

City of Sheboygan Common Council Handbook

Introduction

This handbook is intended to provide Alderpersons, committee and board members, city employees, and members of the public with general rules of procedure and decorum during all formal meetings. These rules are intended for easy reference only and do not supersede current city ordinances or resolutions. The City of Sheboygan follows the rules of parliamentary procedure set forth in Robert's Rules of Order, Newly Revised, in all cases in which they are applicable and not inconsistent with the ordinances and regulations of the City.

The tone and structure of meetings is set by the chair of the body over which they preside and may vary from individual to individual. The Mayor and chairpersons are responsible for ensuring that debate and discussion is conducted appropriately, professionally, and within the rules of order. They enforce the observance of order and proper decorum between the entire membership and those present during any meeting. ~~The Mayor and chairpersons have discretionary authority to excuse non-members from the meeting whenever any disturbance or disorderly conduct occurs.~~

Alderpersons, commissioners, committee members, board members, officers, and City staff are expected to conform their conduct to the rules and expectations of this manual while attending any City meeting.

I. General Rules of Conduct.

The City adopts Roberts Rules of Order for decorum in debate to facilitate a smooth and orderly debate of issues. Alderpersons and members of committees, commissions, and boards shall conduct themselves in a professional and respectful manner while representing the City and should wait to be recognized by the Mayor or chairperson before speaking. Alderpersons shall not make disparaging statements during such meetings about each other; members of committees, commissions, and boards; elected or appointed officials; or staff. Alderpersons and members may not interrupt the chairperson, other members, or the public when speaking. Alderpersons shall refrain from attacking a member's motives, speaking adversely on a prior action not pending, and shall confine remarks to the merits of the pending questions. Personal electronic devices that make noise, such as phones and tablets, shall be set to "silent mode" while a meeting is in session.

II. Generally Used Rules of Order.

A public meeting shall not proceed unless a quorum is present. For committees, commissions, and boards, a quorum is a majority of the body's full membership. For Common Council, two-thirds of the members shall be a quorum. A member attending remotely counts toward a quorum but such member may not vote or participate in an item if the item requires a visual assessment of witness demeanor, physical evidence, or exhibits not previously viewed by the member when the member is unable to make that assessment virtually.

A. Rules of Order **for Members** During Common Council Meetings.

Alderpersons may only act on items posted on the agenda. Alderpersons shall speak only twice on a matter being debated or discussed except upon leave of the Common Council. Alderpersons may not act on items posted for discussion only. Certain items not posted on the agenda may be introduced as "Other Matters Authorized by Law," but no action may be taken on such matters other than to lie over to the next meeting or be referred to a committee.

The **consent agenda** deals with matters generally regarded as routine. However, any Alderperson may call a specific document for separate action after the motion is made to approve the agenda. If an Alderperson requires clarification about a document in the consent agenda, he or she may simply inquire without calling for separate action. Any Alderperson may request to pull forward any document out of the order of the agenda.

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Privilege of the floor during Common Council meetings is extended to the Mayor, the City Clerk, the City Attorney, the City Administrator, the Police Chief or such other police officer in attendance, the Finance Director/Treasurer, members of the Department of Engineering and Public Works, the Director of Planning and Development, and members of the media who are confining themselves to their professional duty. No other person is allowed on the Council floor except upon invitation of the Mayor or Common Council.

Only those people having privilege of the floor may address the Common Council. All others may address the Common Council pursuant to a motion to open the floor. An appropriate request to allow a person who has privilege of the floor to address the Common Council is, "Your Honor/Mayor, I request that Mr./Mrs. (state name) address the council." Only the Mayor may call the person forward. An appropriate motion to allow persons who do not have privilege of the floor is, "Your Honor/Mayor, I move to open the floor to (state name)."

Alderspersons may address the person having privilege of the floor or to whom the floor has been open with the Mayor's consent. Otherwise, Alderspersons may only address the Mayor. Thus, when speaking, they should refrain from addressing other Alderspersons, staff members, or the audience, and should face the Mayor. An appropriate request to address those individuals is: "Your Honor/Mayor, may I address Mr./Ms. (state name)?"

An Aldersperson may not engage in debate or become confrontational with individuals having privilege of the floor or to whom the floor has been open. At all other times, Alderspersons must address the Mayor or other presiding officer, not each other or the public.

