

# Chapter 2

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## THE GOVERNING BODY

- 2.01 The Common Council
- 2.02 Meetings
- 2.03 Presiding Officer
- 2.04 Clerk Pro Tem
- 2.05 Roll Call; Quorum
- 2.06 Order of Business
- 2.07 Conduct of Deliberations and Voting
- 2.08 Vote Change; Reconsideration of Question
- 2.09 [Reserved for Future Use]
- 2.10 Disturbances and Disorderly Conduct
- 2.11 Appropriations and Accounts
- 2.12 Standing Committees
- 2.13 Publication and Effective Date of Ordinances
- 2.14 Amendment of Rules
- 2.15 Suspension of Rules

## 2.01 The Common Council

The governing body is the Common Council. See Section 1.10(2)(b).

## 2.02 Meetings

### (1) Regular Meetings -

Regular meetings of the Common Council shall be held on the first and third Monday of each calendar month, at 7:30 p.m. Any regular meeting falling on a legal holiday shall be held on the next day at the same hour and place. All meetings of the Council, including special and adjourned meetings, shall be held in the City Hall.

### (2) Special Meetings -

Special meetings of the Common Council may be called by the Mayor or any two (2) members in writing filed with the Clerk at least twenty-four (24) hours prior to the time specified for such meeting. The Clerk shall immediately notify each member of the time and purpose of such meeting by causing a written notice thereof to be delivered to each member personally, if the person can be found, or, if not, then by leaving a copy of such notice at the home of such member and faxing and/or emailing the notice to the member. The Clerk shall cause an affidavit showing service of such notice as herein provided to be filed in his office prior to the time fixed for such special meeting. Special meetings may be held without such notice when all members of the City Council are present in person or consent in writing to the holding of such meeting, such written consent to be filed with the Clerk prior to the beginning of the meeting. Any special meeting attended by all the members shall be a regular meeting for the transaction of any business that may come before such meeting.

### (3) Adjournments -

The Council may, by a majority vote of those present, but not less than three (3) affirmative votes, adjourn from time to time to a specific date and hour.

### (4) Meetings to Be Public -

All meetings of the Common Council and subunits thereof shall be open to the public as provided in Subchapter V of Chapter 19, Wisconsin Statute § 19.81-19.98. Public notice of all such meetings shall be given as provided in Wisconsin Statute § 19.84.

## 2.03 Presiding Officer

### (1) Designated -

The Mayor shall preside. In the absence of the Mayor, the President of the Council shall preside. In the absence of both the Mayor and the President, the Clerk shall call the meeting to order and preside until the members present elect one of their number acting presiding officer for that meeting.

### (2) Duties -

The presiding officer 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, Newly Revised, unless otherwise provided by statute or by these rules.

- (3) Decisions, Appeals from -

Any member may appeal from a decision of the presiding officer. An appeal shall be sustained by a two-thirds (2/3) vote of the Council.

- (4) The mayor may appeal from a decision of the presiding officer. An appeal shall be sustained by a two-thirds (2/3) vote of the members present.

- (5) Veto -

The mayor may veto acts of the Council as permitted by law. The Council may override the mayor's veto by a two-thirds (2/3) vote of all its members.

## 2.04 Clerk Pro Tem

In the absence of the Clerk, the Deputy Clerk shall temporarily act as Clerk.

## 2.05 Roll Call; Quorum

- (1) Roll Call; Procedure When Quorum Not In Attendance -

As soon as the Council is called to order, the Clerk shall proceed to call the names of the members, noting who are present and who are absent, and record the same in the proceedings of the Council. If there is not a quorum present, the fact shall be entered on the journal and the Council may adjourn; **OR**, the presiding officer may issue a process to any constable or policeman commanding that the absentees be summoned forthwith.

- (2) Quorum Required; Definition -

A quorum is necessary for the transaction of any Council business. Two-thirds of all members of the Council, excluding the Mayor, shall constitute a quorum.

## 2.06 Order of Business

- (1) Call to Order -

- (2) Roll Call -

If a quorum is not present, the meeting may thereupon be adjourned, pursuant to Section 2.02(3), or the absentees may be summoned as provided by Section 2.05(1).

