



CITY OF LINDEN

CITY COUNCIL WORK SESSION MEETING AGENDA

LOCATION: LOOSE SENIOR CENTER, 707 NORTH BRIDGE STREET, LINDEN, MI 48451

Monday, July 14, 2025

6:30 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

C. ROLL CALL & INTRODUCTIONS

- a. Excuse Absent Member(s)

D. CORRESPONDENCE

E. PUBLIC COMMENT

Individuals wishing to speak will be called upon utilizing the completed Public Comment Cards. Remarks should be addressed to the presiding officer and is not time for debate, but for comments or questions for Council and/or Staff to answer or research. Questions will be answered during the meeting if the information is readily available. If answers are not available during the meeting, Council or Staff will contact the individual within one week or 7 business days, or when the information becomes available. No person shall have the right to speak more than once on any particular subject until all persons wishing to be heard on that subject have the opportunity to speak.

F. CONSENT AGENDA

- a. City Council Meeting Minutes from June 23, 2025
- b. Loose Board of Directors Meeting Minutes from June 23, 2025
- c. Resolution No. 15-25 MDOT Performance Resolution for Municipalities

G. DISCUSSION ITEMS

- a. Lindenwood Project Update - Dave Richmond, ROWE Professional Services
- b. Councilor Comment Procedure
- c. Receipt of Anonymous Public Comments

H. MANAGER'S UPDATE

I. CLOSED SESSION

J. ADJOURNMENT



**CITY OF LINDEN
CITY COUNCIL MEETING**

MONDAY, JUNE 23, 2025 AT 6:30 P.M.

LOCATION: LOOSE SENIOR CENTER, 707 NORTH BRIDGE STREET, LINDEN, MI 48451

CALL TO ORDER

The meeting was called to order at 6:33 p.m. by Mayor Elizabeth Armstrong. The meeting was held at The Loose Senior Center located at 707 North Bridge Street, Linden, Michigan 48451.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all present. A Moment of Silence was observed for service members.

City Council Present: Mayor Elizabeth Armstrong, Mayor Pro tem Brad Dick, Pam Howd, Denise Miller, Tom Hicks, Brenda Simons, Jerry Link

Absent: None

Others Present: Ellen Glass, City Manager; Scott Sutter, Chief of Police; Brian Will, Fire Chief; Don Grice, Director of Public Works; Brooke Card, City Treasurer; Kristyn Kanyak, City Clerk; Michael Gildner, City Attorney

a. Excuse Absent Member(s)

None.

SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CORRESPONDENCE

None.

PUBLIC COMMENT

None.

CONSENT AGENDA

- (A) City Council Meeting Minutes from June 9, 2025
- (B) Application to Use Public Property – Linden Homecoming Parade: Friday, September 26, 2025
- (C) 2025 Tax Request L-4029
- (D) Resolution No. 13-25 Fiscal Year Budget Amendments
- (E) Financial Reports

Motion by Howd, second by Miller to approve the consent agenda. Roll call. Motion carried 7-0.

AYES: Dick, Miller, Hicks, Simons, Link, Armstrong, Howd

NAYS: None

ABSENT: None

UNFINISHED BUSINESS

(A) Linden Mill Pond Sidewalk Project

Grice reviewed memo within agenda packet. Glass briefly explained the Downtown Development Authority (DDA) Board budgeted for this project. Councilors and Staff discussed Alternate A; brick color selection; material and strength for support of emergency vehicles; and thanked the DDA Board and City Manager.

There were no public comments received.

Motion by Howd, second by Simons to approve the Linden Mill Pond Sidewalk Project, Alternate A stamped concrete, and award the contract to Great Lakes Concrete. Roll call. Motion carried 7-0.

AYES: Armstrong, Link, Simons, Howd, Dick, Miller, Hicks

NAYS: None

ABSENT: None

(B) BS&A Cloud Service

Glass reviewed item; no follow up questions received and now on agenda for consideration of approving the BS&A Cloud upgrade, explained approval to be paid out over two fiscal years. Councilors discussed how this upgrade will improve security; good move, will be mandatory and good to get ahead; server upgrade savings; talk about this at Small Cities; and thanked Glass for getting us ahead.

