

## Common Council Rules of Procedure

(Repeal Policies [301](#), [302](#), [303](#), [304](#), [309](#), and [310](#) and [MCO Chapter 3](#))

The council establishes the following rules of conduct pursuant to Wis. Stat. 62.11(3)(e). Any members of the council or other persons present during its meetings may be subject to fine for disorderly behavior pursuant to Wis. Stat. 62.11(3)(c). Any members of the council may be subject to fine or expulsion for neglect of duty pursuant to Wis. Stat. 62.11(3)(a).

### (1) General

(a) Use of City Email. Members should use City email for City business and should avoid using personal email to conduct City business.

### (b) Communications

1. City Staff. Members shall not direct specific action by any city employee. Members may contact the mayor or a department head with requests for specific action.
2. Interacting with the Public. Members should hold themselves to the highest levels of honesty and integrity when interacting with the public.
3. Media. Members may express to media members a personal opinion on any City matter only if the member alerts the person that their statement is a personal opinion and not the City's official position.

### (2) Open Meetings. The council establishes the following rules which shall apply during any meeting of the common council, the committee of the whole, a standing committee, or an ad hoc committee.

(a) Appearance. Members should dress appropriately when appearing at meetings of the common council or any committee of the council. Business casual attire such as collared shirts, blouses, sweaters, dress slacks, skirts, dresses, or similar attire are acceptable. Jeans, t-shirts, shorts, athletic wear, and similar attire are not acceptable.

(b) Appearing Remotely. With the consent of the presiding officer, a person may attend a meeting of that governmental body using telephonic or video conferencing. If the person attending is a member of the body, the type of technology used shall display or project the member's voice and image, if any, so any person who wishes to observe the proceedings is reasonably able to do so. The member appearing under this provision may participate to the same extent as though the member was appearing in person.

(c) Communication. Members should engage in courteous, respectful debate, avoiding hostility or defamation, or disrespect of opinions. Members should avoid publicly criticizing city employees and officials. Members may privately direct criticism of city employees and officials to a department head or the mayor.

(d) Closed Sessions. When a City governmental body adopts a motion to convene in closed session under Wis. Stat. 19.85, no business may be taken up at any closed session until only eligible persons remain at the meeting. Any person who is not eligible to remain in the meeting during closed session shall leave the meeting.

1. The following persons may remain at a meeting in closed session:

- a. The members of the governmental body or a parent body of that governmental body. Pursuant to Wis. Stat. § 19.89, if a member has an existing or potential interest in a claim, lawsuit or other legal action against the City, that member shall be excluded from any closed session meeting of a committee of the common council during the time while that claim, lawsuit, or other legal action is discussed.
  - b. City employees, agents, and contractors whom the governmental body wishes to include in the closed session.
2. During a closed session meeting, no persons present may audio or video record the proceedings.
3. After a closed session meeting concludes, no persons present at that closed session meeting or privy to any information discussed during that closed session may discuss the content of the closed session or the information that person received during closed session with anyone other than those who were in the closed session or those who were eligible to be in the closed session meeting.
4. Elected officials who were present during a closed session may disclose to ineligible persons their own thoughts on any topic publicly noticed for closed session as long as they do not disclose in that process any information they received during the closed session. Any other persons who were present during a closed session may only disclose their own thoughts on any topic publicly noticed for closed session to others who were present or eligible to be present during the closed session.
- (e) Delegation to City Clerk. The council delegates to the clerk the task of preparing and publishing agendas in advance of each meeting.
- (f) Parliamentary Procedure. The common council adopts Roberts Rules of Order, as it may be amended from time to time, as its parliamentary procedure for all meetings of the common council and its committees, except as provided by law or these rules. The presiding officer of each body may appoint a parliamentarian or consult with the city attorney for advice on parliamentary procedure.
- (g) Germaneness. Any business that is not related to the operations of the City or the statutory authority of the common council should not be considered, including any of the following:
  1. The support of or opposition to political parties, candidates, or ideological movements.
  2. Position statements on state, federal or international issues that do not uniquely impact the City.
  3. Statements supporting or condemning the actions or positions of businesses, organizations, or groups unless directly related to the City.
- (h) Decorum. The presiding officer should maintain order and decorum during any meeting and may exclude any person who engages in disorderly behavior.
  1. Any noise created by persons attending the meeting that is loud enough to disrupt the proceeding is disorderly behavior.

2. During public comment, any statement that is slanderous, profane, offensive, or directed to any person other than a member of the council is disorderly behavior.
  3. The display of a sign or similar device in a manner that interferes with the ability for any other person to observe the proceedings is disorderly behavior.
  4. The use of cameras, sound recording devices, and supplemental lighting in a way that interferes with proceedings is disorderly behavior. To the extent possible, the presiding officer should direct any person wishing to record the proceedings to a location that does not interfere with proceedings but allows the person to record the substance of the proceedings.
- (i) Finalizing Pending Matters. A motion to receive and place on file shall have the same effect as a motion to postpone indefinitely. From time to time, the clerk may place old business items that do not appear to have potential future action on a consent agenda with a recommendation to receive and place on file.

