

CHAPTER 2
COMMON COUNCIL

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2.01 COMPOSITION. (1) The Mayor and 4 Alderpersons shall constitute the Council. See sec. 1.02 of this Code.

(2) The Mayor shall be the chief executive officer of the City. He shall have the powers and duties prescribed in Ch. 62, Wis. Stats., and applicable sections of the Wisconsin Statutes.

(3) The regular terms of office of the Mayor and the Alderpersons shall commence on the third Tuesday of April in the year of their election.

(4) The Council shall be the judge of the election and qualification of its members, may compel their attendance, and may fine or expel members for neglect of duty. (See §62.11(3), Wis. Stats.)

(5) The Council shall adopt the proper rules of procedure as necessary and shall have such duties and powers as are provided by State law and this Code.

(6) At its first meeting subsequent to the regular election and qualification of new members, the Council shall, after organization, choose from its members a President, who, in the absence of the Mayor, shall preside at meetings of the Council and, during the absence or inability of the Mayor, shall have the powers and duties of the Mayor, except that he shall not have power to approve an act of the Council which the Mayor has disapproved by filing objections with the City Clerk. He shall, when so officiating, be styled "acting mayor."

(7) At its first meeting subsequent to the regular election and qualification of new members and at any time that the Council deems it necessary or convenient to provide for the continuity of City government, the Council may, after the selection of a President pursuant to sub. (6) above, select a vice president who, in the absence of the Mayor and the President, shall preside at meetings of the Council and, during the absence or inability of the Mayor and the President, shall have the powers and duties of the Mayor, except as provided in sub. (6) above, and he shall be styled, while so serving, as the "acting mayor."

2.02 COUNCIL MEETINGS. (1) **REGULAR MEETINGS.** The regular meetings of the Council shall be held in the Council room in the City Hall on the second and last Mondays of each month at 7:00 P.M., except that when the day for holding any regular meeting shall be a legal holiday, the regular meeting shall be held on the next following secular day at the same place and hour unless otherwise determined by the Council.

(2) **SPECIAL MEETINGS.** (a) Special meetings of the Council may be called by the Mayor or, in his absence, the President of the Council, at such time as he may appoint, by written notice of the purpose and time thereof to each member delivered to him personally or left at his usual place of abode, at least 6 hours before the meeting.

(b) Upon petition of 2 or more Alderpersons, the Mayor or, in his absence, the President of the Council shall call a special meeting of the Council.

(c) In addition to all other notice requirements, the requirements of sub. (3) below shall be complied with.

(3) **OPEN MEETINGS.** Except as provided in §19.85, Wis. Stats., all meetings of the Council or of any City board, commission, committee or otherwise designated formally constituted subunit of City government shall be open sessions as defined by §19.82, Wis. Stats. Pur-

suant to §19.84, Wis. Stats., notice of all meetings shall be given as to time, place and subject matter not less than 24 hours prior to the commencement of such meetings unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no event less than 2 hours in advance of the meeting. In addition, such notice shall be posted for a like period on the City Hall bulletin board. The subject matter of all closed sessions shall be announced by the Mayor and a roll call vote taken on the motion to go into closed session so as to comply with the requirements of §19.85, Wis. Stats.

(4) **ADJOURNMENTS.** Any regular or special meeting may be adjourned by a majority vote of the members present. No adjournment shall be made to a time later than the next regular meeting.

2.03 CONDUCT OF MEETINGS. (1) **CALL TO ORDER.** The Mayor or, in his absence, the President of the Council shall promptly call each meeting of the Council to order at the hour fixed for the holding of such meeting. In case of the absence of the Mayor and the President, the City Clerk shall call the meeting to order and the Alderpersons present shall elect one of their number president pro tern. In the absence of the Clerk, the Mayor shall appoint a clerk for that meeting. /

(2) **ROLL CALL.** After the presiding officer calls the meeting to order, the City Clerk shall call the roll.

