

# **GRAYLING CITY COUNCIL**

## **RULES AND CODE OF CONDUCT**

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# **GRAYLING CITY COUNCIL RULES and CODE OF CONDUCT**

## **I. RULES**

### **A. REGULAR AND SPECIAL MEETINGS**

All meetings of the Grayling City Council will be held in compliance with state statutes, including the Open Meetings Act, PA 267 of 1976 as amended, and with these rules.

#### **1. Regular Meetings**

Regular meetings of the City Council will be held on second and last Monday of each month beginning at 7:00 p.m. at the City office unless otherwise rescheduled. The Council shall meet in the Council Chambers for council meetings, at 7:00 p.m. eastern standard time, on the Monday next following each regular city election and shall hold at least one regular stated meeting each month for the transaction of business at such time and place within the city as it shall prescribe.

#### **2. Special Meetings**

Special meetings may be called by the mayor or any two council members on at least eighteen hours written notice to each member of the council served personally or left at his/her usual place of residence by the city clerk or someone designated by him/her.

Special meeting notices shall state the purpose of the meeting. No official action shall be transacted at any special meeting of the Council unless the item has been stated in the notice of such meeting.

#### **3. Absences from Meetings**

If absent from three consecutive regular meetings, Council may vote to ask that member to vacate their seat by resigning, unless the absence is excused by the council by resolution setting forth such excuse. The council may, by a majority vote of those present, compel the attendance of its members and other officers of the city at its meetings and enforce orderly conduct therein; and any member of the council who refuses to conduct himself in accord with the wishes of such majority shall be deemed guilty of a misdemeanor.

#### **4. Posting Requirements for Regular and Special Meetings**

Before December 31<sup>st</sup> of each year the Council will approve and the Clerk will post a list of regularly scheduled meetings for the following year.

For a rescheduled regular or a special meeting of the Council, a public notice stating the date, time, and place of the meeting shall be posted at the City Office at least 18 hours before the meeting.

## **5. Minutes of Regular and Special Meetings**

The Clerk shall attend the Council meetings and record all the proceedings and resolutions of the Council in accordance with the Open Meetings Act. In the absence of the Clerk, the City Manager may appoint another person to temporarily perform the Clerk's recording duties.

Within 8 business days of a Council meeting, a synopsis showing the substance of each separate decision of the Council or the entirety of the Council proceedings shall be prepared by the Clerk indicating the vote of the Council Members. After the City Council approves this document, it shall be published in a newspaper of general circulation in the City or posted in three public places in the City. A copy of the minutes of each regular or special Council meeting shall be available for public inspection at the City Clerk's office during regular business hours.

## **6. Work Sessions**

Upon the call of the Mayor or the Council and with appropriate notice to the Council Members and to the public, the Council may convene a work session devoted exclusively to the exchange of information relating to municipal affairs. No votes may be taken on any matter under discussion; nor shall any Council Member enter into a formal commitment with another member regarding a vote to be taken subsequently.

## **B. CONDUCT OF MEETINGS**

### **1. Meetings To Be Public**

All regular and special meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Council may determine. All official meetings of the Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

Meetings may be closed to the public and the media in accordance with the Open Meetings Act.

### **2. Agenda Preparation**

The City Manager shall prepare an agenda for each regular Council Meeting. Any Council Member shall have the right to add items to the regular agenda before it is approved.

#### **a. SUGGESTED Order of Business**

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. **SPECIAL PRESENTATION**

- V. Public Comment
- VI. Approval of Agenda
- VII. Approval of Consent Agenda
- VIII. City manager report
- IX. Unfinished Business
- X. New Business
- XI. Reports
- XII. Public Comment
- XIII. Councilperson Comments
- XIV. Correspondence
- XV. Adjournment

### **3. Consent Agenda**

A consent agenda may be used to allow the Council to act on numerous administrative or noncontroversial items at one time. Included on this agenda can be non-controversial matters such as approval of minutes, correspondence, approval of recognition resolutions, etc. Upon request by any member of the Council, an item shall be removed from the consent agenda and placed on the regular agenda for discussion immediately following action on the consent agenda.

