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# **RULES OF THE COMMON COUNCIL OF THE CITY OF RICHLAND CENTER**

## **RULE 1 MEETINGS**

**1 ORGANIZATIONAL MEETING** Following the spring election of each year, the Common Council shall meet on the third Tuesday of April for the purpose of organization.

**2 REGULAR MEETINGS** The regular meetings of the Common Council shall be held on the first Tuesday of each month at half past seven o'clock in the evening. This Rule shall not prohibit any adjourned meeting of any such regular meeting.

**3 SPECIAL MEETINGS** (a) The Mayor may call special meetings by written notice to each Council member, delivered to the members or left at their usual place of abode at least six (6) hours in advance of the meeting. The notice shall specify the time, place, and purpose of the meeting. Attendance at a Council meeting by any Council member constitutes a waiver of any defect of notice.

(b) As an alternative, the Mayor may call a special meeting at a regularly convened meeting of the Common Council if all members are present, in which case no additional notice to the members of the special meeting is required.

(c) As a second alternative, a special meeting may be called without formal notice to the members if all members consent in writing to the holding of such a meeting. If written consent is obtained, it shall be filed with the Clerk before or at the commencement of the meeting.

(d) Special meetings shall be deemed regular meetings for the purpose of transacting any business permitted by law.

(e) At special meetings of the Council, no business shall be transacted but that for which the meeting shall have been called, unless by unanimous consent and as permitted under the Wisconsin Open Meeting Law.

## **RULE 2 QUORUM REQUIRED**

A quorum is required for the transaction of any Council business. Two-thirds (2/3) of the members of the Council, excluding the Mayor, shall constitute a quorum.

## **RULE 3 CALL TO ORDER**

The presiding officer shall take the chair at the hour appointed for the Council to meet and shall immediately call the members to order, and may at the instance of any member order the attendance of any absentee.

## **RULE 4 ORDER OF BUSINESS**

The business of the Council shall be conducted in the following order:

(a) Call to order by the presiding officer

(b) Roll call

(c) Reading of the minutes of the preceding meeting. The minutes of the last meeting shall be either approved or, in the event of mistake, such mistake shall be

corrected. Reading aloud of such minutes may be waived by the Council if copies of such minutes have been furnished to the members previous to such waiver.

(d) At each regular monthly meeting the Treasurer shall give his/her report as to the amount of money in the general treasury liable to appropriation during the fiscal year, and shall in addition furnish any other data requested by the Presiding Officer or by any member of the Council.

(e) Consideration of agenda items. Matters shall be taken up in the order in which they appear on the agenda, except that the presiding officer may bring up agenda items out of the order in which they appear on the agenda, subject to an appeal to the Council.

(f) Alderperson's reports.

(g) City departments, officers, and utilities reports.

(h) Mayor's comments and correspondence.

(I) Consideration of approval and payment of bills.

## **RULE 5 INTRODUCTION OF BUSINESS**

1 REQUIREMENTS FOR INTRODUCTION All ordinances, petitions, resolutions, or other communications shall be in writing, and shall have a brief statement of their contents endorsed upon them together with the name of the member presenting them. Prior to their consideration by the Council, they shall be filed with the Clerk. No matter shall be entertained unless the same is on the agenda. Every member presenting such an item at a Council meeting shall begin by giving a brief statement of the contents thereof, and, if requested by a member, it shall be read before any other action is taken thereon.

2 FILING Each proposed ordinance or resolution shall be filed with the Clerk at least 24 hours prior to that scheduled Council meeting at which the measure is to be introduced. The Council may nevertheless waive this pre-filing If it is impossible or impractical, and consideration of the measure by the Council shall constitute such a waiver.

## **RULE 6 PRESIDING OFFICER: POWERS AND DUTIES**

1 DESIGNATED The Mayor shall act as presiding officer at all meetings of the City Council. In the absence of the Mayor, the President of the Council shall call the members to order, and shall act as presiding officer. If both the Mayor and the President of the Council are absent, the Clerk/Treasurer shall call the Council to order and thereupon the Council shall elect a chairperson to act as presiding officer at such meeting.

