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CHAPTER 216  
 Council

216.01 Terms of office.

216.02 Bylaws of Council.

CROSS REFERENCES

Council generally - see CHTR. Ch. III, Secs. 2 et seq., 8

Authority re compensation - see CHTR. Ch. III, Sec. 44

Borrowing powers - see CHTR. Ch. XV, Sec. 1

Authority re special assessments - see CHTR. Ch. XVI, Secs. 10 et seq.

Legislative body in home rule cities - see M.C.L.A. Sec. 117.3

Authority re building permits - see B. & H. 1432.01

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**216.01 TERMS OF OFFICE.**

Pursuant to Act 239 of the Public Acts of 1970, as amended, each member of Council shall be elected to serve a term of four years, the City Charter to the contrary notwithstanding.

(1973 Code Sec. 1.32)

**216.02 BYLAWS OF COUNCIL.**

Rule I. General Provisions.

1.1 Organization; standing committees; County Board of Supervisors; Mayor Pro-tem. Council shall meet on the first Monday following each regular City election. At such meeting, or within two weeks thereafter, Council shall appoint such standing committees as it shall deem fit, appoint representatives to the County Board of Supervisors and a Mayor Pro-tem to preside over meetings in the Mayor's absence.

1.2 Regular Meetings. Regular meetings of Council shall be held publicly on the first Tuesday and the third Tuesday of every month at 7:00 p.m. in the Council Chambers of the Eastpointe Municipal Building to consider all matters properly within the jurisdiction of Council, including scheduled public hearings.

1.3 Special Meetings. Special meetings of Council shall be held publicly in the Council Chambers of the Eastpointe Municipal Building or at another public location in the City designated by the City Council. Special meetings shall be called by the City Manager upon the written request of the Mayor or any two members of Council on at least eighteen hours written notice to each member of Council, designating the time and purpose of such meeting and served personally on each member of Council or left at his or her usual place of residence by the City Manager or someone designated by him or her. Any special meeting of Council shall be a legal meeting if all members of Council have been notified and a quorum is present.

No business shall be transacted at any special meeting of Council except that stated in the notice of the meeting.

1.4 Adjournments and recess. Council shall have the power to adjourn any regular or special meeting to a day and time certain, which adjournment shall not be beyond the time of the next regular meeting, and the adjourned meeting shall be considered as a continuation of the same regular or special meeting. Any business which would have been proper for Council to consider at such meeting may be considered and acted upon at the adjourned meeting. Any postponement of deliberations of Council of less than one day shall be considered a recess.

1.5 Meetings to be open to the public. All residents of the City or persons attending the meeting shall have a reasonable opportunity to be heard at any City Council meeting on matters within Council's jurisdiction. Any person addressing the City Council at the hearing of the public shall be limited to five minutes.

1.6 Attendance of City Attorney. The City Attorney shall attend all meetings and hearings of Council, unless excused by the Mayor.

Rule II. Order of Business. The order of business of all regular Tuesday night meetings shall be:

1. Invocation
2. Pledge of Allegiance
3. Roll call
4. Hearing of the public
5. Approval of minutes
6. Scheduled hearings
7. Unfinished business
8. Reports from administration
9. New business
10. Payrolls and bills
11. Hearing of the public
12. Mayor and/or Council reports
13. Adjournment

Rule III. The Mayor.

3.1 Presiding Officer. The Mayor shall be the presiding officer of Council and shall perform such other duties as are prescribed by the City Charter.

3.2 Voting Power. While presiding at a meeting of Council, the Mayor or the presiding officer shall have the right to make, second and discuss motions. The Mayor shall possess the same voting powers as that of a Councilperson.

Rule IV. Sergeant at Arms; Decorum; Discipline. The Chief of Police, or such person as he or she may designate, shall attend any regular or special meeting of Council to enforce the preservation of order when requested to do so.

Rule V. Duties of the Clerk of Council (City Manager).

5.1 City Manager as Clerk. The City Manager shall be the Clerk of Council and shall, with the Mayor, sign and attest all ordinances. The term "Secretary of the Council," used in these rules, shall also mean the City Manager.

5.2 Communications. The City Manager shall receive all petitions, communications and complaints addressed to Council.

5.3 Claims, notices, etc.; referral to City Attorney. All claims or notices of lawsuits or process against the City of very kind shall be referred immediately to the City Attorney for report, recommendation or appropriate action thereon, except that Council shall immediately be advised of receipt of such claim, notice or court process.