### **4. Agenda Distribution**

The deadline for items to be placed on the agenda by Councilpersons is 4:00 P.M. on the Tuesday before the meetings. All items need to be to the City Manager by deadline to be considered for that meeting's agenda. The City Manager has the authority to allow for emergency agenda items. The Clerk shall have the Council Packets delivered to the Council members on the Thursday before the meeting dates.

### **5. Quorum**

A majority of the sworn members of the Council shall constitute a quorum for the transaction of business at all Council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

### **6. Attendance at Council Meetings**

Election to the City Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Council meetings and represent the residents of the City. Attendance at Council meetings is critical to fulfilling this responsibility.

### **7. Presiding Officer**

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Mayor is the presiding officer at all Council Meetings. The Mayor Pro Tem shall preside in the absence of the Mayor. In the absence of both the Mayor and the Mayor Pro Tem, the member present who has the longest consecutive service on the Council shall preside.

## **8. Disorderly Conduct**

The chair may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, 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 presentation 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 the person be removed from the meeting.

## **C. CLOSED MEETINGS**

### **1. Purpose**

Closed meetings may be held only for the reasons authorized in the Open Meetings Act, PA 267 of 1976 as amended.

### **2. Calling Closed Meetings**

According to the Michigan Open Meetings Act, the law provides for closed meetings in a few specified circumstances. In order for a public body to hold a closed meeting, *two-thirds of its members must vote affirmatively in a roll call*. Also, the purpose for which the closed meeting is being called has to be stated in the meeting before the roll call is taken.

Closed Meetings may be called without a two-thirds vote for the following reasons:

- (1) Considering the dismissal, suspension or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual when the person requests a closed hearing;
- (2) Strategy and negotiation sessions necessary in reaching a collective bargaining agreement when either party requests a closed hearing; and

Other reasons a public body may hold a closed meeting are:

- (1) To consider the purchase or lease of real property;
- (2) To consult with or receive a document prepared by its attorney about trial or settlement strategy in pending litigation.
- (3) To review the contents of an application for employment or appointment to a public office when the candidate requests the application to remain confidential. However, all interviews by a public body for employment or appointment to a public office have to be conducted in an open meeting; and
- (4) To consider material exempt from discussion or disclosure by state or federal statute.

### **3. Minutes of Closed Meetings**

The Clerk or the designated secretary of the Council shall take a separate set of minutes. These minutes will be retained by the Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open



Meetings Act. These 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.

## **D. DISCUSSION AND VOTING**

### **1. Rules of Parliamentary Procedure**

The latest edition of Robert's Rules of Order shall govern the Council in all cases to which they are applicable, provided that they are not in conflict with these rules, City charter or ordinances or applicable state statutes.

The chair shall preserve order and decorum and may speak to points of order in preference to other Council Members. The chair shall decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the Council Members present. Any member may appeal to the Council a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the presiding officer may briefly state the ruling. There shall be no debate on the appeal and no other member shall participate in the discussion.

The question shall be, "Shall the decision of the chair be sustained?" If the majority of the members present vote "aye," the ruling of the chair is sustained; otherwise it is overruled.

### **2. Conduct Of Discussion**

During the Council discussion and debate, no member shall speak until recognized for that purpose by the chair. After such recognition, 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 or privilege raised by another member. Speakers should address their remarks to the chair, maintain a courteous tone and avoid interjecting a personal note into debate. No member shall speak more than once on the same question unless every member desiring to speak to that question shall have had the opportunity to do so.

The chair, at his or her discretion and subject to the appeal process mentioned in Section D.(1.), may permit any person to address the Council during its deliberations.