(3) **ORDER OF BUSINESS.** At all meetings, the following order shall be observed in disposing of business before the Council unless otherwise provided in the agenda:

- (a) Call to order
- (b) Roll call
- (c) Approval of previous minutes
- (d) Citizens' comments; 10 minute limit, except by consent of Council
- (e) Reports of committees, commissions and boards
- (f) Approval of claims
- (g) Unfinished business
- (h) New business, including introduction of ordinances
- (i) Reports of City officials
- (j) Communications and miscellaneous business
- (k) Adjournment

(4) **BUSINESS TAKEN IN ORDER; EXCEPTION.** No business shall be taken up out of said order except by either unanimous consent and without debate or by 2/3 vote under suspension of the rules as provided in sec. 2.04(11) of this chapter.

2.04 STANDING RULES. The standing rules for the government of the Council shall be as follows:

(1) **PRESIDING OFFICER.** The Mayor, at the stated hour, shall call the meeting to order. He shall preserve order and decorum, decide all questions of order and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, Revised unless otherwise provided by statute or these rules. Any member shall have the right to appeal from a decision of the presiding officer. No appeal shall be debatable and the appeal may be sustained by a majority of the members present, exclusive of the Mayor.

(2) **IN ABSENCE OF MAYOR.** If the Mayor is absent at the designated time for any meeting, the President of the Council or, in his absence, the City Clerk shall call the meeting to order and preside.

(3) **PRESIDING OFFICER MAY VACATE CHAIR.** Whenever the presiding officer shall desire to speak upon any question or to make any motion, he shall vacate the chair and designate an Alderperson to preside temporarily.

(4) **QUORUM; VOTING.** (a) Three members of the Council shall be a quorum. A lesser number than a quorum may compel the attendance of absent members and may adjourn. A majority of all the members present shall be necessary to a confirmation on all questions. In case of a tie, the Mayor shall have a vote. When the Mayor does vote in case of a tie, his vote shall be counted in determining whether a sufficient number of the Council has voted favorably or unfavorably on any measure. The Mayor shall not be counted in determining whether a quorum is present at a meeting. (See §62.11, Wis. Stats.)

(b) Unless approved by unanimous consent of the members, the ayes and noes shall be taken and recorded by roll call upon all questions before the Council. It shall not be in order for any member to explain his vote during such call. On confirmation and on the adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the City, or any fund thereof, the vote shall be by ayes and noes.

(c) All ordinances, rules, resolutions and motions shall be passed by an affirmative vote of a majority of the members of the Council present unless an extraordinary vote is otherwise required.

(d) The Mayor shall have the veto power as to all acts of the Council, except such as to which it is expressly or by necessary implication otherwise provided by Wisconsin law. All acts of the Council shall be submitted to the Mayor by the City Clerk and shall be enforced upon approval evidenced by the Mayor's signature or upon failing to approve or disapprove within 5 days, which fact shall be certified thereon by the Clerk. If the Mayor disapproves, the Mayor's objection shall be filed with the Clerk, who shall present them to the Council at the next meeting. A 2/3 vote of all the members of the Council shall then be required to make the act effective notwithstanding the objections of the Mayor. If the last day for exercising a veto falls on a Sunday or a holiday, the Mayor may exercise a veto on the next succeeding secular day.

(5) **ORDINANCES AND RESOLUTIONS REFERRED TO COMMITTEE.** All ordinances, resolutions, communications and other matters submitted to the Council shall be read by title and author and may be referred to the appropriate committee by the Mayor. The City Clerk shall read and record each such reference by title. Any Alderperson may require the reading in full of any matter at any time it is before the Council. All bills and other financial claims against the City shall, upon receipt thereof, be immediately referred by the Clerk to the Finance Committee for report thereon at the ensuing meeting of the Council.

(6) **COMMITTEE REPORTS.** Each committee shall, at the next regular meeting, submit a written or oral report on all matters referred to it unless a longer time be granted by vote of the Council, and such report shall be entered in the proceedings. Such report shall recommend a definite action by the Council on each item, shall be signed by a majority of the committee, and shall be filed with the City Clerk prior to each meeting. Minority reports may be submitted. Previous notice of each committee meeting shall be filed with the Clerk and each meeting shall be open to the public. Any committee may require any City officer to confer with it and supply information needed in connection with any matter pending before the committee.