No comments were received from Councilor Hicks. There were no public comments received.

Motion by Miller, second by Hicks to approve. Roll call. Motion carried 7-0.

AYES: Link, Hicks, Armstrong, Miller, Howd, Dick, Simons

NAYS: None

ABSENT: None

NEW BUSINESS

(A) Resolution No. 14-25 Approval of MDOT Agreement

Glass reviewed the topic and purpose of resolution.

There were no public comments received.

Councilors commented on contract length; glad to be getting started it; and this will improve safety.

Motion by Howd, second by Armstrong to approve Resolution No. 14-25 Agreement with MDOT for performance of engineering and necessary work related to enhancement of Hyatt Lane. Roll call. Motion carried 7-0.

AYES: Miller, Simons, Howd, Dick, Link, Hicks, Armstrong

NAYS: None

ABSENT: None

CITY MANAGER'S REPORT

Glass provided a verbal update on the following items:

- Schedule coordinating between Council and Lew
- Priority Waste letter and future meeting attendance
- Annual Risk Management Meeting
- Staff working on water report, taxes, utility bills
- Fiscal Year end and Loose transition
- Follow up meeting with Historical Society regarding lease and insurance
- Moving through EGLE process for cofferdam

Councilors and Glass discussed trash container request process when calling Priority, Glass will follow up; responsive when yard waste missed; complaint process and contact; poor service compared to Republic; issue with same company in different communities; Glass confirmed we will plan having representation from Priority present at the next meeting.

There were no comments received from Councilor Hicks.

CITY ATTORNEY'S REPORT

None.

DEPARTMENT REPORTS

Armstrong acknowledged receipt of reports from the Police Department, Code Enforcement, Department of Public Works (DPW) and Fire Department.

COUNCIL COMMENTS AND REPORTS

Simons appreciated the Department and Manager's Reports.

Dick and Grice discussed Lindenwood subdivision project wrap up and punch list; and clarification of portion of sidewalk relating to the Mill Project.

Link shared comments on the Memorial Day Parade and Picnic.

Simons mentioned MML Convention registration, Glass confirmed staff will send out.

Howd shared comments on Memorial Day; the crack fill program; postponement of recent Parks and Recreation events and shared upcoming events and next meeting date.

Armstrong thanked City Departments and Beautification for hard work in the heat; commented on Karaoke; thanked everyone for Memorial Day Parade organizing; shared experience volunteering at LAFF paddle and pedal; Lindenwood punch list diligence; excited about library and museums return to Mill and mixed-use space.

Miller read two comments regarding the Linden Community Garden. Also commented on sidewalk trip hazards and correcting, and on Memorial Day Parade participation.

There were no comments received from Councilor Hicks.

CLOSED SESSION

(A) City Manager Review

Armstrong explained closed session and we will be moving to the Annex. Gildner confirmed with Staff reasoning for closed session and purpose.

Motion by Howd, second by Armstrong to go into closed session for the City Manager's review. Roll call. Motion carried 7-0.

AYES: Simons, Dick, Miller, Link, Armstrong, Howd, Hicks

NAYS: None

ABSENT: None

City Council entered into closed session at 7:04 p.m.

Motion by Miller, second by Hicks to return to open session. Roll call. Motion carried 7-0.

AYES: Howd, Link, Simons, Armstrong, Hicks, Miller, Dick

NAYS: None

ABSENT: None

City Council returned to open session at 7:28 p.m.

ADJOURNMENT

Motion by Armstrong, second by Howd to adjourn the meeting. The meeting was adjourned by Mayor Armstrong at 7:29 p.m.

Respectfully Submitted,

Kristyn Kanyak, City Clerk

Approved: _____

LOOSE BOARD OF DIRECTORS MEETING MINUTES
LOCATION: LOOSE SENIOR CENTER, 707 NORTH BRIDGE STREET, LINDEN, MI 48451

Monday, June 23, 2025

6:00 P.M.

CALL TO ORDER

The meeting was called to order at 6:01 p.m. by Loose Board of Directors President Elizabeth Armstrong. The meeting was held at The Loose Senior Center located at 707 North Bridge Street, Linden, MI 48451.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

The Pledge of Allegiance was recited by all present. A moment of silence was observed for our men and women in uniform.

