

CITY OF EATON RAPIDS
QUALITY OF LIFE BOARD BYLAWS

PURPOSE:

These Bylaws are adopted by the City of Eaton Rapids Quality of Life board and subcommittees to facilitate the performance of duties as established in section 16-26 of the City of Eaton Rapids Code of Ordinances.

ARTICLE I: MEMBERSHIP

A. The membership of the Quality of Life Board and subcommittees, as well as the manner of appointment, and terms of office are described in the City of Eaton Rapids Code of Ordinances.

B. Liaisons: The purpose of liaisons is to provide certain City of Eaton Rapids officials and quasi-officials the ability to participate in discussions with the Quality of Life Board, in addition to speaking in public participation, and nothing else. Liaisons cannot vote, introduce motions, initiate any other parliamentary action, be counted for a quorum or be expected to comply with the attendance requirement pursuant to these Bylaws. Liaisons include, but are not necessarily limited to the following:

1. Quality of Life Director
2. City Department of Public Works, Police and other similar department heads.
3. The City Manager or Assistant Manager.

C. Attendance: Regular attendance at scheduled meetings of the Board by members is recognized as being essential to the duties and functions of the entire Board. Therefore, failure to repeatedly attend Quality of Life Board meetings shall be considered nonfeasance in office and subject to removal from the Board.

D. Training: The only required training for Quality of Life Board members is that new members receive training in Parliamentary Procedure sometime in their first year. Members may attend training in other Quality of Life related topics as authorized by the City Council in the adopted budget.

E. Conflict of Interest, Incompatibility of Office:

1. Each member of Quality of Life Board shall avoid conflicts of interest and/or incompatibility of office. All members sign a disclosure statement prior to their swearing in, however, undisclosed conflicts may arise and so all members shall be obligated to act in compliance with these bylaws. As used here, a conflict of interest shall, at a minimum, include but not necessarily be limited to, the following:

- Issuing, deliberating on, voting on, or reviewing a case concerning him or her.
- Issuing, deliberating on, voting on, or reviewing a case concerning work on land which is adjacent to land owned by him or her.

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- Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship with a corporation, company, partnership, or any other entity where he or she may stand to have a financial gain or loss.
- Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a financial, fiscal or economic benefit to him or her.
- Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parent's in-law, grandparent's in-law, or members of his or her household.
- Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is (1) an applicant or agent for an applicant, or (2) has a direct interest in the outcome.
- Issuing, deliberating on, voting on, or reviewing a case in which, due to particular circumstances, when the member believes there may be even the appearance of improper bias that could taint the outcome if the member participates.

2. When, in a member's sole discretion, a conflict of interest exists, the member of the Board, or committee, shall, upon first knowledge of the case and determining that a conflict exists:

- Declare a conflict exists at the meeting of the board or committee and briefly explain the nature of the conflict to the Board.
- Cease to participate at the Board or committee meetings, or in any other manner, or represent one's self before the Board, its staff, or others, and
- During deliberation of the agenda item before the Board or committee, remove one's self from the front table where members of the Board sit and leave the meeting until that agenda item is concluded.

3. If any member has a question whether a conflict of interest exists or not, that member shall put the question before the Board. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Board in attendance at the meeting.

4. Incompatibility of Office: If a member of the Board is elected or appointed to another City office, it shall result in an automatic resignation from the Quality of Life Board on the effective date of the appointment to the other office, with the exception of the Quality of Life Board member who is appointed as a Liaison to the Planning Commission by the chair, and the Quality of Life Sub-committees.

F. Duties of all members:

1. Ex Parte Contact:

Ex parte communication is a direct or indirect communication on the substance of a pending case without the knowledge, presence, or consent of all parties involved in the matter.

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- Members shall avoid Ex Parte contact about cases where an administrative decision is before the Board whenever possible.
- Despite one's best efforts, it is sometimes not possible to avoid Ex Parte contact. When that happens, the member should take detailed notes on what was said and report to the Board at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.

2. Not voting on the same issue twice: Any member of the Board that is a representative of or to another Board or Commission, shall not vote on any administrative decision where they have final approval authority on an administrative decision at a second Board or Commission level.