(7) **VOTE ON COMMITTEE REPORT** An aye and nay vote shall be taken on each committee report immediately following its submission, provided that any Alderperson require a separate vote on any ordinance, resolution or other matter in any report. Action upon a specific matter included in any committee report shall be deferred until the next regular meeting following the submission of the report upon the request of any 2 Alderpersons. The approval of a committee report in which the adoption of an ordinance or resolution is recommended shall comprise final action on such ordinance or resolution, and likewise for other actions recommended by the committee on any matter.

(8) **APPROPRIATIONS.** All ordinances or resolutions appropriating money or creating any charge against the City other than the payment of claims for purchases or work previously authorized by the Council shall only be acted upon by the Council at the next regular meeting, provided that this provision may be suspended by affirmative action by 3/4 of all members of the Council. A roll call vote shall be taken and recorded on all appropriations.

(9) **RECONSIDERATION OF QUESTION.** Any member voting in the majority may move for a reconsideration of the vote of any question at that meeting or at the succeeding regular meeting. A motion to reconsider being put and lost shall not be renewed. An Alderperson may not change his vote on any question after the result has been announced.

(10) **ROBERT'S RULES OF ORDER TO GOVERN.** In the absence of a special ordinance or State Statute, the Council shall be governed by Robert's Rules of Order, Revised.

(11) **SUSPENSION OF RULES.** These rules or any part thereof may be temporarily suspended in connection with any matter under consideration by a recorded vote of 2/3 of the members present.

2.05 DELIBERATIONS OF COUNCIL. The deliberations of the Council shall be conducted in the following manner:

(1) No Alderperson shall address the Council until he has been recognized by the presiding officer. He shall thereupon address himself to the presiding officer and confine his remarks to the question under discussion and avoid all personalities.

(2) When 2 or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.

(3) No person other than a member shall address the Council, except by vote of a majority of the members present.

(4) No motion shall be discussed or acted upon un^{less} and until it has been seconded unless the rules permit one Alderperson to initiate action. No motion shall be withdrawn or amended without the consent of the person making the same and the person seconding it.

(5) When a question is under discussion, no action shall be in order, except:

- (a) To adjourn.
- (b) To lay on the table.
- (c) The previous question.
- (d) To postpone to a certain day.
- (e) To refer to a committee.
- (f) To amend.

- (g) To postpone indefinitely.

These motions shall have precedence in the order listed.

(6) Any member desirous of terminating the debate may move the previous question, in which event the presiding officer shall announce the question as “Shall the main question now be put?” If a majority of the members present vote in the affirmative, the main question shall be taken without further debate, its effect being to put an end to all debate and bring the Council to a direct vote, first upon any pending amendments and then upon the main question.

(7) Any Alderperson may demand an aye and nay vote on any matter and such vote shall be entered in the proceedings. Every member shall vote when a question is put unless the Council, by a majority vote of those present, shall excuse a member for special cause. A majority vote of all members of the Council in favor of any proposed ordinance, resolution or appointment shall be necessary for passage or approval unless a larger number is required by statute. Except as otherwise provided, a majority vote of those present shall prevail in other cases.

(8) A motion to adjourn shall always be in order, and a motion to adjourn, to lay on the table, and a call for the previous question shall be decided without debate.

2.06 STANDING COMMITTEES. Each committee shall consist of 3 members, except the Finance Committee which shall consist of 4 members in addition to the Mayor. The Chairpersons of committees shall be designated by the Mayor. Each member shall serve as appointed unless excused by a majority of the members of the Council. The Mayor shall be an ex officio member of the Finance Committee.

- (1) Finance Committee (includes licenses and permits, employe relations)
- (2) Public Works Committee (includes streets, sewer, water and lighting)
- (3) Public Safety Committee (includes police, fire, building and zoning)

2.07 SPECIAL COMMITTEES. In addition to the standing committees, special committees may be appointed, from time to time, to deal with special matters of interest to the City. All such committees shall be appointed by the Mayor unless otherwise directed by the Council.