### **3. Ordinances And Resolutions**

No ordinance, except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, and that subject shall be clearly stated in its title. A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes, unless a roll call vote is required by law or by Council rules.

All ordinances when legally enacted shall be recorded by the clerk in a book to be called "The Ordinance Book", and placed in the Code of Ordinances manual. It shall be the duty of the mayor and the clerk to authenticate such record by their official signatures.

#### **4. Roll Call**

In all roll call votes, the names of the members of the Council shall be called in alphabetical order. With each successive vote, the next member on the list shall be called first. The Mayor shall be called last to cast his/her vote.

#### **5. Duty to Vote**

Election to a deliberative body carries with it the obligation to vote. Council Members present at a Council meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law. A Council Member who is present and does not respond to a roll call vote shall be counted as voting with the prevailing side and shall be so recorded, unless otherwise excused or prohibited by law from voting (abstaining). Conflict of interest, as defined by law, shall be the sole reason for a member to abstain from voting. A Council member is duty bound to announce all conflicts of interest. The remaining members shall decide if the conflict requires the member to abstain from voting.

The right to vote is limited to the members of Council present at the time the vote is taken. Voting by proxy or by telephone is not permitted. All votes must be held and determined in public; no secret ballots are permitted.

#### **6. Rules of Voting**

A majority of the members of the council shall be a quorum for the transaction of business. Every ordinance and resolution shall be adopted or passed by the affirmative vote of at least three members of the council. Unless by the affirmative vote of at least three members of the council, no office shall be created or abolished, no tax or assessment be imposed, street, alley or public ground be vacated, real estate or any interest therein be sold or disposed of, private property be taken for public use, any vote of the council be reconsidered or rescinded at a special meeting, nor any money appropriated, except as otherwise provided by the City Charter. No member of the council shall vote on any question in which he is financially interested or any question concerning his own official conduct; but on all other questions every member of the council present shall vote. All votes shall be by "Yeas" and "Nays". On all votes which are not unanimous, the vote of each member shall be recorded by roll call and published in the regular proceedings, but where the vote is unanimous, it shall only be necessary to so state. The council shall determine the rules of its proceedings, and keep a journal thereof in the English language, which shall be signed by the city clerk. A synopsis of each council meeting shall be published within two weeks in a legal newspaper printed and circulated in the city, selected by the council, but each item of business shall be condensed to a statement of its substance by the clerk, under direction of the council unless otherwise provided by charter, or the general laws of the state, and except that any pertinent points of any resolution or motion shall not be omitted, nor any vote of the council; provided, that if there be no newspaper published in the city, publication of the proceedings shall not be required.

## **7. Results of Voting**

In all cases where a vote is taken, the chair shall declare the result. It shall be in order for any Council Member voting in the majority to move for a reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the Council. When a motion to reconsider fails, it cannot be renewed.

## **E. ADDRESSING THE COUNCIL**

### **1. General**

Each regular Council meeting agenda shall provide for reserved time for public comment. The presiding officer shall have discretion to allow a member of the public to speak at times other than reserved time for public comments.

### **2. Length Of Presentation**

Any person who addresses the Council during a Council meeting or public hearing shall be limited to 3 minutes per individual presentation. The Clerk will maintain the official time and notify the presiding officer when the speaker's time is up. The presiding officer shall have the authority to extend the time any person has to speak.

### **3. Addressing The Council**

When addressing the Council the member of the public shall state their name and home address prior to their comments. Remarks from the public shall be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject without the consent of the presiding officer and until all other persons wishing to be heard on that subject have had the opportunity to speak. Statements during the public comment portion of the meeting may pertain to items not on the agenda.

## **F. MISCELLANEOUS**

### **1. Mayor / Mayor Pro-Tem**

The council shall at its first meeting following the regular city election, choose one of its members mayor, who shall hold office at the will of the council. A mayor pro tem shall be chosen in the same manner and under the same conditions. In the event of the death, resignation or removal of the mayor, the council shall choose another of its members mayor at the next regular meeting. The mayor shall be the official head of the city for the service of process and the entitlement of actions for all ceremonial purposes, and for the purposes of military law. He shall preside at all meetings of the council, and may speak and vote in such meetings as any other member of the council.