2 DUTY OF PRESIDING OFFICER It shall be the duty of the presiding officer to preserve decorum, and if any member shall transgress the rules of the Council, the presiding officer shall, or any member may, call to order, in which case the member called to order shall immediately sit down and be silent unless permitted by the presiding officer to explain. Any member called to order may appeal the matter to the Council, which shall decide the matter.

3 EJECTION OF UNRULY PERSONS The presiding officer shall have the right to order the ejection of any member of the public who shall persistently speak out of order or otherwise act so as to disrupt a meeting of the Council.

4 QUESTION OF ORDER The presiding officer shall decide all questions of order subject to an appeal to the Council. The procedure on procedural appeals to the Council shall be as follows: any member who disagrees with an action or ruling of the presiding officer, for which an appeal to the Council shall lie pursuant to provisions of the Rules of the Council, may initiate an appeal by stating the fact of his/her disagreement and demanding determination by the Council as to whether the action of the presiding officer shall stand, or be reversed. The matter shall thereupon be forthwith voted upon by the Council, without debate. No action of the presiding officer shall be reversed unless two-thirds (2/3) of the members present shall vote for such reversal.

5 MEMBERS TO REMAIN IN CHAMBERS DURING MEETINGS No member shall leave the Council chambers after commencement of a meeting without permission of the presiding officer.

#### **RULE 7 PRESIDENT OF THE COUNCIL**

1 SELECTION The Council president shall be selected by a majority vote of all Council members at the annual organizational meeting conducted on the third Tuesday of April.

2 POWERS IN ABSENCE OF MAYOR During the Mayor's absence from the City or inability to serve, the Council president shall be acting mayor and shall be vested with the powers and duties of the Mayor, except that the Council president may not approve an act which the Mayor has vetoed. When presiding over the Council, the president retains his/her vote as an Alderperson and may not cast an additional vote in case of tie.

#### **RULE 8 VOTING**

1 CALL FOR QUESTION The presiding officer may suggest a vote on a question under discussion by the Council in these words: "Is the Council ready to vote on the matter under consideration?" Thereupon, any member may call for the question, which shall bring the matter to a vote. After the presiding officer has recognized a call for the question, until the question has been decided there shall be no further discussion before the vote.

2 FORM OF VOICE VOTE All questions on a voice vote shall be put to the Council in this form: "All those in favor of \_\_\_\_\_ signify by saying 'Aye'; those opposed say 'No'". When the outcome of a voice vote is uncertain, the presiding officer may direct or any member may call for a show of hands or a roll call vote.

3 MATTERS WHICH REQUIRE ROLL CALL VOTE Votes on the following matters shall always be by roll call vote:

- (a) Confirming appointments, which shall require a majority vote of all of the members.
- (b) Adopting any measure that assesses or levies taxes.
- (c) Appropriating or disbursing money.
- (d) Creating any liability or charge against the City or any fund of the City.

4 MATTERS WHICH REQUIRE VOTING BY BALLOT The election of all officers of the Council shall be by ballot.

5 ROLL CALL VOTE UPON DEMAND The “ayes and noes: by roll call vote shall be taken and recorded upon any question before the Council at the direction of the presiding officer or upon the demand of any member.

6 NO EXPLANATION OF VOTE DURING VOTING While the ayes and noes are being called, it shall not be in order for any member to explain his or her vote.

7 MAYOR’S VOTE The Mayor shall not be entitled to 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 the matter.

8 CHANGING VOTE A Council member may change his or her vote on a matter up to the time the result of the vote is announced.

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

(b) A Council 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 of the Alderpersons present.
2. The presence or absence of a quorum for purposes of that particular vote.

## **RULE 9 RECONSIDERATION OF QUESTION**

It shall be in order for any member who voted in the majority on any question, or for any member who voted in the negative when the Council was equally divided, to move a reconsideration of such vote at the same meeting of the Council. A similar motion to reconsider may be made at the next succeeding meeting of the Council, provided public notice of the subject matter of the reconsideration has been given

sufficient to comply with the Wisconsin Open Meeting Law. Only one motion to reconsider any vote may be made.

