

CHAPTER 2

THE COMMON COUNCIL

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2.01 **COUNCIL MEETINGS.**

(1) **REGULAR MEETINGS.** The regular meetings of the Council shall be held on the first and third Tuesday of each month at 7:30 P.M. Following a regular City election, the new Council shall first meet on the third Tuesday in April. One of the regular monthly meetings of the Council may be cancelled or rescheduled each month to some other date and time upon 15 days written notice by the Mayor to the Clerk, for good cause, or upon one day notice, in an emergency. Where a regular meeting day falls upon a legal holiday or on a day when an election to public office is conducted in the City, the Mayor shall cause such meeting to be rescheduled.

(2) **SPECIAL MEETINGS.** The Mayor may call a special meeting at any time by a written notice to each member of the Council, delivered personally to the alderman or left at the usual abode at least six hours before the time set for the meeting. Upon a petition filed with the City Clerk, containing the signatures of at least one-third of the members of the Council, a special meeting shall be called and notice given as provided herein. Such notice shall specify the object of the meeting and the business to be transacted, and no business may be transacted at a special meeting except that for which the meeting was called.

(3) **CALL TO ORDER.** The Mayor or President of the Council, in the Mayor's absence, shall promptly call each meeting of the Council to order at the appointed time. If the Mayor and President are absent, the Vice President of the Council shall preside. If all three of these officers are absent, the Clerk shall call the Council to order; thereupon the Council shall elect one of its members President pro tem.

(4) **ADJOURNMENTS.** Any regular meeting may be adjourned by the Council.

2.02 **ORDER OF BUSINESS.** The following order of business shall be observed:

- (1) Roll call.
- (2) Reading and correcting the minutes of the last preceding meeting.
- (3) Petitions and communications.
- (4) Appointments and public hearings.
- (5) Reports of standing committees.
- (6) Reports of special committees.
- (7) Resolutions.
- (8) Ordinances.
- (9) Adjournment.

2.03 STANDING COMMITTEES.

(1) APPOINTMENT OF. All committees shall be appointed by the Mayor, subject to confirmation by the Council, unless otherwise directed by the Council, and all standing committees shall be appointed at the first meeting after election. Each standing committee shall elect its chairman and vice chairman, without confirmation by the Common Council.

(2) PRESIDENT AND VICE PRESIDENT EX-OFFICIO MEMBERS. (Cr. GO 35-94; Amd. GO 40-06) For purposes of establishing a quorum only, the Council President and Vice President shall be ex-officio members of all standing committees. The Council President shall be allowed to appoint another Council member, if the Vice President is not available, to sit in for an absent Council member on a standing committee if there is danger of not having a quorum. Further, on the date of a meeting, the acting chair of the committee may ask the most-senior Council member present to fill in for purposes of a quorum.

2.04 STANDING COMMITTEES; MATTERS REFERRED. The following are standing committees of the Council, and each alderman shall be appointed to at least one committee other than the Advisory Committee:

(1) FINANCE. Public finance, public property, appropriations, insurance, purchasing.

(2) IMPROVEMENT AND SERVICES. (Amd. GO 49-98) Streets, bridges, sanitation, harbors, utilities, and parking.

(3) PROTECTION AND WELFARE. Fire, police, safety, health, licenses, and permits.

(4) PERSONNEL. City personnel, labor, wage negotiations.

(5) PARK COMMITTEE. The Park Committee shall exercise the duties and authority vested in a city park board by the Wisconsin Statutes, except §27.10(4), Wis. Stats., Special Assessments for Parks.

(6) ADVISORY COMMITTEE. The Advisory Committee shall consist of the chairman of each standing committee of the Council referred to in this section, the President of the Council, who shall be the chairman, and the Vice President of the Council.

2.05 COMMITTEE MEETINGS, TIME OF. No meeting of the Advisory Committee of the Council and no special meeting of a standing committee shall be validly constituted unless prior notice of the meeting has been given to the City Clerk in compliance with the State Open Meeting law.

(1) Committees shall determine the day and hour of their meetings and advise the City Clerk.

(2) The Advisory Committee of the Council shall meet at the call of the Chairman or by a petition signed by three members of the Committee; notice of the meeting to be given to Council members not less than 72 hours before the meeting. Meetings of the Advisory Committee shall not be called at the same time as the regularly scheduled meetings of standing committees of the Council or regular or special Council meetings.

2.06 RULES OF COUNCIL PROCEDURE.

(1) **ROBERT'S RULES OF ORDER, NEWLY REVISED.** The rules of parliamentary practice comprised in "Robert's Rules of Order, Newly Revised" shall govern the Council in all cases in which they are applicable, except when they are inconsistent with State laws or rules contained in this chapter.

(2) **MOTIONS.** No motion shall be discussed or acted upon unless and until it has been seconded. No motion shall be withdrawn without the consent of the person making the same.

(3) **ACTIONS ON MOTIONS.** When a question is under discussion, no motion shall be in order, except (1) to adjourn, (2) to recess, (3) to lay on the table, (4) to move the previous question, (5) to postpone to a certain day, (6) to refer to a committee, (7) to amend, (8) to postpone indefinitely. These motions shall have precedence in the order listed. Motions (1) through (4) shall be decided without debate.