### (3) Common Council Meetings

- (a) Introduction of Business. New matters for a common council agenda are limited to the following forms and may be introduced only by the persons identified below.
1. Ordinances submitted by an alderperson.
  2. Resolutions submitted by an alderperson, the city administrator, or a department head.
  3. Communications, reports, and discussions submitted by an alderperson, the city administrator, a department head, or the mayor.
  4. Information and recommendations from the mayor pursuant to Wis. Stat. 62.09(8)(b).
  5. Claims filed pursuant to Wis. Stat. 893.80.
  6. Applications for licenses and permits for which common council approval is necessary to issue.
- (b) Order of Business. Subject to alteration by the mayor or the common council, each agenda of a common council meeting should follow the order below.
1. Roll Call. The clerk or presiding officer should call the roll of the members of the Council alphabetically, and the names of those present and those absent shall be recorded in the proceedings of the Council.
  2. Pledge of Allegiance.
  3. Public Hearings. The council may hold any public hearings required by law or requested by the council. City employees or agents may present the information relevant to the public hearing and receive questions from the council during or after the presentation. Thereafter, any member of the public may speak to the matter of the public hearing, ask questions of the presenter or council, and receive information.
  4. Public Comment. Pursuant to Wis. Stat. 19.84(2), the common council may allow for a period of public comment, during which the council may receive information from members of the public for a period of up to 30 minutes with no more than 3 minutes allocated to any speaker. Although the council may

discuss any matter raised by the public pursuant to Wis. Stat. 19.83(2), the council will not discuss any matter unless it appears on the agenda.

Members should avoid reacting in any manner that could be perceived as partiality, prejudice, or disrespect when receiving public comment during common council meetings.

5. Announcement of Recess Meetings. The presiding officer of the council shall publicly announce the time, place, and subject matter of any standing committee meetings that will take place during a recess of the council meeting.
6. Mayor's Report.
7. Alderpersons' Reports.
8. Approval of minutes.
9. Standing committee reports.
10. Presentation of Vetoes. If the mayor timely vetoes any act of the council pursuant to Wis. Stat. 62.09(8)(c), the clerk shall present the mayor's objections to the council at its next meeting.
11. Consent Agenda. The clerk should place any items that are routine in nature and are unlikely to generate discussion or dissent on the consent agenda. All other items should be placed on the agenda under the standing committee recess meetings to which the content of that item most appears to relate. Before voting on the consent agenda:
  - a. An alderperson may request a separate vote on any matter
  - b. The council may refer any matter to a committee
12. Recess meetings.
13. Standing Committee Recess Meeting Reports.
14. Adjournment

(c) Voting

1. Majority Vote. Unless required by law, a simple majority of the members present is required to take official action on any item.
  2. Sequence. The clerk shall call the roll at each meeting in a descending alphabetical sequence commencing in order and continuing at each subsequent meeting with the next name in such order and ending with the name of the member who voted first at the preceding meeting.
  3. Roll Calls. On any of the following matters, the vote shall be by ayes and noes:
    - a. Passing ordinances
    - b. Adopting resolutions
    - c. Confirming mayoral appointments
    - d. Any matter for which an alderperson calls division.
- (4) Committee of the Whole Meetings. All alderpersons shall be members of the committee of the whole. The council president shall preside at meetings of the committee of the whole. The committee of the whole may convene upon the motion and second of any member and a majority vote of the Council or upon the call of the council president. The Committee may consider any matter referred to it.

(5) Standing Committee Meetings

- (a) Appointment. The mayor shall appoint 5 alderpersons to each committee and appoint the chair and vice chair from within each committee's membership.
- (b) Establishment. The Council shall have four standing committees described below, and each committee should focus on the matters described.

1. Administration Committee.

- a. Any matters primarily assigned to the city administrator, assistant city administrator, city assessor, city attorney, city clerk, city treasurer, communications director, finance director/comptroller, and information technology director, including the confirmation of the appointment of those city officers, as applicable.
- b. Any matters related to the board of review, civil service commission, employee benefit committee, ethics board, library board, and tourism commission including the confirmation of the appointment of those city officers, as applicable.
- c. Litigation and claims filed under Wis. Stat. 893.80.

2. Economic Development Committee

- a. Any matters primarily assigned to the development executive director and planning and zoning manager, including the confirmation of the appointment of those city officers, as applicable.
- b. Any matters related to the business improvement districts, community development authority (and resident advisory board), community development block grant committee, economic development loan task force, and plan commission, including the confirmation of the appointment of those city officers, as applicable.
- c. Granting or denying new business licenses issued by the city clerk.
- d. Purchasing or conveying title to real estate.

3. Public Safety Committee

- a. Any matters primarily assigned to the code enforcement director, fire chief, police chief, and health commissioner, including the confirmation of the appointment of those city officers, as applicable.
- b. Any matters related to the administrative review appeals board, board of zoning appeals, board of health, commission on aging, fair housing board, historical commission, and board of police and fire commissioners, including the confirmation of the appointment of those city officers, as applicable.
- c. Granting or denying new operators' licenses under Wis. Stat. 125.17 and hearing all matters involving existing licenses.
- d. Ordinances regulating persons, vehicles (except parking regulations), real property, and public nuisances.

4. Public Works Committee

- a. Any matters primarily assigned to the city engineer or public works director, including the confirmation of the appointment of those city officers, as applicable.

- b. Any matters related to the beautification commission and capital improvement commission, including the confirmation of the appointment of those city officers, as applicable.
- c. All duties of the public works board under Wis. Stat. 62.14.
- d. Management of city-owned real estate.
- e. Vehicle parking regulations and street signage.
- f. Sanitary sewers, storm sewers, water, claims related to sewer or water rates, streets, sidewalks, alleys, street lighting, bridges, under passes, grades, public utilities, purchases, cemeteries, railroads, garbage, rubbish, weed control, public buildings, parking utility, forestry, public grounds, recycling and solid waste, and parks Committee.

(6) Ad Hoc Committee Meetings. The mayor or the council may establish an ad hoc committee. The person or entity creating the ad hoc committee shall appoint its members, appoint a chair, and designate the specific purpose for which it is created. An ad hoc committee should meet at the call of its chair and shall cease to exist after it completes all tasks related to its specified purpose.