**RULE 10 RIGHT OF DISSENT AND PROTEST**

Any member shall have the liberty to dissent from and protest against any ordinance, resolution, motion, or order of the Common Council which he/she may think injurious to the public or any individual and to have the reason for his/her dissent entered on the journal. Such matter shall be stated immediately after the vote on such ordinance, resolution, or order, or the right to dissent and protest shall be deemed waived.

**RULE 11 MAYOR’S VETO**

The Mayor shall have the veto power as to all acts of the Council, except where is expressly or by necessary implication otherwise provided by Wisconsin Statutes. All acts of the council shall be submitted to the Mayor by the Clerk and shall be in force 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 an act of the Council the Mayor’s objections shall be filed with the Clerk, who shall present them to the Council at its next meeting. A two-thirds vote of all the members of the Council shall then make the act effective notwithstanding the objections of the Mayor. [sec. 62.09 (8) (c)].

**RULE 12 ORDINANCES**

1 LIMITATION AS TO SUBJECT MATTER No ordinance, other than a recodification of ordinances as pursuant to sec. 66.035 Wis. Stats., shall contain more than one subject, and the subject shall be clearly expressed in its title. No ordinance, or section thereof, shall be revised or amended unless the new ordinance contains the number of the ordinance or the section revised or amended.

2 PROCEDURE FOR ADOPTION OF ORDINANCES All proposed ordinances shall be read not less than 2 times before the Council votes on them. The first reading shall be at the time the proposed ordinance is introduced. The second reading shall be immediately prior to the Council’s actual vote on its adoption, which shall not be at the same meeting at which it was introduced. By adoption of a motion to suspend the rules, the Council may dispense with any required such reading.

3 PASSAGE OF ORDINANCES THE SAME DAY AS INTRODUCED No ordinance shall be passed on the same day that it was introduced unless the Council votes to suspend the rules and either:

1. Such ordinance shall have been read at length prior to a vote on its adoption, or
2. Written copies of the newly introduced ordinance have been furnished to the members of the Council prior to suspension of the rules.

## **RULE 13 COMMITTEES**

1 APPOINTMENT OF STANDING COMMITTEES The standing committees of the Council shall be appointed by the mayor at the annual organizational meeting on the third Tuesday in April. Such appointments shall then be confirmed by vote of the Council.

2 SPECIAL COMMITTEES The Council may provide for special committees from time to time as it deems necessary. Appointments to such special committees shall be made by the Mayor.

3 COMMITTEE OF THE WHOLE The Mayor may declare at any meeting the entire Council, a committee of the whole for informal discussion on any matter unless an Alderperson objects at such meeting. If an objection is made, the entire Council may not convene as committee of the whole unless a motion to so convene is adopted. Such a motion is not debatable. A majority vote is required to approve such a motion. The Mayor shall ex officio be the chairperson of the committee of the whole.

4 COMMITTEE REPORTS Each committee shall submit a written report to the Council on all matters referred to it or taken up by it. Such a report may be in the form of minutes of committee meetings. Committees, upon making their reports as to any matter previously referred to them, shall return to the Clerk any original petition, resolution, or other paper containing the subject matter so referred to the Clerk. All reports of standing committees or of special committees shall be noted in the Council's minutes and filed with the Clerk.

## **RULE 14 FINANCIAL MATTERS**

1 PROCEDURE FOR CERTIFICATION, AUDIT & PAYOUT OF FUNDS No account or other demand shall be allowed and directed to be paid until after it has been examined and certified to be correct by a committee of the Council and subsequently reported to and audited by the Council. However, payment of regular wages and salaries of officers and employees according to schedules adopted by the Council may be made by the Clerk without submission to the Council after ratification by the department head submitting them.

2 PAYOUT OF CONTINGENCY FUNDS No funds held in any contingency fund shall be paid out until the Council has either authorized such payment pursuant to (1) above or has authorized transfer of such funds from the contingency fund to a regular fund and approved a payout schedule.

