ORDINANCE TO
AMEND SECTION 114-7(D), 114-7(H), 114-7(I), 114-7(J), 114-7(K), 114-7(L), 114-7(M) AND 114-7(S) OF THE CITY OF WATERTOWN GENERAL ORDINANCES

SPONSOR: MAYOR ROBERT STOCKS

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS FOLLOWS:

SECTION 1. § 114-7(A) Common Council rules of procedure, Rule 1., is hereby amended to read as follows:

A. Rule 1. Following a regular City election, for the purpose of orientation, the Common Council shall meet on the third Tuesday of April. Regular meetings of the Common Council shall be held on the first and third Tuesdays of each calendar month, at the hour of 7:00 p.m., except that if a regular meeting of the Common Council falls on a scheduled election day, legal holiday or during a major community event, such meeting may be held on ~~the preceding or following day~~a different day, at the same hour and place. All meetings of the Common Council shall be held at the Municipal Building, including special and adjourned meetings.

SECTION 2. § 114-7(D) Common Council rules of procedure, Rule 4., is hereby amended to read as follows:

D. Rule 4. Public Comment at Common Council Meetings.

(1) Each Common Council agenda will include two places for all public comment: one at the beginning of the agenda (for agenda or non-agenda items) and one following noticed action items (for agenda items only). Members of the public may make comments with a time limit of three minutes during the public comment period.

a. The Presiding Officer shall have the sole authority to take measures to limit repetitive comments and to modify speaking time.

(2) The Presiding Officer may require all persons wishing to speak during the audience comment section to complete a citizen comment form in advance of the meeting, giving their names and addresses and the items about which they intend to comment. Completed forms shall be provided to the City Clerk. Any person who fails to sign up may not be permitted to speak, at the discretion of the Presiding Officer.

(3) All speakers shall keep their comments civil.

a. Persons addressing the Council shall not make personal, unduly repetitive, slanderous or profane remarks, nor utter loud, threatening, personal or abusive

language, nor engage in any other disorderly conduct that disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting.

b. The Presiding Officer may rule a speaker is out of order and shut off the speaker's microphone if profane, obscene, slanderous, abusive or disorderly language is used.

c. At the discretion of the Presiding Officer or upon a majority vote of the Council, the Presiding Officer may order removal of any person who fails to observe these rules of decorum and interrupts the due and orderly course of any meeting of the City Council.

(4) The Council shall not discuss or deliberate upon any item brought forward by public comment, unless such item is already listed on the agenda for the meeting. The Presiding Officer may refer a matter raised during public comment to the Mayor for review and possible action at a future meeting.

(5) Nothing in this rule is intended to limit the inherent authority of the Presiding Officer to conduct and control a meeting.

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

~~**(1)** Call to order by presiding officer.~~

~~**(2)** Roll call.~~

~~**(3)** Pledge of allegiance.~~

~~**(4)** Consideration of the minutes of the preceding meeting and approving the same if correct and rectifying mistakes if any exist.~~

~~**(5)** Comments and suggestions from citizens present.~~

~~**(6)** Reports of committees.~~

~~**(7)** Unfinished business from previous meetings.~~

~~**(8)** Communications and recommendations of the Mayor.~~

~~**(9)** New business.~~

~~**(10)** Accounts payable (second regular meeting).~~

~~**(11)** Communications and miscellaneous business.~~

~~**(12)** Ordinances.~~

~~**(13)** Resolutions.~~

~~**(14)** Comments and suggestions from citizens present.~~

Commented [AP1]: Recommendation: Pass resolution saying that these provisions will be included in all Council agendas, not in a specific order.

SECTION 2. § 114-7(H) Common Council rules of procedure, Rule 8., is hereby amended to read as follows:

H. Rule 8.

(1) The following committees shall be appointed by the Mayor at the first regular meeting of the newly elected Council:

(a) Committee on Finance.

(b) Committee on Public Works.

(c) Committee on Public Safety and Welfare.

(2) Each committee shall consist of at least three members. The Mayor shall be Chairperson of the Committee on Finance, except that during budget deliberations the Mayor shall be a nonvoting ex officio member of the Committee on Finance and shall designate a Chairperson of the Committee during budget deliberations. The chairpersons of the other committees shall be designated by the Mayor. Each member shall serve as appointed unless excused by a majority of the members of the Common Council. All Alderpersons shall serve on at least one standing committee.