A motion to amend or a motion to amend the amendment that will totally alter the nature of the original ordinance or resolution is considered out of order as not being "germane." To be germane, an amendment must in some way involve the same question that is raised by the motion to which it is applied. The Mayor or presiding officer of the Common Council shall rule in the first instance as to the admissibility of the amendment in question.

No Aldersperson may cross the floor or leave the council chamber while the Mayor or presiding officer is addressing the Common Council or submitting a question. (See Sec. 2-180, Sheboygan Municipal Code.)

When an Aldersperson is called to order, he or she shall not speak except in explanation until it shall have been determined that the Aldersperson is in order. (See Sec. 2-183, Sheboygan Municipal Code.)

Any action under consideration by the Common Council, at the request of three Alderspersons, shall be deferred to the next Common Council meeting to be held no sooner than one week following. The same action may not be deferred a second time or laid over. (See Sec. 2-81, Sheboygan Municipal Code.)

Whenever any disturbance or disorderly conduct occurs in the council chambers, or rooms or halls adjacent to the council chambers, the Mayor or presiding officer ~~has the power, with the aid of the Police Chief or police officers in attendance, to cause the chambers, rooms or halls to be cleared of all persons or all disorderly persons except the Alderspersons or officers of the common council. (See Sec. 2-39(a), Sheboygan Municipal Code.)~~ may call for a brief recess during which members exit the meeting arena temporarily. During such recess, no City business shall be discussed. Alternatively, the presiding officer may request a disorderly person be escorted from the meeting arena.

B. Rules of Order For Members During Committee Meetings.

Members may speak only when recognized by the Chairperson. There is no limit on how many times a member may speak in general or on an item unless the Chairperson sets one. Members may not interrupt the Chairperson, other members, or the public who are speaking.

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Items on the agenda may be pulled forward at the request of a member with the consent of the Chairperson.

Committee members may request that an **discussion** item be placed on an agenda by timely communicating such request to the Committee Chair and Committee Clerk.

III. Commissions, Committees, and Board Proceedings.

The Common Council has three standing committees: the Finance and Personnel Committee; the Public Works Committee; and the Licensing, Hearings, and Public Safety Committee. Committee members, chairpersons, and vice-chairpersons are appointed by the Mayor and confirmed by the Common Council. The Common Council may create special committees on motion or by resolution as the Common Council deems appropriate.

Standing Committees will meet the 2nd and 4th Mondays in Council Chambers. ~~Licensing, Hearings, and Public Safety will meet at 4:30 p.m.; Public Works at 5:00 p.m.; and Finance and Personnel at 6:00 p.m.~~ If a committee anticipates needing more than the allotted time, they are encouraged to schedule a special meeting on a different evening **or schedule such meeting as the last committee meeting of the evening.** Any standing committee or special committee may appoint a subcommittee from its membership.

The Committee of the Whole is comprised of all Alderpersons. The Mayor is not a member of the Committee of the Whole. Meetings are called as needed and serve the purpose of deliberation. The Committee of the Whole does not approve or disapprove of any matter before it; it simply makes a recommendation to the Common Council.

A member of the City Attorney's Office will generally be at all Common Council, Standing Committee, and Committee of the Whole meetings. Members or staff anticipating a need for legal services during special committees, commissions, or boards should contact the City Attorney prior to such meeting to request attendance. **To ensure that relevant staff are present to address the question and prepared to speak on the matter, members are encouraged, when practicable, to raise questions or concerns with the City Administrator, City Attorney, or relevant department head prior to a meeting**

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Each committee is assigned a Committee Clerk responsible for the committee’s administrative work such as creating agendas in consultation with the committee chair, timely notice and publication of agendas, communicating with committee members and the public, as needed, developing and publishing meeting minutes, filing meeting minutes after meeting completion. The Committee Clerk shall be the following positions or their designees:

Common Council	City Clerk
Committee of the Whole	City Clerk
Board of Review	City Clerk
Board of Canvassers	City Clerk
Finance and Personnel	Finance Director
Licensing, Hearings & Public Safety	City Attorney
Public Works	Public Works Director
Marina Parks and Forestry	Public Works Director
Redevelopment Authority	Planning Director
Board of License Examiners	Planning Director
Plan Commission	Planning Director
Historic Preservation	Planning Director
Joint Review Board	Planning Director
Zoning Board of Appeals	Planning Director
Police and Fire Commission	Human Resources Director
Senior Services Commission	Uptown Social Director
Mayor’s International Committee	Mayor
Mayor’s Youth Advisory Council	Mayor
Pet Friendly Task Group	Mayor
Sustainability Sheboygan Task Force	Mayor

Public comment is welcomed during committee, board, and commission meetings on topics properly noticed on the body’s agenda. Speaker time limitations or speaker limitations shall be set by the Committee Chair and stated prior to commencement of the public comment period.