ROLL CALL AND INTRODUCTIONS

Board of Directors Present: President Elizabeth Armstrong, Vice President Brad Dick, Pam Howd, Thomas Hicks, Brenda Simons, Jerry Link

Absent: Denise Miller

Others Present: Ellen Glass, City Manager; Dotti Tynes, Program Director; Gwen Fannon, Loose Travel Coordinator; Brian Will, Fire Chief; Brooke Card, City Treasurer; Kristyn Kanyak, City Clerk; Michael Gildner, City Attorney

APPROVAL OF MINUTES

(A) May 12, 2025 Meeting Minutes

Motion by Howd, second by Dick to approve the minutes. Motion carried 7-0.

PUBLIC HEARINGS

None.

SPECIAL PRESENTATIONS

None.

CORRESPONDENCE

None.

PUBLIC COMMENT

Public comment on the Linden Community Garden, thanking for support and recent work in garden area. Shared details regarding the garden; harvest; and encouraged everyone to visit.

DISCUSSION ITEMS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

DEPARTMENT UPDATE

Tynes provided an update on recent events Junk in the Trunk, Grandparents' Day and shared details of upcoming events: Community Picnic; another Junk in the Trunk; discussed yoga, cardio classes and age groups; trifacta class; and Adopt A Pet Puppy Yoga.

Fannon updated on Soaring Eagle Casino trip and upcoming trips to Comerica Park; shared details of upcoming travel presentation and planned trips; and grandparent/grandchild trip to Sloan Museum and Longway Planetarium.

DIRECTOR REPORT

Glass reviewed the Director's Report.

BOARD OF DIRECTORS COMMENTS AND REPORTS

Simons requested the written Director's Report electronically, thanked Staff and commented on the transition.

Hicks clarified his role in helping with the garden, who did the work and offered manure for the garden.

Link commented on his recent garden tour experience with other Councilors.

Howd thanked staff and commented on horse enrichments.

Dick commented for staff to keep doing what they're doing, making everyone happy and staff shadowing.

Armstrong thanked staff and commented on event creativity.

Glass commented on recent Loose year in review article in Tri-County.

FINANCIAL REPORTS

Armstrong acknowledged receipt of financial reports, Glass shared amount. Motion by Howd, second by Armstrong to pay the bills. Roll call. Motion carried 6-0.

AYES: Dick, Hicks, Simons, Link, Armstrong, Howd

NAYS: None

ABSENT: Miller

CLOSED SESSION

None.

ADJOURNMENT

The meeting was adjourned by Board President Armstrong at 6:16 p.m.

Respectfully Submitted,

Kristyn Kanyak, City Clerk

Approved: _____

PERFORMANCE RESOLUTION FOR MUNICIPALITIES

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____
(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____
(Name of Board, etc.)
of the _____ of _____
(Name of MUNICIPALITY) (County)
at a _____ meeting held on the _____ day
of _____ A.D. _____.

Signed _____

Title

Print Signed Name

RESOLUTION DECLARED ADOPTED.

Elizabeth Armstrong, Mayor

ATTEST:

Kristyn Kanyak, City Clerk

CERTIFICATION

I do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Linden, Genesee County, Michigan, at a regularly scheduled meeting held on July 14, 2025, and that notice of said meeting was given in accordance with the Open Meetings Act, as amended.

Kristyn Kanyak, City Clerk



CITY OF LINDEN CITY COUNCIL RULES OF PROCEDURE

A. AUTHORITY

These rules of procedure for the conduct of City Council meetings are hereby adopted by the City of Linden City Council under the authority of Section 4.4 of the City of Linden City Charter. All meetings of the City Council will be held in compliance with state statutes, including the Open Meetings Act, Public Act 267 of 1976 as amended, and with these rules.

1. Regular Meetings

Regular meetings of the City Council will be held on the fourth Monday of each month beginning at 6:30 p.m. within The Loose Senior Center, located at 707 North Bridge Street, Linden, MI 48451 unless otherwise approved by the City Council. The City Council shall approve by resolution its regular meeting schedule for the ensuing calendar year.