- (3) Reading the minutes of the preceding meeting, unless such minutes have previously been mailed to all aldermen, and approving the same, if correct, or rectifying mistakes, if any exist.

- (4) Public appearances.

- (5) Unfinished business from the previous meeting.

- (6) New business, including the introduction of ordinances and resolutions.

- (7) Reports of City officials.
- (8) Communications and miscellaneous business.

## 2.07 Conduct of Deliberations and Voting

The deliberations and voting of the Council shall be conducted in the following manner:

- (1) When two (2) or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
- (2) Except as provided by Section 2.06(4), no person other than a member shall address the Council, except by vote of a majority of the members present.
- (3) No motion shall be discussed or acted upon until it has been seconded unless the rules permit one member to initiate action. No motion shall be withdrawn without the consent of the person making the same and the person seconding it.
- (4) When a question is under discussion, no action shall be in order except the following motions, which shall have precedence in the order listed:
  - (a) To adjourn;
  - (b) To lay on the table;
  - (c) To move the previous question;
  - (d) To postpone to a certain day;
  - (e) To refer to a committee;
  - (f) To amend; or,
  - (g) To postpone indefinitely.
- (5) Any member desiring to terminate 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.
- (6) Any member 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, excuses the 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 law. In all other cases, a majority of the votes cast shall be necessary for Council action, provided a quorum has voted.

(7) Tie Vote -

The mayor shall not vote except in the case of a tie. When the mayor does vote in the case of a tie, his or her vote shall be counted in determining whether a sufficient number of the Council has voted favorably or unfavorably on any measure.

(8) Abstentions -

(a) A member shall not vote on any proposed ordinance, order, resolution or proposition in which he or she has a direct pecuniary or personal interest not common to other members of the Council.

(b) A member who is required by law to abstain from voting on any particular matter shall not be counted for determining:

1. The number of members present if passage of that measure requires a favorable vote by a majority or other fractional vote (i.e., 2/3 or 3/4) of the members present; or
2. The presence of a quorum for purposes of that particular vote.

(9) A motion to adjourn shall always be in order.

(10) A motion to adjourn or to lay on the table and a call for the previous question shall be decided without debate.

## **2.08 Vote Change; Reconsideration of Question**

Any member who voted with the prevailing side on any question may move for a reconsideration of the vote immediately after the vote or at the next succeeding regular Council meeting. A motion to reconsider being put and lost shall not be renewed.

## **2.09 [Reserved for Future Use]**

## **2.10 Disturbances and Disorderly Conduct**

Whenever any disturbance or disorderly conduct occurs in any meeting of the Council, the presiding officer may cause the room to be cleared of all persons guilty of such disorderly conduct except the members. If any member is guilty of disorderly conduct, the presiding officer may order the police to take that person into custody for the time being or until the meeting adjourns. Such member may appeal from such order to the Council as in other cases.

## **2.11 Appropriations and Accounts**

All demands or accounts shall be acted upon at the time of presentation unless one or more members demand a reference.

## **2.12 Standing Committees**

Standing committees shall be appointed by the Mayor, subject to the approval of a majority of the members of the Council, at the first regular meeting in May of each year.

### **2.13 Publication and Effective Date of Ordinances**

(1) Publication -

All general ordinances of the City and all regulations imposing a penalty shall be published in the official paper of the City once as a Class 1 notice within fifteen (15) days after passage, and shall be immediately recorded with the Affidavit of Publication by the City Clerk in a book kept for that purpose. A printed copy of such ordinance or resolution in any book, pamphlet or news paper and published, or purporting to be published therein by direction of the Council, shall be prima facie proof of due passage, publication and recording thereof.

(2) Effective Date -

Unless otherwise provided, all ordinances shall be in force upon approval by the Mayor pursuant to Wisconsin Statute § 62.09(8)(c), effective as of the date of publication; published copies thereof shall have appended the date of first publication.

### **2.14 Amendment of Rules**

These rules shall not be rescinded or amended unless the proposed amendment or motion to rescind has laid over from a regular meeting and then it shall require a vote of two-thirds (2/3) of all the members of the Council.

### **2.15 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 two-thirds (2/3) of the members present.