IV. Council Document Process.

Any item desired to be considered by the Common Council shall originate in a committee, except in cases of emergency or time-sensitivity. Whenever an Alder wishes to bring a matter forward for discussion or action, the Alder shall submit a request to the Mayor who will refer approved matters to the City Administrator for review and assignment to the relevant department head for development. The assigned department head will submit the matter to the City Attorney for final review before it is added to an agenda. Matters are established and conducted in accordance with Robert’s Rules and the applicable state law. All ordinances shall be drafted or reviewed and approved for form and substance by the City Attorney’s Office. All other documents relating to an item shall be drafted and submitted to the City Attorney’s Office by noon on the Monday preceding the meeting for confirmation that the document conforms with legal requirements and City expectations; and to the **Committee City** Clerk by noon on the Wednesday preceding the meeting, who shall supply such items to the relevant Committee Clerk by noon on the Thursday preceding the meeting. The Committee Clerk shall communicate all proposed agenda items with the Committee Chair and Vice Chair and shall ensure timely completion and publication of the agenda. Committees will consider and discuss each agenda item and make a recommendation for Common Council’s consideration.

V. Commonly Used Documents.

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The following documents are received or acted upon by the Common Council, committees, commissions, and boards when included with an agenda. Such documents should include a cover sheet or memo using a standardized template wherein supplemental information is provided.

Resolutions: The Common Council conducts general business through resolutions, which are generally less permanent enactments than ordinances. Resolutions may direct or authorize the appropriate city officials to act on matters approved by the Common Council; to create committees, commissions or boards to assist the Common Council in conducting its business; to state the City's position on a policy matter; to adopt or modify a previously adopted policy.

The proper motion for the passage of a resolution is: "I move to adopt the resolution." This motion requires a second, is debatable, amendable and generally requires a majority vote, unless otherwise required by law or ordinance. For example, resolutions altering the adopted budget require a two-thirds vote of the entire membership of the Common Council and Class 1 notice, pursuant to Wis. Stat. s. 65.90.

Ordinances: Ordinances are the City's laws. An ordinance may enact new legislation or amend or repeal an existing ordinance. Ordinances may not be amended or repealed by resolution but may be overruled by preempting action taken by the State or Federal Government.

The proper motion for the passage of an ordinance is: "I move to adopt the ordinance." This motion requires a second, is debatable, amendable and generally requires a majority vote, unless otherwise required by law or ordinance. For example, charter ordinances require a two-thirds vote of all members.

Communications: Communications are letters received by City officers, officials, or employees for Common Council consideration and which are generally placed on an agenda. Most communications should be directed to the City Administrator or a Department Head for consideration and information development prior to agenda placement to ensure that Council can be adequately informed on issues related to the communication at the time of presentation. Not all communications are placed on an agenda. The Mayor, in consultation with the City Clerk and/or City Administrator, determines which communications shall be placed on the agenda. Once included on an agenda, communications may be referred to a committee, commission, or board; or they may be immediately acted upon during a Common Council meeting. In general, communications are filed.

A proper motion for acting on a communication is: "I move that the communication be received and filed," or "I move that the communication be referred to committee." This motion requires a second, is debatable, but not amendable, and requires a majority vote.

Reports: City staff, boards, and commissions may develop reports summarizing work performed during a period of time or presenting on a topic. Reports will generally be submitted at regular intervals but may also be developed ad hoc. These reports are for informational purposes. Council members may ask the presenter(s) questions or may offer comments on the reported material.

Reports will generally be received and filed by motion, as a category, rather than individually. The proper motion for reports is to receive and file the report, unless the body desires to refer a report elsewhere.