ARTICLE II: Subcommittees

- A. The Chair of the Quality of Life Board shall appoint other members of the Quality of Life Board to serve as the Chair of all but one of the subcommittees established by City Ordinance, including the Arts Council, Parks Development, Water Recreation and Youth/Teen Initiatives. The Chair of the Northwestern Park (also known as Oakridge Park) subcommittee shall be selected by its membership.
- B. As created under the Quality of Life department ordinance in the City of Eaton Rapids code of Ordinances, subcommittees to the Quality of Life Board shall conduct their business in accordance with the Open Meetings Act, as described in Article 4.b of these bylaws.
- C. A majority of the total of each subcommittee's members, regardless of vacancies, shall constitute a quorum for that subcommittee.
- D. Sub-committee chairs shall be appointed by the Quality of Life Board Chair at the regular meeting in May of each year, following the annual election of officers.

ARTICLE III: OFFICERS

- A. At its first regular meeting in April of each year, the Board shall elect from its membership a Chair and Vice-Chair and shall appoint a Recording Secretary as determined by a majority of its members. All officers are eligible for re-election. The Chair, Vice-Chair and Recording Secretary shall take office immediately following their election and shall hold office for a term of one year or until their successors are selected and assume office. In the event the office of the Chair becomes vacant, the Vice Chair shall succeed to this office for the unexpired term and the Board shall select a successor to the office of Vice Chair for the unexpired term.
- B. Duties of the Chair shall be to preside at all meetings, appoint sub-committee chairs, appoint the Planning Commission Liaison, call special meetings pursuant to these Bylaws, act as an ex-officio member of all sub-committees of the Quality of Life Board, present to the City Council the annual report of Quality of Life Board activities and perform such other duties as may be required by the office.
- C. Duties of the Vice-Chair shall be to act in the capacity of Chair with all the powers and duties of that office in the absence of the Chair.
- D. Duties of the Recording Secretary or Acting Recording Secretary, shall be to record minutes of each meeting and submit them for approval to the Quality of Life Board and to the City Clerk for posting and archiving.

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E. Duties of the Sub-Committee Chair(s) shall be to schedule and preside at their subcommittee meetings, to record meeting minutes of the proceedings of their subcommittee meeting, to present those minutes for approval to the whole of the Quality of Life board at the regular meeting, and to ensure those minutes are submitted either to the recording secretary for submission to the Clerk, or directly to the Clerk, in a timely manner to be posted in accordance with the Open Meetings Act.

ARTICLE IV: HEARINGS AND MEETINGS

A. Meetings of the Quality of Life Board shall be scheduled on the third (3rd) Tuesday of each month at 7:00 P.M. at the Eaton Rapids City Hall, 200 S Main St. When the regular meeting day falls on a legal holiday or other conflicting date, the Board shall select a suitable alternate day in the same month or at such other time as may be selected by the Board.

B. All hearings and meetings shall be noticed and conducted in accordance with the Public Act 267 of 1976, as amended, that being the Michigan Open Meetings Act, M.C.L. 15.261 et seq.

C. Special meetings may be called at the discretion of the Chair, by any two members of the Quality of Life Board, or by the Chair at the request of any non- member of the Board upon payment of a non-refundable fee to cover costs of the special meeting.

D. Notice of special meetings shall be given by the Secretary or City Staff to members of the Board at least forty eight (48) hours prior to such meeting and shall state the purpose, date, time, and location of the meeting. Special meetings called for discussion or work session purposes require no formal agenda.

E. Recess: The Quality of Life Board shall not begin consideration of any matter on the agenda not yet under consideration by the hour of 9:00 p.m. except by unanimous consent of the members present. Matters on the agenda not yet acted upon at the time of adjournment will be placed on the agenda of the next regular meeting or special meeting, if one is called.

F. Quorum: Four (4) members of the board, regardless if vacancies exist or not, shall constitute a quorum for the transaction of business. Whenever a quorum is not present the meeting shall be adjourned to another day.

G. Motions: Motions shall be restated by the Chair or by the Secretary before a vote is taken.

H. Voting: Voting shall be by members announcing a "yes" (aye) or "no" (nay) vote. A member may be excused from voting only if that member has a conflict of interest pursuant to Article I of these Bylaws. Determination of grounds for abstention shall be made prior to discussion of the item. Roll call votes may be used at the discretion of the chair. In all roll call votes, the names of the members of the Board shall be called in rotation order as seated and the names to be called first shall be advanced one position in rotation in each successive roll call vote. Members must be present to cast a vote. Voting by proxy is not permitted. The affirmative vote of a majority of the members of the Board present shall be necessary for the approval, approval with conditions, denial, or recommendation of any administrative decision pursuant to their authority under the Ordinance. No

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action by the Quality of Life Board on any matter for which a Public Hearing is held shall be taken until the Public Hearing has been concluded and announced closed by the Chair.