5.4 Journal. The City Manager or his or her representative shall attend all meetings of Council and shall keep or cause to be kept a permanent journal, in the English language, of its proceedings, which journal shall become official when approved by Council and signed by the City Manager and the Mayor.

5.5 Payment of bills. All bills tendered to Council for payment shall bear the endorsement of the Director of Finance and upon approval by Council, shall be endorsed by the City Manager.

5.6 Agenda; regular meetings. The City Manager shall prepare an agenda of business to be considered at each regular Council meeting and, except when this rule is waived by a majority affirmative vote, no item of business shall be placed on the agenda for a Council meeting unless notice thereof was filed in the office of the Secretary of Council by 12:00 noon on the fourth secular day preceding such meeting. A copy of the notice of such meeting, together with the agenda of matters to be heard by Council, shall be posted in a prominent position in the Municipal Building at least eighteen hours prior to each such meeting.

5.7 Agenda; special meetings. The City Manager shall prepare an agenda of business to be considered each special meeting. The notice of such meeting, setting forth the time and purpose, together with the agenda, shall be served personally on each member of Council or left at his or usual place of residence by the Secretary of Council or his or her designated employee. At the time of the sending out or the delivery of notices of the special meeting, a copy of the notice of such meeting, together with a copy of the agenda, shall be posted in a prominent position in the Municipal building at least eighteen hours prior to each such meeting.

5.8 Matters of business for discussion. All matters concerning vacation of alleys or streets shall first be scheduled for discussion. Council shall fix a reasonable time for the hearing of such matters and transmit such information to the City Clerk when required to do so.

5.9 Vacation of alleys, streets or parkways. Due notice of all vacations shall be given by the City Clerk to the parties concerned, including all owners of record of property abutting the property to be vacated. Such notice shall be delivered personally or by mail addressed to the respective owners at the address given in the last assessment roll.

5.10 Vacations; proof of service. A proof of service or affidavit of mailing shall be furnished to Council by the City Clerk prior to the meeting of Council at which street, alley or parkway vacations are to be considered.

Rule VI. Resolutions to Reconsider or Rescind. After Council has decided a matter, a period of not less than six months shall be required before a new application for relief, a motion to reconsider or a motion to rescind can be made to Council on the same matter, unless a member of the voting majority on the previously decided matter requests said matter be placed on the Council Agenda and Council adopts a motion to rescind or reconsider the previously decided matter.

Rule VII. Procedure on Enacting Ordinances and Resolutions. Every ordinance shall receive two readings by title only. The second reading of an ordinance shall not take place at the same session unless there has been a suspension of the rules and an emergency declared by Council.

All resolutions and ordinances shall require support prior to debate and vote.

All petitions, communications, reports and ordinances presented to Council shall be in writing.

Rule VIII. Quorum. A quorum shall consist of a majority of all of the members elected to Council, including the Mayor, but a lesser number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. For purposes of a quorum, a majority shall be defined as more than one-half of the Council members, inclusive of the Mayor.

Rule IX. Voting Majority. All issues brought before Council shall require only a simple majority vote, unless otherwise specified by the City Charter, rules of procedure herein adopted, the parliamentary authority, namely the Sturgis Standard Code of Parliamentary Procedure, or by state law.

A simple voting majority shall be defined as more than one-half of the Council members, including the Mayor, present and voting on any given issue. Illegal votes shall be ignored. On issues requiring a two-thirds vote, a majority shall consist of two-thirds of the members of the City Council.

Rule X. Sturgis Standard Code of Parliamentary Procedure. The Sturgis Standard Code of Parliamentary Procedure, published by McGraw-Hill Company, Inc., shall govern Council in all cases to which it is applicable and in which it is not inconsistent with these rules or the City Charter.

Rule XI. Amendment or Suspension of Rules. These rules may be amended or temporarily suspended for a specific purpose by a majority vote.  
(Ord. 742. Passed 11-13-89; Ord. 788. Passed 8-25-92; Ord. 800A. Passed 9-28-93; Ord. 852. Passed 12-17-96; Ord. 962. Passed 7-5-05; Ord. 968. Passed 2-21-06.)