Supporting Documents: Any of the aforementioned documents may be supplemented by additional documents, usually an informational memo, exhibit, or a presentation. Supporting documents will provide staff input and recommendations for action, discuss the impact a proposal may have, or provide background information relating to the document topic. Supporting documents will follow the agenda document and therefore do not require additional action. The information contained within supporting documents may be discussed in conjunction with discussion on the document they relate to.

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VI. **Common Actions.** The ~~four~~ most common types of actions ~~the Common Council takes~~ **taken** during a meeting are:

Adoption - this is a favorable action taken by the Common Council. “Adoption” and “passage” are synonymous. A majority vote against a motion to adopt is deemed to be a recommendation by a committee not to so adopt.

Referral - this action sends a document to a committee, commission or board for deliberation and a recommendation.

Filing - this action dispenses of a document immediately or refers out of committee.

Lying Over - this results when certain documents cannot be passed on the first reading without suspension.

Tabling - this action delays final action on a matter to a future date. Tabled items remain tabled until returned to an agenda. Items still tabled at the close of a Council term are deemed denied unless they are carried into the subsequent term by formal action.

In case of a tie vote or a vote with no clear majority due to abstentions, a committee vote fails and a separate motion should be made to refer the item to Council without a recommendation.

VII. Common Motions.

Motion	Requires Second	Debatable	Amendable	Vote Required
Main Motion	Y	Y	Y	Majority
Motion to Reconsider	Y	Y	N	Majority
Motion to Amend	Y	Y	Y	Majority (with notice)
Motion to Substitute	Y	Y	Y	Majority
Motion to Amend the Amendment	Y	Y	N	Majority
Motion to Refer to Committee	Y	Y	Y	Majority
Motion to Hold	Y	Y	Y	Majority
Motion to Call the Question	Y	N	N	2/3
Motion to Suspend the Rules	Y	N	N	3/4
Motion to Divide the Question	Y	N	N	Majority
Motion to Open the Floor	Y	Y	Y	Majority
Point of Order	N	N	N	None
Motion to Recess	Y	N	Y	Majority
Motion to Adjourn	Y	N	Y	Majority

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VIII. Calling the Vote.

Voice Vote. All actions, other than those requiring a roll call vote, may be undertaken by voice vote.

Roll Call Vote. A roll call vote is required to adopt ordinances; resolutions; documents assessing or levying taxes; documents appropriating or disbursing funds; actions creating a liability or charge against the City; actions discharging or commuting a claim or demand against the City; actions confirming appointments; and motions to convene and come out of closed session. The Mayor may call for a roll call vote at their discretion or upon the request of any Alderperson. An appropriate request for a roll call vote is, “Your Honor/Mayor, I request a roll call vote.” This is not a motion so it does not require a second, debate, or vote.

IX. Location and Availability.

All Common Council, Commission, Committee, and Board meetings shall take place in **Council Chambers City Hall**, with open, unlocked doors. Exceptions may be made for closed session meetings; emergency meetings; and for special meetings called for specific purposes or at special locations.

Whenever heavy attendance is anticipated, the Mayor or Committee Chair shall arrange to provide for overflow room(s) where members of the public may watch or otherwise participate in the proceedings. Meetings shall be recorded ~~and the City Clerk or Committee Clerk shall transmit the recording to Municode within 96 hours of meeting adjournment,~~ except that closed session **Council meetings discussions** shall not be recorded. Recordings shall be retained pursuant to the City’s document retention schedule. **Common Council, Standing Committee, Committee of the Whole, and Plan Commission meetings shall be livestreamed with a viewing link included on the meeting agenda.** Nothing herein shall be deemed to prevent City staff from causing the livestream and/or recordings to be available at additional sites, such as the City’s website, the WSCS website, and/or social media feeds.

1. **Remote Attendance.** **Livestreamed meeting** agendas shall include a **Microsoft Teams** link by which members of the body or of the public may watch ~~or otherwise participate in~~ the proceeding. **Other meeting recordings may be viewable on the City’s website after the meeting has concluded.** ~~Remote attendees shall be afforded the same opportunity and privilege as in-person attendees.~~ If an attendee desires reasonable additional accommodation in order to attend ~~or participate in~~ a meeting, such as translation or hearing assistance services, such person shall provide notice to the Council or Committee Clerk **at least six business hours** before the meeting so that the accommodation may be secured.

