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance. Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al [\(248\) 530-1880](tel:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).



“Effective Meetings”

City of Birmingham

February 5, 2024

Eleanor A. Siewert
Professional Registered Parliamentarian
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Funnel of Laws

- ☞ There is a certain order to the laws or rules by which a municipality in Michigan must conduct itself.
- ☞ Constitution of the United States
- ☞ Applicable Federal Laws
(Which vary by municipality.)

Funnel of Laws (con't)

📄 Michigan Constitution of 1963

📄 Applicable Michigan Laws

- Two of which are particularly significant in municipal government in Michigan.

Funnel of Laws (con't)

Open Meetings Act of 1976

The basic intent is to require public bodies to conduct business at open meetings.

Freedom of Information Act of 1976

The basic intent is to regulate and set requirements for the disclosure of public records by all public bodies.

Funnel of Laws (con't)

 City or Village Charter

 Home Rule Cities Act of 1909

Provides framework for how a city may incorporate and govern itself.

 General Law Village Act of 1895

Sets rules and regulations for villages.

Funnel of Laws (con't)

- 📄 Ordinances: Laws passed by municipal government.
- 📄 Council Rules of Order: Governs the procedure of the public meetings, may include rules for public comment, cancellation of meetings, etc.

Parliamentary Procedure-Why?

- ☞ Tool that enables members to accomplish municipality's goals.
- ☞ A recognizable format for a meeting.
- ☞ Introduces motions that lead to decision-making.
- ☞ Prescribes minutes that record action.

Basic Objectives of Parliamentary Law

- 📄 Accomplish the objectives for which the group is organized.
- 📄 Expedite business.
- 📄 Insure justice and equality to all.
- 📄 Maintain order.

Rules of Debate

- 📄 The maker of the motion is entitled to speak first.
- 📄 A member may not speak against his own motion but may vote against it.
- 📄 All remarks must be limited to the merits of the subject immediately under discussion.

Rules of Debate

- 📄 All remarks must be addressed to or through the chair.
- 📄 Personal comments about other individuals should be avoided.
- 📄 Members are seldom referred to by name; rather by title.
- 📄 No member may comment adversely on any prior act of the body.

Rules During Public Debate

- ❏ No person should speak a second time on a motion as long as another is requesting recognition to speak for a first time on the issue/motion.
- ❏ Remarks should be limited to two minutes.
- ❏ The speaker may be asked, but not required to state name and any other requested identifying information.

Rules for Public Debate

- 📄 Remarks must be confined to the pending question.
- 📄 Speakers should address the chair and not enter into debate with other members of the audience.
- 📄 During debate the chair shall make an effort to alternate between supporting and opposing arguments.

Amending

📄 Object: To change the main motion that is on the floor.

📄 Form: *I move to amend by inserting.....*

Or I move to amend by striking out.....

Or I move to strike out and insert.....

Amendments made one at a time and pertain to the motion. Require a second, is debatable & amendable, needs a majority vote.

Amending

“Friendly Amendments”

Friendly amendments may be used as long as every member of the body is in agreement with the amendment being proposed. Once a motion is stated by the chair it belongs to all members, not just the maker and the seconder.

Postpone to a Definite Time

- Object: To put off action on a motion on the floor to another time, day or meeting.
- Form: *I move to postpone the motion to the next meeting.*

Or I move to postpone the motion until after the guest speaks.

Requires a second, is debatable & amendable and needs a majority vote.

Reconsider

- 📄 Object: To bring a motion made in the same meeting back for another vote.
- 📄 Form: *I move to reconsider the motion to I voted on the prevailing side.*

Can only be used in same meeting or on the next day. Requires a second and is debatable and requires a majority vote.

Rescind

📄 Object: To cancel a previous action or order.

📄 Form: *I move to rescind the motion relating to ... adopted at the ...meeting.*

Cannot be used when something has been done that is impossible to undo.

Requires a second, is debatable and amendable. A 2/3 vote is required when notice is not given/majority vote with notice.