2. Special Meetings

Special meetings shall be held at the call of the Clerk upon the written request of the Mayor, City Manager or any two Councilors. At least 18 hours before the meeting, the clerk shall give public notice of the meeting and shall serve each councilor personally with a notice of the meeting, via electronic mail. Special meeting notices shall state the purpose of the meeting. No official action shall be taken at any special meeting of the Council unless the item has been stated in the notice of such meeting.

3. Joint Meetings

The City Council may meet in special-session (or work session) joint meetings with various boards and commissions of the city, with governing bodies of other local units of government, with elected and/or appointed officials of other levels of government, or with associations and/or organizations in which the city holds memberships or with which the city has a particular interest.

4. Posting Requirements for Regular and Special Meetings

- a. Within ten (10) days after the last meeting of the calendar year a public notice stating the date, time and place of the regular monthly Council meetings will be posted at City Hall and the City's web site.
- b. 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 least 18 hours before the meeting at City Hall and the City's web site.
- c. The notice described above is not required for a meeting of the Council in emergency session in the event of a severe and imminent threat to the health, safety, or welfare of the public when two-thirds of the council members determine that delay would be detrimental to the City's efforts in responding to the threat.

5. Public Hearings

The City Council shall hold public hearings in conjunction with the meeting agenda. The City Clerk's Office shall post notices of special meetings and public hearings in accordance with the City Charter and the Michigan Open Meetings Act.

6. Minutes of Regular and Special Meetings

The Clerk shall attend the Council meetings and record the proceedings and resolutions of the Council in accordance with Section 6.5 of the City Charter and the Michigan Open Meetings Act. In the absence of the Clerk, the Clerk may appoint the Deputy Clerk or Council may appoint one of its own members or another person to temporarily perform the Clerk's duties.

Within eight days after a meeting of the Council, a copy of the draft minutes, including the vote of the members, prepared by the Clerk and showing the substance of each separate decision of Council, shall be available for public inspection at City Hall.

A copy of the minutes of regular and special meeting shall be made available for public inspection at City Hall during regular business hours.

7. Work Sessions

Upon the call of the Mayor or the Council and with appropriate notice to the council members and the public, the Council may convene a work session devoted exclusively to the exchange of information relating to municipal affairs. If the need arises a vote may take place on urgent agenda items, if deemed necessary.

B. CONDUCT OF MEETINGS

1. Meetings to be Public

All meetings of the City 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, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act.

All 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.

2. Disorderly Conduct at Meetings Prohibited

The presiding officer may call to order any person who is breaching the peace or being disorderly by speaking without recognition, engaging in booing or catcalls, applauding, failing to be germane to the topic or issue being considered, speaking longer than the allotted time, speaking vulgarities, name calling, personal attacks, or engaging in other conduct which is determined by the presiding officer to be disruptive to the meeting. Any person so disrupting a lawful public meeting of the City Council may be removed or excluded from a meeting that is otherwise open to the public in accordance with the Michigan Open Meetings Act and shall be guilty of a misdemeanor pursuant to state statute, being MCL 750.170 et seq, and §131.03(B) of the City Code Of Ordinances. The Chief of Police or his designate shall serve as the sergeant-at-arms at council meetings for purposes of enforcement of the rules under this section.

3. Agenda Preparation

An agenda for each regular Council meeting shall be prepared by the Clerk and the City Manager. Any council member shall have the right to add items to the regular agenda. Any additions made by Council members shall provide their own supplement information to the Clerk's office by the Wednesday prior to the City Council Meeting.