## **RULE 15 MANNER OF FLOOR DELIBERATION BY MEMBERS**

1 RECOGNITION BY CHAIR No Alderperson shall address the Council until recognized by the presiding officer. When a member is about to speak to a question or make a motion, he or she shall respectfully address the presiding officer, who shall

determine and pronounce the name of the member entitled to the floor. The member shall confine himself or herself to the question under consideration and avoid irrelevancies or personal confrontation.

2 LIMIT ON SPEAKING TO A MATTER No member shall speak more than twice upon any question, nor for more than ten minutes at any one time without leave of two-thirds of the members present. The same rule shall be observed in committee of the whole.

3 PRECEDENCE OF MOTIONS When a question is before the Council, no motion shall be received, except:

1. A motion to adjourn;
2. A motion to recess;
3. A motion to lay the question on the table;
4. A call for a vote on the question;
5. A motion to amend;
6. A motion to postpone to a certain day;

Such motions shall have precedence in the order in which they appear above.

4 MOTION TO ADJOURN A motion to adjourn shall always be in order unless the Council is engaged in voting, and such a motion shall be decided without debate.

5 MAKING AND SECONDING MOTION PREREQUISITE TO ACTION No motion shall be discussed or acted upon until it has been seconded, unless these rules specifically permit one Alderperson to initiate action. When a motion is made and seconded, it shall be deemed to be in possession of the Council and shall be stated by the presiding officer or by the Clerk. If the motion was submitted in writing, it shall be delivered to the Clerk and read by the presiding officer or by the Clerk previous to debate.

6 RECORDING OF MOTIONS Every motion or proposition shall either be reduced to writing or written verbatim into the Clerk's minutes.

7 WITHDRAWAL OF MOTIONS No motion shall be withdrawn without the consent of the Alderperson making and seconding the motion.

8 AMENDMENT OF MOTIONS No motion shall be amended without the consent of the Alderperson making and seconding the motion.

9 DIVISION OF QUESTION INTO COMPONENTS Any member may call for a division of a question into component questions when such a division can reasonably be made.

10 FILLING IN BLANKS Where the question under consideration has blanks, the largest number, longest time, and highest sum in filling up blanks shall be first put to the Council.

**RULE 16 PRESIDING OFFICER'S POWER TO DESIGNATE PERSONS TO ADDRESS COUNCIL**

The presiding officer may at any time request or permit the Council to be addressed regarding any matter then under discussion by any person, including but not limited to City officials, department heads or employees; agents or representatives of any other branch of government; representatives of any quasi-governmental agency; representatives of any private contractor or consultant; or any other person deemed by the presiding officer to have special knowledge of the matter at hand or of municipal operation. Such presentation shall be for the purpose of explaining, clarifying, or otherwise assisting the Council in evaluating the merits or legality of the matter under consideration.

**RULE 17 PETITIONS FROM MEMBERS OF THE PUBLIC**

All petitions from members of the public shall be presented by the presiding officer or by a member in his place. Their contents shall then be briefly stated and such petitions may then be referred to an appropriate committee.

**RULE 18 ADDRESSING COUNCIL BY MEMBERS OF THE PUBLIC**

The presiding officer may allow any member of the public to address the Council at any time that an Alderperson could address the Council under these rules. The presiding officer shall have the right to limit the time any such person may speak, may limit the number of persons speaking, and may place any other restrictions upon such presentation as the presiding officer may deem appropriate. The presiding officer may summarily cut off the presentation of any such member of the public who violates any restriction so imposed, or who indulges in personal insults or other disrespectful or inappropriate behavior before the Council.

**RULE 19 SUSPENSION OF RULES**

These rules or any part of them may be suspended in connection with any matter under consideration by a roll call vote of two-thirds of the members present, except where such suspension would be contrary to any provision of the Wisconsin Statutes.

**RULE 20 AMENDMENT OF RULES**

By a roll call vote of two-thirds of the members of the Council these rules or any part of them may be amended.

**RULE 21 PRIOR RULES SUPERSEDED**

The foregoing standing rules supersede and replace all previous rules of the Council, and shall be in full force and effect from and after their adoption by the Council.