### **2. Vacancy On Council**

Any vacancy on the council shall be filled by appointment by a majority of the remaining members of the council; any vacancy in any other elective office and every office to be filled by appointment by the council shall be filled by the affirmative vote of three

members of the council until the next regular city election. Any officer appointed by the council may be removed by the affirmative vote of three members of the council, except as otherwise provided by charter.

### **3. Oath Of Office**

Notice of the election or appointment of any officer of the city, and the requirement of any official bond to be given by any officer, shall be given him by the city clerk within five days after election or appointment. If within ten days from the date of notice, such officer shall not take, subscribe and file with the clerk his oath of office, or shall not execute and file with the clerk the required bond, such neglect shall be deemed a refusal to serve and the office shall thereupon be deemed vacant, unless the council shall extend the time in which such officer may qualify as above set forth. Council members shall be sworn-in at the first scheduled Council meeting following the election.

### **4. Adoption And Amendment Of Rules Of Procedure**

These rules of procedure of the Council will be placed on the agenda of the first meeting of the Council following each City Council election for review and adoption. The Council may alter or amend its rules at any time by a vote of a majority of its members after two-weeks' notice has been given of the proposed alteration or amendment.

### **5. Suspension Of Rules**

The rules of the Council may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members present except that Council actions shall conform to state statutes and to the Michigan and the United States Constitutions.

### **6. Committees**

The Mayor shall appoint all members to committees of the Council unless otherwise provided by ordinance or law. The committee's Liaison member shall serve until the next City Council election. The Mayor or Council by resolution may establish special committees for a specific period of time. The resolution or appointment must specify the task of the special committee and the date of its dissolution.

### **7. Task Forces**

The Council by resolution may establish citizen task forces. The resolution must specify the topic of the task force and the date of its dissolution. Members must be residents of the City. Members shall be removed and vacancies will be filled by majority vote of the Council in the same way appointments are made.

### **8. Adopting The Budget**

No later than the first Monday in June, the Council shall, by resolution, adopt the budget for all municipal expenditures for the next fiscal year and such resolution shall provide for a levy of the amount to be raised by taxation, which shall not exceed two percent of all real and personal property subject to taxation in the city. Upon adoption of the annual tax levy, a tax roll shall be prepared before the twentieth day of June. The taxes thus assessed shall become at once a debt to the city from the persons to whom they are assessed, and the amount, together with all charges thereon, shall on the first day of July

become a lien on the property assessed, of the same character and effect as the lien created by general law for state and county taxes, until paid.

## **9. Roles**

Operation of the city government shall be divided into two broad general divisions, policy forming and administrative. It shall be the duty of the city council to pass such legislation of the government; and to hire a city manager who shall carry out such policies, and, in general, be charged with and responsible for all administrative duties. It shall be the duty of every member of the council and every candidate for a seat on the Council to preserve this distinction between the policy forming and administrative functions of the city government. In order to secure the efficiency of the city government insofar as possible under this plan and to prevent embarrassment of the city manager in his administrative duties, therefore, the following provisions shall be observed:

1. No candidate for a seat on the council shall promise employment to any person, the letting of any contract, or the purchase of any equipment or supplies, or promise any other favor, or emolument or expenditure of the city for the purpose of securing votes, but this provision shall be held to apply to any promise which any candidate for a seat on the council may make regarding the advancement or consummation of any public improvement, the passage of any legislation, or any other question of public policy within the authority of the council.
2. Except for purpose of inquiry, the council and its members shall deal with the administrative service for which the manager is responsible solely through the manager, and neither the council nor any member thereof shall give orders to any subordinate employee of the city, either publicly or privately; neither shall any member of the council direct or request: (a) the appointment of any person to, or the removal of any person from, any employment or office for which the city manager is responsible; (b) the purchase of any specific materials or equipment; or (c) the recommendation of any specific firm or person for the letting of a city contract. It is not the intention of this provision to prevent frank discussion of the business of the city between the manager and any member of the council at any time, but to prevent the personal favoritism or prejudice of any member of the council from hampering the administration of the city as above set forth.