The following shall be the form of the agenda for City Council Work Sessions:

- I. Call to Order
- II. Pledge of Allegiance and Moment of Silence
- III. Roll Call and Introductions
 - a. Excuse Absent Member(s)
- IV. Correspondence
- V. Public Comment
- VI. Consent Agenda
- VII. Discussion Items
- VIII. City Manager's Update
- IX. Closed Session
- X. Adjournment

The following shall be the form of the agenda for Regular City Council Meetings:

- I. Call to Order
- II. Pledge of Allegiance and Moment of Silence
- III. Roll Call and Introductions
 - a. Excuse Absent Member(s)
- IV. Public Hearing
- V. Special Presentations
- VI. Correspondence
- VII. Public Comment
- VIII. Consent Agenda
- IX. Unfinished Business
- X. New Business
- XI. City Manager's Report
- XII. City Attorney's Report
- XIII. Department Reports
- XIV. Council Comments and Reports
- XV. Closed Session
- XVI. Adjournment

4. Consent Agenda

A consent agenda may be used to allow the council to act on numerous administrative routine or non-controversial items at one time. Included on this agenda can be routine and non-controversial matters such as approval of minutes, approval of recognition resolutions, permits, 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.

5. Agenda Distribution

Agendas shall be distributed to council members by first-class mail, personal delivery to their usual place of residence, or via email to the electronic address provided for that purpose, at least 48 hours prior to any regular meeting.

6. Quorum

A majority (four members) of the elected or appointed and 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.

7. 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 activities and represent the residents of the City. Attendance at Council meetings is critical to fulfilling this responsibility. The City Council is empowered by Section 4.9 of the charter to compel the attendance. In addition, the City Council shall in every case where a member is absent vote to excuse or not excuse such absence per Section 3.14 of the City Charter.

8. Presiding Officer

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

C. CLOSED SESSION MEETINGS

1. Purpose

Closed meetings may be held only for the reasons provided in the Michigan Open Meetings Act, which are the following:

- a. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member, or individual agent when the named person requests a closed meeting. (majority vote)
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing (majority vote).
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. (2/3 roll call vote)
- d. To consult with an attorney representing the City regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have detrimental financial effect on the litigating or settlement position of the Council. (2/3 roll call vote)
- e. To review the specific contents of an application for employment or appointment to a public office when a candidate requests that the application remain confidential. (2/3 roll call vote). However, all interviews by the Council for employment or appointment to a public office shall be held in an open meeting.
- f. To consider material exempt from discussion or disclosure by state or federal statute. (2/3 roll call vote).

2. Calling Closed Meetings

At any regular or special meeting, the council members, elected or appointed and serving, by a two-thirds roll call vote may call a closed session under the conditions outlined in Section C. The roll call vote and purpose(s) for calling the closed meeting shall be entered into the minutes of the meeting at which the vote is taken.

3. Minutes of Closed Meetings

A separate set of minutes shall be taken by the Clerk or the designated Secretary of the Council at the closed session. 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. No vote shall be taken during a closed session. Any action on a matter shall be taken in a public meeting and recorded in the minutes of the meeting.

D. DISCUSSION AND VOTING

1. Rules of Parliamentary Procedure

The rules of parliamentary practice as contained in the latest edition of Roberts Rules of Order, on file in City Hall, shall govern the Council in all cases to which they are applicable, provided that they are not in conflict with these rules, the ordinances of the City of Linden or applicable state statutes. The President may appoint a parliamentarian.

The presiding officer shall preserve order and decorum and may speak to points of order in preference to other council members. The presiding officer shall decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the council members present.

Any council member may appeal to the Council from 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 presiding officer be sustained?" If the majority of the members present vote "aye", the ruling of the presiding officer 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 presiding officer. 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 presiding officer, maintain a courteous tone, and avoid interjecting a personal note into the 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 presiding officer, 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.

4. Roll Call

In all roll call votes, the names of the members of the Council shall be random.

5. Duty to Vote

Election to a deliberative body carries with it the obligation to vote. Every Council member recorded as present at a Council meeting is expected to vote on every matter before the body, unless otherwise excused or prohibited from voting by law. A roll call vote shall be made to call for a Closed Session, or at any other time required. A council member who is present and abstains or 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.

Roberts Rules states that a conflict exists where the vote “on a matter of direct personal or pecuniary interest not common to other members of the organization.” Members may abstain from voting where a conflict exists. Majority of Council may have the opportunity to force abstention where they believe a conflict exists.

The right to vote is limited to the members of Council present at the time the vote is taken. All votes must be held and determined in public; no secret ballots are permitted. Exceptions are only allowed for voting in accordance with section 7.