Tips for Better Meetings

- ☞ Start the meeting on time
- ☞ Have clear rules of procedure that are designed to encourage audience participation
- ☞ Direct all comments and questions through the chair
- ☞ Discourage the addition of last minute items not already on the agenda



Wait a Minute for Minutes

Eleanor “Coco” Siewert

Professional Registered Parliamentarian

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What Minutes Should Contain

- The official record of the proceedings of a deliberative assembly is usually called the “minutes”.
- Organizations develop certain practices related to minutes which become routine and in many cases are successful and in some cases can be improved.

What Minutes Should Contain

- ▶ *Robert's Rules of Order Newly Revised* (RONR)(12th ed.) & *Robert's Rules of Order Newly Revised In Brief* (RONRIB) (3rd ed.) make recommendations.
- ▶ The Open Meetings Act (OMA) (Act 267 of 1976) has requirements about minutes for public bodies.
- ▶ RONR and the OMA partner with each other.

First Paragraph (RONR)

- Kind of meeting – i.e. regular, special, annual.
- Name of the organization.
- Time, date, and (unless always the same) place of the meeting.
- That the president (or chair) and secretary were present or names of substitutes.
- Whether the minutes of the previous meeting were approved/amended.

Body of Minutes (RONR)

- In general minutes should contain only what was done, not what was said. (p. 468)
- Separate paragraph for each subject matter.
- Notation that specific reports were given and related action, if any.

Recording Motions (RONR)

- The name of the marker of the motion, but not the seconder is recorded.
- The content of the motion is recorded exactly as it was worded when adopted.
- If amended, the amendments are included as part of the final wording.

Recording Motions (RONR)

- ▶ Whether the motion was adopted or lost “after debate,” “after amendment,” or “after debate and amendment.”
- ▶ Secondary motions when the main motion is carried over to another meeting, i.e., motion to postpone, refer to committee.

Recording Motions (RONR)

➤ Secondary motions needed for clarity, i.e., a roll call having been ordered, the tellers reported....

➤ Votes:

If counted, number of votes on each side.

Roll call votes, names of those voting on each side.

Recording Motions (RONR)

- Notices of motions to be considered at the next meeting.
- Points of Order and Appeals, whether sustained or lost, together with chair's reasons for ruling.

Last Paragraph

- The last paragraph should give the time of adjournment, the mover or and the adoption of the motion to adjourn.

Signature (RONR)

- ▶ Minutes should be signed by the secretary and, if the group wishes, the president.
- ▶ There is no need to include “respectfully submitted.”

Correction/Approval of Minutes

- Circulate minutes clearly labeled DRAFT.
- Corrections are made in the text of the minutes being approved.
- Minutes of the meeting at which the corrections are being made should merely indicate that the minutes were approved “as corrected.”

Requirements for Minutes (OMA)

- ▶ Minutes must be kept of all meetings.
- ▶ Minutes are public records open to public inspection and must be available for review and copying (except minutes of closed sessions).

Requirements for Contents (OMA)

- Date, time and place.
- Members present, members absent.
- Purpose or purposes for which a closed session is held.
- All roll call votes taken at the meeting.

Requirements for Minutes (OMA)

- ▶ Draft minutes must be available for public inspection within 8 business days of the meeting. Approved minutes must be available within 5 business days after the meeting at which they were approved.

Requirements for Minutes (OMA)

- ✦ Corrections must be made no later than the next meeting after the meeting to which they refer.
- ✦ Corrected minutes must show both the original entry and the correction.

Closed Meeting Minutes (OMA)

- Contents: Start and ending time; names of those present; subject of meeting; and any assignments.
- The public body may meet in closed session to approve the minutes of a closed session if the decision to do so is made in an open session of the public body.

Closed Meeting Minutes (OMA)

- The minutes may only be disclosed if required by court order in a civil action.
- The 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.

OMA Information Source

- ✦ The source of OMA material is Don Schmidt's chapter on OMA from *Local Government Law and Practice in Michigan*. The 19 chapter publication is by the Michigan Municipal League and the Michigan Association of Municipal Attorneys. Mr. Schmidt is a partner in the law firm of Miller Canfield Paddock and Stone.