## **10. City Documents/Emails**

City documents & emailed documents are property of the City of Grayling. Employees have access to these documents on a daily basis. In no circumstance does the Employee have the right to discuss or give out copies of documents or emailed documents to any member of the public. If a person of the public wishes to see a City document or email, they must submit a FOIA request to the City Clerk.

## **II. CODE OF CONDUCT**

This Code of Conduct is designed to describe the manner in which Council Members should treat one another, City staff, constituents, and others they come into contact with in representing the City of Grayling.

The constant and consistent theme through all of the conduct guidelines is “respect.” Council Members experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is a touchstone that can help guide Council Members to do the right thing in even the most difficult situations.

## **A. OVERVIEW OF ROLES AND RESPONSIBILITIES**

Other resources that are helpful in defining roles and responsibilities of elected officials can be found in the resources from organizations such as the Michigan Municipal League (MML) and International City Management Association (ICMA).

### **1. Mayor**

- a. Acts as the official head of the City for all ceremonial purposes
- b. Chairs Council meetings
- c. Calls for special meetings
- d. Recognized as spokesperson for the City
- e. Selects substitute for City representation when Mayor cannot attend
- f. Makes judgment calls on proclamations, Special Orders of the Day, etc.
- g. Recommends subcommittees as appropriate for Council approval
- h. Leads the Council into an effective, cohesive working team
- i. Serves as official delegate of the City

### **2. Mayor Pro-Tem**

- a. Performs the duties of the Mayor if the Mayor is absent or disabled
- b. Chairs Council meetings at the request of the Mayor
- c. Represents the City at ceremonial functions at the request of the Mayor

### **3. All Council Members**

All members of the City Council, including those serving as Mayor and Mayor Pro-Tem, have equal votes. No Council Member has more power than any other Council Member, and all should be treated with equal respect.

All Council Members should:

- a. Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- b. Prepare in advance of Council meetings and be familiar with issues on the agenda
- c. Represent the City at ceremonial functions at the request of the Mayor
- d. Be respectful of other people’s time. Stay focused and act efficiently during public meetings.

- e. Serve as a model of leadership and civility to the community
- f. Inspire public confidence in Grayling government
- g. Provide contact information with the City Clerk in case an emergency or urgent situation arises while the Council Member is out of town
- h. Demonstrate honesty and integrity in every action and statement
- i. Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Conduct

#### **4. Meeting Chair**

The Mayor will chair official meetings of the City Council, unless the Mayor Pro-Tem or another Council Member is designated as Chair of a specific meeting.

- a. Maintains order, decorum, and the fair and equitable treatment of all speakers
- b. Keeps discussion and questions focused on specific agenda item under consideration
- c. Makes parliamentary rulings with advice, if requested, from the City Attorney who acts as an advisory parliamentarian. Chair rulings may be overturned if a Council Member makes a motion as an individual and the majority of the Council votes to overrule the Chair.

#### **5. Former Council Members**

Past members of the City Council who speak to the current City Council about a pending issue should disclose who they are speaking on behalf of (individual or organization).

## **B. POLICIES AND PROTOCOL RELATED TO CONDUCT**

### **1. Ceremonial Events**

Requests for a City representative at ceremonial events will be handled by City staff. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then City staff will determine if event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Council Member should be asked to serve as a substitute. Invitations received at City Hall are presumed to be for official City representative. Invitations addressed to Council Members at their homes are presumed to be for unofficial, personal consideration.