- I. Parliamentary Procedure: Parliamentary procedure during Quality of Life Board meetings shall be governed by Robert's Rules of Order, Newly Revised Edition, for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than Robert's Rules of Order, then these Bylaws shall control.
- J. Order of Business: The Quality of Life Board chair shall prepare an Agenda for each meeting and the order of business shall be as follows:
 1. Call to order and Roll Call.
 2. Approval of Agenda
 3. Approval of minutes of the last meeting.
 4. Public Comment: Any citizen who wishes to address the Board on a matter not listed on the agenda may speak at this time. The Chair shall recognize the citizen before speaking. A three-minute limitation applies unless extended by the Chair. Citizens wishing to speak on matters listed on the agenda will be permitted, under the same limitations, to speak when the matter is brought before the Board.
 5. Public Hearing (if required): The procedure for each application shall be as follows:
 - The Chair will declare the Public Hearing open, state its purpose, and summarize the procedure to be followed.
 - Quality of Life Board chair or City staff will present the main points of the matter under consideration, and if appropriate, a Staff report and/or recommendation.
 - The Petitioner, their representative or a proponent of the action will make a presentation about the matter under consideration.
 - Comments by the Public – Individual citizens, groups or organizational representatives speaking in support of the matter will make presentations followed by individual citizens, groups or organizational representatives speaking in opposition to the matter under consideration.
 - Related Correspondence from interested citizens or their representatives is read into the proceeding record.
 - There being no further public comment or until the Chair determines that a state of redundancy or diminishing returns has set in, the Chair will close the Public Hearing.
 - The Quality of Life Board will enter into Executive Session for discussion and action on the matter under consideration.
 6. Unfinished Business
 7. New Business

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8. Correspondence
9. Subcommittee Reports
10. Adjournment

K. The Agenda:

1. Shall be created by the Quality of Life Director after consultation with the Quality of Life Chair.
2. The agenda and accompanying materials shall be mailed, physically or electronically, or otherwise delivered to Board members one week prior to the meeting date, when possible.
3. The City Offices shall be the Office of Record for the Quality of Life Board. The Quality of Life Board recording secretary may receive agenda items on behalf of the Board between the time of the adjournment of the previous Board meeting and eight business days prior to the next regularly scheduled Board meeting. Items received less than eight business days prior to the next regular scheduled meeting shall be set aside to be placed on the Agenda for the next regularly scheduled meeting of the Quality of Life Board. Items of a major nature, i.e. items normally receiving staff review, analysis, or recommendation, shall be postponed until the subsequent regular or special Board meeting. Items of a minor nature may be included on the agenda at the discretion of the Quality of Life Board Chair, the Secretary, or the recording secretary.

L. Minutes and Record. The Quality of Life Board Secretary shall work with the Quality of Life Director and City Clerk to keep, or cause to be kept, a record of Board meetings, which, shall at a minimum include an indication of the following:

1. Copy of the meeting posting pursuant to P.A. 267 of 1976, as amended, being the Michigan Open Meetings Act, M.C.L. 15.261 et seq.
2. Copy of the minutes and all its attachments which shall include a summary of the meeting in chronological sequence of occurrence.
3. Records of any action, support documents, maps, site plans, photographs, correspondence received, shall be attached as an appendix to the minutes. Quality of Life Board records related to minutes, master plans, and other records of decisions, Board publications and all correspondence related to the foregoing, shall be permanently kept.

ARTICLE V: ADOPTION, REPEAL, AND AMENDMENTS

- A. These Bylaws shall become effective immediately upon their adoption by the Quality of Life Board and all previous Bylaws are hereby repealed.
- B. These Bylaws may be amended at any regular or special meeting by the affirmative vote of a majority of the total number of seats for members of the Board, regardless if vacancies exist or not,

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provided, that all members shall have been furnished a copy of the proposed amendment at least three days prior to that meeting.

Adopted by the Quality of Life Board on this the 19th day of February, 2019.

Amended March 19th, 2019

Mary Maxey ,Chair

,Secretary