(4) **MATTERS OTHER THAN MOTIONS.** All matters, except motions, presented to the Council for its consideration shall be in writing. All petitions and communications from aldermen shall be filed with the City Clerk by noon of the day before the Council meeting.

(5) **ENDING DEBATE.** Any member wishing to terminate the debate may move the previous question, in which event the Mayor shall announce the question as, "Shall the main question now be put?" If two-thirds 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 to bring the Council to a direct vote, first upon any pending amendments and then upon the main question.

(6) **VOTING.** Every alderman shall vote when a question is put unless the Council, by a majority vote of those present, shall excuse the alderman for special cause. An alderman may not change his or her vote on any question after the result has been announced. Vote by ballot shall be permitted only when requested by a Council meeting and approved by a simple majority.

(7) **RECONSIDERATION.** Motions for reconsideration shall conform to "Robert's Rules of Order, Newly Revised", except appointments of City officers shall not be subject to reconsideration whether confirmed or rejected by the Council.

(8) **READING OF ORDINANCES.** All ordinances shall have three readings unless the rule is suspended by a two-thirds vote of members present. However, no ordinance shall be passed at the meeting it is introduced, unless the rule is suspended by a unanimous vote of the members present.

(9) **REFERENCE TO COMMITTEES.** All communications, petitions, requests, and complaints shall be in writing and shall be referred to a committee before action is taken thereon by the Council.

(10) **ALDERMAN'S RIGHT TO ADDRESS COUNCIL.** (Amd. GO 27-09) No alderman shall address the Council until recognized by the presiding officer; shall thereupon address the chair, and confine remarks to the question under discussion and avoid all personalities. No alderman shall address another alderman unless first granted permission by the chair. An alderman shall not speak more than twice, for five minutes each time, on any subject under discussion unless permission is voted by two-thirds of the members present. Subject under discussion is considered to be each main motion and each subsidiary motion, such as a motion to postpone, amend, or refer.

(11) **RIGHTS OF OTHERS TO ADDRESS THE COUNCIL.** No person other than a member shall address the Council unless the rules are suspended, except under the order of business for that purpose. A City official may address the Council on the subject under discussion at any time when requested to do so by a member.

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

(13) **WHEN PRESIDING OFFICER MAY SPEAK ON QUESTION.** A presiding officer desiring to speak upon any question, or to make any motion, shall vacate the chair and designate the President of the Council, if present, and if not, any alderman, to preside temporarily.

(14) **COMMITTEE OF THE WHOLE.** The Mayor may declare the entire Council a committee of the whole for informal discussion at any meeting or for any other purpose, and shall ex officio be chairman of the same, provided there is no objection by any of the aldermen present at the meeting.

(15) **ACTION OF COUNCIL LEVYING TAXES OR CREATING LIABILITY.** Except upon the unanimous consent of all members present, no resolutions or measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the City or any fund thereof shall be adopted without first having been referred to a committee and the report thereon of such committee having been made to the Council, unless the resolution is one that carries into effect the action of the Council upon a committee report.

(16) **AMENDMENT OF RULES.** These rules may be amended or altered, or new rules adopted by a majority of all members-elect at any meeting of the Council, on the report of a committee to which the subject has been referred at a previous Council meeting.

(17) **SUSPENSION OF RULES.** A vote of two-thirds of the members present will suspend any rule of the Council, except where these rules require unanimous consent.

2.07 **PRESIDING OFFICER.** The Mayor shall preside at all meetings when present; if absent, the President of the Council shall preside. If the Mayor and President are absent, the Vice-President shall preside. If these officers are absent, the City Clerk shall call the meeting to order; thereupon the Council shall elect one of its own members President pro tem.

(1) **DUTIES.** The presiding officer shall call the meeting to order at the appointed time; shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules unless otherwise provided by statute or by these rules. Any member may appeal from a decision of the presiding officer. The appeal may be sustained by a majority of the members present, exclusive of the presiding officer.

2.08 **CLERK, DUTIES OF.** The Clerk, in addition to other duties, shall be present and keep correct minutes of the proceedings of each meeting of the Council and make a correct record of same, engross all ordinances and by-laws, and record the same in a book of ordinances, furnish the committee with copies of the resolutions and other matters that may be referred to them (unless the original papers are furnished) and do such other clerical duties as may be prescribed by the Council.

2.09 **PUBLICATION OF COUNCIL PROCEEDINGS.** The acts and proceedings of the Council at every general or special meeting thereof, including all reports filed and presented at such meeting, shall be published in the official City newspaper as provided by law.

2.10 **JURISDICTION.** The Common Council shall have jurisdiction over all City departments, boards, and where permitted by State law, commissions and utilities, including but not limited to the following items:

- (1) Tables of organization.
- (2) Changes in such tables.
- (3) Filling of all vacancies.
- (4) Job descriptions.
- (5) Labor contracts.
- (6) Salaries and increases for non-union personnel.
- (7) Fringe benefits for non-union personnel.
- (8) Leaves of absence and extended time off.
- (9) Travel and convention programs.
- (10) Selection of new employees.

The purpose of such jurisdiction is to reserve to the Common Council the exclusive right to establish policy regarding personnel matters; however, the administration of such policy is vested in the various departments heads, boards, and commissions as designated by the Common Council.