### **2. Correspondence Signatures**

Council Members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor unless the Mayor requests that they be signed by another Council Member or City staff.

If correspondence is addressed only to one Council Member, that Council Member should check with staff on the best way to respond to the sender.

### **3. Endorsement of Candidates**

Council Members have the right to endorse candidates for all Council seats or other

elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings.

#### **4. Legislative Process**

The City uses parliamentary procedure for meeting management.

#### **5. Public Announcements in Council Meetings**

Council Members who want to speak first during the Public portion of the Council meeting should notify the Chair in advance. Otherwise, Council Members will be recognized when the Chair acknowledges them. Council Members, like members of the public who use this portion of the agenda to recognize achievements or promote an event, will be limited to 3 minutes each and should keep the focus on matters of community-wide interest.

#### **6. Public Meeting Hearing Protocol**

The applicant or appellant shall have the right to speak first. The Chair will determine the length of time allowed for this presentation. Speakers representing either pro or con points of view will be allowed to follow. The Chair will determine how much time will be allowed for each speaker, with 3 minutes the standard time granted. The applicant or appellant will be allowed to make closing comments. The Chair has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly.

Council Members will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Council Members are not appropriate until after the close of the public hearing. Council Members shall refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

Main motions may be followed by amendments, followed by substitute motions. Any Council Member can call for a point of order. Only Council Members who voted on the prevailing side may make motions to reconsider. Council Members who desire to make the first motion on issues which they feel strongly about should discuss their intention with the Chair in advance of the Council meeting.

#### **7. Travel Expenses**

The policies and procedures related to the reimbursement of travel expenses for official City business by Council Members are outlined in the City Policy. All Council travel in excess of the allowed budget, in which the Council Member expects to officially represent the City and/or be reimbursed by the City for travel costs, must be approved in advance by the Council. The travel policy and budget for Council shall be reviewed at each annual budget cycle.

### **C. COUNCIL CONDUCT WITH ONE ANOTHER**



Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may “agree to disagree” on contentious issues.

## **1. In Public Meetings**

### **a. Use Formal Titles**

The Council should refer to one another formally during public meetings as Mayor, Meeting Pro-Tem or Council Member followed by the individual’s last name.

### **b. Practice Civility and Decorum in Discussions and Debate**

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

### **c. Honor the Role of the Chair in Maintaining Order**

It is the responsibility of the Chair to keep the command of Council Members on track during public meetings. Council Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair’s actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

### **d. Avoid Personal Comments that Could Offend Other Council Members**

If a Council Member is personally offended by the remarks of another Council Member, the offended Council Member should make notes of the actual words used and call for a “point of personal privilege” that challenges the other Council Member to justify or apologize for the language used. The Chair will maintain control of this discussion.

### **e. Demonstrate Effective Problem-Solving Approaches**

Council Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

## **2. In Private Encounters**

### **a. Continue Respectful Behavior In Private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

### **b. Be Aware of The Insecurity of Written Notes, Voicemail Messages, and E-mail**

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speaker phone in a full office? What

would happen if this e-mail message was forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially “public” communication.

**c. Even Private Conversations Can Have A Public Presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

**D. COUNCIL CONDUCT WITH CITY STAFF**

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council’s policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

**1. Treat All Staff As Professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

**2. Limit Contact To Specific City Staff**

Questions of City staff and/or requests for additional background information should be directed only to the City Manager, or in limited situations Department Heads. The Office of the City Manager should be copied on any request.

Requests for follow-up or directions to staff should be made only through the City Manager when appropriate. When in doubt about what staff contact is appropriate, Council Members should ask the City Manager for direction. Materials supplied to a Council Member in response to a request will be made available to all members of the Council so that all have equal access to information.

**3. Do Not Disrupt City Staff From Their Job.**

Council Members should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

**4. Never Publicly Criticize An Individual Employee**

Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee’s manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.