6. Results of Voting

In all cases where a vote is taken, the presiding officer 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.

7. Absence of a member for Military duty

In accordance with MCL 15.263(2) the following definition and procedures shall apply to accommodate the absence of any member from a public meeting due to military duty:

- a. “Military Duty” means (a) training and service performed by an inductee, enlistee or reservist, or any entrant into a temporary component, of the armed forces of the United States, and (b) time spent in reporting for and returning from such training and service, or if rejection occurs, from the place of reporting, pursuant to a lawful order.
- b. The member of the body who will be absent from a meeting due to military duty shall notify the City Manager of the intended absence as soon as possible. The member of the body who will be absent shall provide an email address and telephone number where that member can be reached during the absence.
- c. Upon notification, the City Manager shall post a notice of the affected public meeting which shall include the agenda for the meeting, a notification to the public of the

- name of the member who will be absent due to military duty, and a notification of the manner by which the member may be contacted by the public regarding the meeting.
- d. The member of the body who will be absent from a public meeting due to military duty shall be permitted to participate in, and vote on, business before the body in a manner determined by the City Manager, or their designee, to ensure 2-way communication wherever feasible, ideally utilizing a form of teleconferencing whenever possible. The member may also choose to provide written communication to the City Manager, or assigned secretary to the board/commission, indicating how they wish to vote on any item which shall be included and reported in the final tally of votes of the body.
 - e. The member of the body who will be absent from a public meeting due to military duty shall be considered to be present at the public meeting when that member has participated in the meeting pursuant to subsection (d).

E. PUBLIC PARTICIPATION

1. General

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

2. Length of Presentation

Any person who addresses the council during a council meeting or public hearing shall be limited to three (3) minutes per individual and per group.

3. Addressing Council

When a person wishes to address the council during public comment, the individual shall fill out a comment form before the meeting that includes his or her name, home address, contact information and a brief description of your statement or what they would like to address. It is requested the applicable option be selected on the comment card, whether submitting a general comment or question posed that requires a response from City Staff. When the public comment is approached on the agenda, individuals wishing to speak will be called upon utilizing the filled-out comment forms. Remarks should be addressed to the presiding officer, and is not time for debate, but for questions or comments for council and/or staff to answer or research. Questions will be answered during the meeting if the information is readily available. If answers are not available during the meeting, Council or staff will contact the individual within one (1) week or 7 business days, or when the information becomes available. No person shall have the right to speak more than once on any particular subject until all persons wishing to be heard on that subject have the opportunity to speak.

Persons addressing council are requested to state their name and home address. Remarks should be addressed to the presiding officer. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have the opportunity to speak. Members of council may not respond to comments or question until later on in the meeting under council comments.

F. MISCELLANEOUS

1. Adoption and Amendment of Rules of Procedure

These rules of procedure of the City Council will be placed on the agenda of the first meeting of the Council following the seating of the newly elected council members for review and adoption. A copy of the rules adopted shall be distributed to each council member.

The Council may alter or amend its rules at any time by a majority vote of its members after notice has been given of the proposed alteration or amendment.

2. 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 constitutions of Michigan and the United States.

3. Bid Awards

Bids will be awarded by the City Council during regular or special meetings. A bid award may be made at a special meeting of Council if that action is announced in the notice of the special meeting.

4. Authorization for Contacting City Attorney

Only the Manager and the Mayor are authorized to contact the City attorney regarding municipal matters.

Generally, questions involving significant legal research should be at the request of the City Manager or City Council as a body.

5. Rights and Responsibilities of Council Members

Section 4.12 of the City Charter states that except for the purpose of inquiries and investigations, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the manager solely through the City Manager. The council or its members shall not give orders to any such officer or employee, either publicly or privately.

6. Enforcement of Rules

These rules are subject to enforcement by the City Council as it determines appropriate under applicable provisions of the State law, the City Charter, Home Rule City and Robert's Rule of Order (which have been adopted above to the extent reasonably practicable), and penalty violation hereof shall be in accordance with said provisions.

This Rules of Procedure document was amended and adopted by the City Council at its regular meeting on March 24, 2025.

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