2. **Remote Participation.** If a member wishes to participate in a ~~closed session~~ meeting remotely, such participation shall be by secure Microsoft Teams link, which is not available except upon individualized permission as appropriate. **A nonmember wishing to comment during a meeting’s public comment period shall make a request to the City Clerk at least six business hours before the meeting so that a remote participation link can be supplied.** **Nonmember remote participants shall be entitled to the permissions and limitations applicable to nonmember, in-person participants.**

X. Rules for the Public.

Personal electronic devices that make noise, such as phones and tablets, shall be set to “silent mode” while a meeting is in session so as not to cause a disturbance or distraction. The public present at the meeting should remain silent during the Common Council meeting except when speaking during designated public input opportunities in accordance with this handbook. The Mayor sets the tone for the Common Council meetings and enforces all the rules. The Mayor or Committee Chairperson may call anyone out of order and have anyone who is out of order escorted out of the council chambers.

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In order to speak before the Common Council during public forum, a person must make a request **to the City Clerk prior to meeting commencement. Such requests may be by telephone to the number noted on the meeting's agenda.** ~~by noon on the day of the meeting to the City Clerk.~~ Not more than five people will be allowed to speak during public forum and each speaker will be limited to five minutes. If more than five people request to participate in public forum, preference shall be given to City residents, then to persons paying property taxes to the City, and then to all others. Comments are limited to discussion of items on the meeting's agenda. An Alderperson may move to open the floor for one additional minute to allow a speaker to exceed the five-minute limitation, and such motion may be approved by majority vote.

The Common Council generally does not respond to or debate issues with the public during a meeting. The Council may discuss any matter raised by the public pursuant to Wis. Stat. s. 19.83(2) but may not act on such matter unless such action was properly included in the Council agenda. Committees may engage with the public during a meeting subject to chairperson discretion. Individuals wishing to speak during a committee meeting should raise their hand and be recognized by the chairperson before speaking. No action may be taken by a Committee on any matter raised by the public unless such action was properly included in the Committee agenda.

Basic Rules for Public Comment **During Council, Committee, Board, and Commission Meetings.**

1. Before speaking, clearly state your name and either address or **aldermanic district, or for nonresidents, your community of residence.**
2. ~~Speak clearly, do not swear or use foul language.~~ **Obscene and threatening language is prohibited.**
3. Address comments to ~~Alderpersons~~ **Council**, committee **members**, etc. **and not to other members of the public or to city staff.**
4. Limit comments to matters on the meeting agenda **and limit your time to the time allowed.**
5. No advertising, self-promotion, or electioneering.
- ~~6. Do not be argumentative with presenters or department heads or representatives.~~
- ~~7. Do not personally attack or criticize the Mayor, Alderpersons, city officials, department heads, elected officials or staff.~~
- ~~8. Do not personally attack or criticize any member of the public (whether or not present), board/committee members, employees, and the Mayor.~~
- ~~9. Maintain your composure and show respect to the Chairperson and respective committee members.~~
10. **5.** Except for signs displayed by the City as official government speech, signs are not permitted within Council Chambers during a meeting, regardless of size or content. During a meeting, signs may be displayed in the hallways outside of Chambers or within other common spaces within and around City Hall. The purpose of this restriction is to limit distractions and obstructions that may unreasonably interfere with other attendees' ability to attend and participate in public meetings.

XI. **Suspending the Rules.**

The Common Council operates by a set of operating rules, some of which may be suspended by motion and two-thirds supporting vote. An appropriate motion is, "Your Honor/Mayor, I move to suspend the rules to allow for (select action)." Typically, rules will be suspended to allow for immediate action on an item that was not referred to the Common Council by Committee action.

Rules that cannot be suspended include: procedural rules prescribed by constitution, statute, ordinance, or bylaws; fundamental principles of parliamentary law such as limiting the right to vote or allowing only one question to be considered at a time; rules protecting rights of absentee or individual members such as quorum requirements, requirements for previous notice, the right of any member to exercise their full rights in meeting participation; or rules applicable outside of a meeting, such as day-to-day organizational

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procedure. A motion to suspend the rules cannot interrupt a speaker who has the floor, requires a second, is not debatable, cannot be amended, and cannot be reconsidered.