**5. Do Not Get Involved In Administrative Functions**

Council Members must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

## **6. Check With City Staff On Correspondence Before Taking Action**

Before sending correspondence, Council Members should check with the City staff to see if an official City response has already been sent or is in progress.

## **7. Do Not Attend Meetings With City Staff Unless Requested By Staff.**

Even if the Council Member does not say anything, the Council Member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

## **8. Limit Requests For Staff Support**

Requests for additional staff support – even in high priority or emergency situations – should be made to the City Manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.

## **9. Do Not Solicit Political Support From Staff**

Council Members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

# **E. COUNCIL CONDUCT WITH THE PUBLIC**

## **1. In Public Meetings**

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice, or disrespect should be evident on the part of individual Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

### **a. Be Welcoming To Speakers And Treat Them With Care And Gentleness**

“I give many public presentations so standing up in front of a group and using a microphone is not new to me. But I found that speaking in front of Council was an entirely different experience. I was incredibly nervous and my voice was shaking. I think the reason was because the issue was so personal to me. The Council was going to take a vote that would affect my family's daily life and my home. I was feeling a lot of emotion. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.”

### **b. Be Fair And Equitable In Allocating Public Hearing Time To Individual Speakers**

“The first thing the Mayor said to me was to be brief because the meeting was running late and the Council was eager to go home. That shouldn't be my problem. I'm sorry my item was at the end of the agenda and that there were a lot of speakers, but it is critically important to me and I should be allowed to say what I have to say and believe that the Council is listening to me.”

The Chair will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Chair reopens the public hearing for a limited and specific purpose.

**c. Give The Appearance Of Active Listening**

It is disconcerting to speakers to have Council Members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as “smirking,” disbelief, anger or boredom.

**d. Ask For Clarification, But Avoid Debate And Argument With The Public**

Only the Chair – not individual Council Members – can interrupt a speaker during a presentation. However, a Council Member can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Council Member finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council Members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council Members’ personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

**e. No Personal Attacks Of Any Kind, Under Any Circumstance**

Council Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

**f. Follow Parliamentary Procedure In Conducting Public Meetings**

The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Chair, subject to the appeal of the full Council.

**2. In Unofficial Settings**

**a. Make No Promises On Behalf Of The Council**

Council Members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

**b. Make No Personal Comments About Other Council Members**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.

**c. Remember That Grayling Is A Small Town**

Council Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Grayling. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

**F. COUNCIL CONDUCT WITH OTHER PUBLIC AGENCIES**

**1. Be Clear About Representing The City Or Personal Interests**

If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the City; 2) whether this is the majority or minority opinion of the Council.

If the Council Member is representing the City, the Council Member must support and advocate the official City position on an issue, not a personal viewpoint.

If the Council Member is representing another organization whose position is different from the City, the Council Member should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Council Members should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

**2. Correspondence Also Should Be Equally Clear About Representation**

City letterhead may be used when the Council Member is representing the City and the City's official position. A copy of official correspondence ~~should~~ **SHALL** be given to the City Clerk to be filed in the Clerk's Office as part of the permanent public record.

It is best that City letterhead not be used for correspondence of Council Members representing a personal point of view, or a dissenting point of view from an official Council position. However, should Council Members use City letterhead to express a personal opinion, the official City position must be stated clearly so the reader understands the difference between the official City position and the minor viewpoint of

the Council Member.

## **G. COUNCIL CONDUCT WITH BOARDS AND COMMITTEES**

The City has established several Boards and Committees as a means of gathering more community input. Citizens who serve on Boards and Committees become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

### **1. If Attending A Board Or Committee Meeting, Be Careful To Only Express Personal Opinions**

Council Members may attend any Board or Committee meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business, or developer – could be viewed as unfairly affecting the process. Any public comments by a Council Member at a Board or Committee meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

### **2. Limit Contact With Board And Committee Members To Questions Of Clarification**

It is inappropriate for a Council Member to contact a Board or Committee Member to lobby on behalf of an individual, business, or developer. It is acceptable for Council Members to contact Board or Committee members in order to clarify a position taken by the Board or Commission.