~~**(a)** In the event regular members will be absent from a meeting, and also that the absence will cause a lack of a quorum, then the absent member may ask the Mayor to appoint a replacement. This replacement shall only serve for the affected meeting and will have all the rights and responsibilities as the regular member. This procedure will only apply to the committees listed in Subsection **H(1)**. If the absent member is an Alderperson, the temporary replacement must also be an Alderperson. This temporary appointment shall not require Common Council approval.~~

(3) The Mayor may, from time to time, appoint such special committee or committees as provided for by motion or resolution, stating the number of members and object thereof, to perform such duties as may be assigned to them.

SECTION 3. § 114-7(I) – (Q) Common Council rules of procedure, Rules 9 - 17., are hereby re-lettered to § 114-7(J) – (R), Rules 10 – 18, Common Council rules of procedure.

SECTION 4. § 114-7(J) Common Council rules of procedure, Rule 9. is hereby amended to read as follows:

I. Rule 9. In the event regular members of any City board, commission or committee will be absent from a meeting and that the absence will cause a lack of a quorum, the Mayor may appoint a replacement, unless otherwise prohibited by law. This replacement shall only serve for the affected meeting and will have all the rights and responsibilities as the regular member. For all temporary replacements, the temporary replacement must be an Alderperson.

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. 26-XX

SECTION 5. § 114-7(K) Common Council rules of procedure, Rule 10. is hereby amended to read as follows:

K. Rule 10.

(1) All ordinances and resolutions shall be read by title, author and committee from which it comes, if said matter was discussed in a committee. All other communications and other matters submitted to the Common Council shall be referred to the appropriate committee by the presiding officer. The Clerk shall record each such reference by title. Any Alderperson may require the reading in full of any matter at any time it is before the Common Council.

(2) At each second regular Common Council meeting of the month, the Finance Director/Treasurer shall provide a report of all expenditures made in the prior month.

(3) Each committee shall, at the next regular Common Council meeting, submit a written report on all matters referred to it, unless a longer time is granted, by acceptance of the report by the Common Council, and such report shall be entered in the proceeding. Such report shall recommend a definite action by the Common Council on each item; shall be signed by the Chairperson, Secretary or Temporary Chairperson, as appropriate; and shall be filed with the Clerk prior to each Council meeting. All recommendations in the Committee report are to be accepted, rejected or referred back to Committee. Minority reports may be submitted.

(4)

~~Prior notice of each committee meeting shall be filed with the Clerk by the Chairperson, and each meeting shall be open to the public unless said meetings shall properly adjourn into closed session for such items as shall be allowed under Wisconsin Statutes.~~

The Mayor shall have final approval authority over the agendas of the Common Council and all committees and commissions. The Mayor may add or remove any item from a Common Council, committee, or commission agenda prior to publication, except for items governed by Rule 18.

Prior to publication, the City Clerk and City Attorney, in consultation with the Mayor, shall review the agendas for legal and procedural compliance. The Clerk's Office shall provide public notice of all Common Council and committee/commission meetings in accordance with Wis. Stat. § 19.84.

All meetings shall be open to the public unless properly convened in closed session for matters permitted under Wisconsin Statutes.

(5) Any committee may require any City officer to confer with it and supply information needed in connection with any matter pending before the committee.

SECTION 6. § 114-7(L) Common Council rules of procedure, Rule 11. is hereby amended to read as follows:

L. Rule 11. No ordinance or resolution shall be considered by the Common Council unless presented, in writing, by the Mayor or by an Alderperson. Resolutions shall be adopted by a favorable majority vote of all the members of the Common Council present at the meeting, unless a larger number is required by state statute or this Code. All ordinances shall be adopted by two favorable majority votes of all the members of the Common Council present at consecutive meetings, unless a larger number is required by state statute or this Code. In special or emergency situations, the Common Council rules may be

suspended and two readings of an ordinance may occur at the same meeting for an accelerated adoption.

SECTION 7. § 114-7(M) Common Council rules of procedure, Rule 12. is hereby amended to read as follows:

M. Rule 12. The deliberations of the Common Council shall be conducted in the following manner:

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

(2) When two 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 Common Council except under order of business, Rule 4, Subsection **D(5)** and **(14)**. The presiding officer shall decide if comments are relevant, shall have authority to set a time limit on the comments, and shall have such other authority as may be necessary to efficiently conduct this area of the Common Council agenda and order of business.~~

~~(4)~~ (3) No motion shall be discussed or acted upon unless 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)~~ (4) When a question is under discussion, no action shall be in order except to adjourn; to recess; to lay on the table; to move the previous question; to postpone to a certain day; to refer; to amend; or to postpone indefinitely. These motions shall have precedence in the order listed.