### **3. Remember That Boards And Committees Serve The Community, Not Individual Council Members**

The City Council appoints individuals to serve on Boards and Committees, and it is the responsibility of Boards and Committees to follow policy established by the Council. But Board and Committee members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten Board and Committee members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Committee should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Committee appointment should not be used as a political "reward."

### **4. Be Respectful Of Diverse Opinions**

A primary role of Boards and Committees is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on Boards and Committees, but must be fair and respectful of all citizens serving on Boards and Committees.

### **5. Keep Political Support Away From Public Forums**

Board and Commission members may offer political support to a Council Member, but

not in a public forum while conducting official duties. Conversely, Council Members may support Board and Committee members who are running for office, but not in an official forum in their capacity as a Council Member.

## **6. Inappropriate Behavior Can Lead To Removal**

Inappropriate behavior by a Board or Committee member should be noted to the Mayor, and the Mayor should counsel the offending member.

## **H. COUNCIL CONDUCT WITH MEDIA**

Council Members are frequently contacted by the media for background and quotes.

### **1. The Best Advice For Dealing With The Media Is To Never Go “Off The Record”**

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

### **2. The Mayor Is The Official Spokesperson For The Representative On City Position**

The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Council Member is contacted by the media, the Council Member should be clear about whether their comments represent the official City position or a personal viewpoint.

### **3. Choose Words Carefully And Cautiously**

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

## **I. SANCTIONS**

### **1. Public Disruption.**

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

### **2. Inappropriate Staff Behavior**

Council Members should refer to the City Manager, or to the City Attorney staff who do not follow proper conduct in their dealings with Council Members, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

### **3. Council Members Behavior And Conduct**

City Council Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee

assignments (both within the City of Grayling or with inter-government agencies) or have official travel restricted. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.

Council Members should point out to the offending Council Member infractions of the Code of Ethics or Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro-Tem.

It is the responsibility of the Mayor to initiate action if a Council Member's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

If violation of the Code of Conduct is outside of the observed behaviors by the Mayor or Council Members, the alleged violation should be referred to the Mayor. The Mayor should ask the City Manager and/or the City Attorney to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanction to the full Council to consider in a public meeting; or forming a Council ad hoc subcommittee to review the allegation; the investigation and its findings, as well as to recommend sanction options for Council consideration. Videotaping of the complaint hearing should be used for a Council ad hoc subcommittee.

## **J. PRINCIPLES OF PROPER CONDUCT**

### **Proper Conduct IS...**

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

### **Proper Conduct IS NOT...**

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly



- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

#### **K. IT ALL COMES DOWN TO RESPECT!**

- Respect for one another as individuals.
- Respect for the validity of different opinions.
- Respect for the democratic process.
- Respect for the community that we serve.

#### **L. CHECKLIST FOR MONITORING CONDUCT**

- Will my decision/statement/action violate the trust, rights, or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?
- Even if My conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

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## **Glossary of Terms**

**Attitude:** The manner in which one shows one's disposition, opinions, and feelings.

**Behavior:** External appearance or action; manner of behaving; carriage of oneself.

**Civility:** Politeness, consideration, courtesy.

**Conduct:** The way one acts; personal behavior.

**Courtesy:** Politeness connected with kindness.

**Decorum:** Suitable; proper; good taste in behavior.

**Manners:** A way of acting; a style, method or form; the way in which things are done.

**Point of Order:** An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration.

**Point of Personal Privilege:** A challenge to a speaker to defend or apologize for comments that a fellow Council Member considers offensive.

**Propriety:** Conforming to acceptable standards of behavior.

**Protocol:** The courtesies that are established as proper and correct.

**Respect:** The act of noticing with attention; holding in esteem; courteous regard.