~~(6)~~ (5) Any member wishing to terminate 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 2/3 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 Common Council to a direct vote, first upon any pending amendments and then upon the main question.

~~(7)~~ (6) Any Alderperson may demand an aye and nay vote on any matter, and all aye and nay votes shall be recorded in the journal. On the confirmation of appointments 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 aye or nay. Every Alderperson shall vote when a question is put unless the Common Council by a majority vote of those present shall excuse him for special cause, if the circumstances exist as defined in § **946.13**, Wis. Stats. However, Council approval is not required for an Alderperson to abstain from voting. If an Alderperson has participated in

the debate of an issue, however, he may not thereafter abstain from voting on the issue. An Alderperson may not change his vote on any questions after the result has been announced. The Mayor shall not vote, except that in the case of a tie his vote shall be counted in determining whether a sufficient number of the Common Council has voted favorably or unfavorably on any measure. A majority vote of all the members of the Common Council present at the meeting in favor of any matter before the Common Council shall be necessary for passage or approval, unless a larger number is required by state statute or the City's Code.

~~(8)~~ (7) A motion to adjourn shall always be in order, and a motion to adjourn, to recess, to lay on the table, and a call for the previous question shall be decided without debate.

SECTION 8. § 114-7(S) Common Council rules of procedure, Rule 18. is hereby created to read as follows:

S. Rule 18.

(1) Individual Alderpersons may request that the Mayor add an item to a future agenda no later than the Tuesday before a regularly scheduled Common Council meeting (and no less than seven days prior to said meeting).

(2) Should the item not be placed on an agenda by the Mayor, the Common Council shall decide when, if at all, the topic will be heard by the Council. All Common Council agendas shall include a section titled "Agenda Setting Topics" for consideration of future Council agenda items. Each topic to be considered shall be individually listed under this heading on the published agenda. Discussion by the Common Council during this section cannot be substantive in nature and must be limited solely to the appropriateness of scheduling the topic on a future agenda.

(3) Council shall decide by majority vote of the Alderpersons present when, if at all, each Agenda Setting Topic listed will be scheduled on a future Council agenda for substantive discussion and/or possible action, or referred to a City committee/commission. Council can also decide to neither schedule nor refer the topic. Topics neither scheduled nor referred cannot be resubmitted by an Alderperson as a topic for 90 days.

SECTION 9. § 114-7(T) Common Council rules of procedure, Rule 19. is hereby created to read as follows:

T. Rule 19.

(1) The Mayor shall create a consent agenda by placing items that, in the Mayor's discretion, are routine and noncontroversial and do not by state or federal law require a special vote or specific action by the Common Council

(2) The following items shall not be included on the consent agenda:

a. Items requiring a public hearing
b. Ordinances;

c. Bonding or borrowing resolutions;
d. Any item requiring more than a majority vote;
e. Any other item that requires a special vote by state or federal statute or administrative rule or order.

(3) Discussion or comment may take place on the consent agenda. Length of discussion shall be at the Presiding Officer's discretion.

(4) A single motion, seconded and adopted by a majority vote of all present members of the Council, shall be required to approve, adopt, enact or otherwise favorably resolve all matters listed in the consent agenda.

(5) Any Council member may request removal of any item or part of an item included in the consent agenda. At the time the consent agenda is considered, that item, as requested by the Council member, shall be removed without debate or vote.

(6) If an item or any part of an item has been removed from the consent agenda in accordance with this rule, the Council shall consider that item at the appropriate time during the Council's regular order of business.

SECTION 10. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 11. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	*First meeting date*		*Second meeting date*	
READING:	*1ST*		*2ND*	
	YES	*NO*	*YES*	*NO*
DAVIS				
LAMPE				
BERG				
NITECKI				
BLANKE				
SMITH				
ARNETT				
HAASE				
MOLDENHAUER				
MAYOR STOCKS				
TOTAL				

ADOPTED ___Type second meeting date_____

_____

CITY CLERK

APPROVED ___Type second meeting date_____

_____

MAYOR