

1.0 PURPOSE:

To describe the rules of procedure for the Common Council.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to the Common Council and to all City of West Allis departments, boards, commissions, and the general public.

3.0 POLICY:

It is the policy of the City of West Allis Common Council to be governed by standard rules of procedure.

4.0 REFERENCES:

Section 62.11, Wisconsin Statutes.
Section 3.05, City of West Allis Revised Municipal Code.

5.0 PROCEDURES:

5.1 RESPONSIBILITY

The Common Council shall have the management and control of the City property, finances, highways, navigable waters, and the public service. The Common Council shall have the power to act for the government and good order of the City, for its commercial benefit, and for the health, safety, and welfare of the public. The Common Council may carry out its powers by license, regulation, suppression, borrowing of money, tax levy, appropriation, fine, imprisonment, confiscation, and other necessary or convenient means.

5.2 GENERAL POLICIES - RULES OF PROCEDURE

5.2.1 Decorum and Points of Order. The Mayor or other Presiding Officer shall preserve order and decorum, decide all questions of order and shall inform the Council when necessary on any point of order or practice. He/she may speak to points of order in preference to others.

5.2.2 Cameras and Sound Equipment. Cameras and sound recording devices may be used in the Council Chambers, but only in such a manner as will cause a minimum of interference with or disturbance of the proceedings of the Common Council. Supplemental lighting for television, cable, or video shall be used only with the exercise

of extreme discretion in regard to the intensity and duration of such lighting with a view to creating the least amount of disturbance to the proceedings of the Council and the least amount of discomfort to members of the public in attendance.

5.2.3 Appealing Decisions of Chair. Any member shall have the right to appeal from the decision of a Presiding Officer. No appeal shall be debatable and the appeal shall be sustained by a majority vote of the members present, exclusive of the presiding officer.

5.2.4 Introduction of Matters to Council.

1.) Alderspersons to Present. No business shall be considered by the Council unless presented by a member of the Council, a standing committee of Council, or by a City board, commission or committee. All matters shall be introduced in a manner consistent with this policy.

2.) Privilege of Council Floor. The privilege of the floor of the Council shall be limited to members of the Council except for public hearings and statements of citizens authorized in the order of Council business. Any member of the Council may yield the privilege of the floor to a City officer or employee or to a member of a City board, commission or committee. The privilege of the floor may be granted to other persons upon approval of the Council.

3.) New Matters. All communications, petitions, proposed resolutions, proposed ordinances and other papers addressed to or intended for the Council shall be sent to the Clerk/Treasurer who shall prepare and note on the file a brief statement of their contents.

5.3 GENERAL POLICIES - REFERENCE OF ORDINANCES, RESOLUTIONS, COMMUNICATIONS, ETC.

5.3.1 Referral to Committee.

1.) All communications and petitions directed to the Common Council shall be referred to the appropriate standing committee. However, any unsigned or anonymous correspondence shall not be introduced and referred.

2.) Every ordinance, resolution, communication, and every matter appropriating money or creating a charge against any City funds (excepting motions approving claims duly audited by the Comptroller) shall be referred to an appropriate Committee or Committees by the presiding officer and shall not be acted upon by the Council until reported back from the Committee. Such referral and report back may be conducted at the same Council meeting. Legal claims and process shall be referred directly to the City Attorney pursuant to Policy No. 801.

5.3.2 Objections to Reference. Whenever any matter is referred by the Presiding Officer to any committee, any member of the Council may object to its being so referred, and may make a motion for some other proper disposition thereof. Whenever any matter is referred to any committee which required reference, any member at the time it is so referred may move to have such matter referred to a different committee than the one named.

5.4 GENERAL POLICIES - REPORTS OF COMMITTEES: SECOND READING

- 5.4.1 Written Report. The Committee, to whom a matter has been referred, shall consider the same, and submit a written report and recommendations thereon to the Council when it has completed its consideration or when requested by the Council. Upon the submission of the committee report to the Council, the ordinance, resolution or other matter reported on by the committee shall be read at length, if requested by any member of the Council.
- 5.4.2 Time For Report. If the matter referred is not disposed of by the committee within a reasonable length of time, the Council may fix a time within which the committee shall make its report thereon to the Council. The City Clerk/Treasurer shall make a quarterly report of all matters pending before each committee at the second regular Council meeting in January, April, July, and October of each year for the preceding three (3) months.
- 5.4.3 Recall to Full Council. Whenever, in the judgment of the Council, the committee having a matter in charge has failed to report thereon with due diligence, the Council may at any meeting recall any matter referred to such committee, and refer the same to another or special committee or take other appropriate action. The Council may designate a time within which any committee having a matter in charge shall report thereon, and may if the circumstances warrant such action, extend such time.

5.5 GENERAL POLICIES - VETO

- 5.5.1 Procedure on Veto. Objections of the Mayor to any act (ordinance, resolution, motion) of the Council, shall be presented to the Council attached, in the case of an ordinance or resolution, to the act of the Council to which objection is made. The written objections of the Mayor shall be treated as a communication. For the act of the Council to which such objections have been made to become effective, a vote by seven (7) members of the Council shall be required in favor of a motion that the act be made effective notwithstanding the objection of the Mayor.

5.6 GENERAL POLICIES - COUNCIL

5.6.1 Agendas.

- 1.) Regular Agenda. The City Clerk/Treasurer shall prepare a written agenda in advance of each meeting of the Common Council. This regular agenda shall contain an itemized listing, in the form provided herein, of all new matters to be introduced and all Committee reports to be acted upon by the Common Council. The regular agenda for each scheduled meeting of the Common Council shall be closed at 5:00 p.m. on the third working day prior to the day of the meeting. The agenda shall be available to the entire Council, staff, the press and the public, 48 hours in advance of each Council meeting.
- 2.) Supplemental Agenda. Following preparation of the regular agenda, additions to it may be prepared as a supplemental agenda. No supplemental agenda for any meeting of the Common Council shall be prepared by the City Clerk/Treasurer unless authorized by the Mayor or an Alderperson. The supplemental agenda, when authorized, shall be in the form of the original Council agenda. A 24-hour notice shall be given for supplemental agendas. However, if 24 hours is impossible due to an emergency situation, or impractical due to some overwhelming consideration, a minimum of at least 2 hours must be given. Proper notice of all supplemental agendas must be provided to the City's official newspaper and any news media requesting it, as well as Alderpersons and appropriate City officials.

5.6.2 New Matters.

- 1.) New matters shall be placed on the agenda by listing the summary statements attached to each item with notations for the proposed reference thereof. All or any of such items may, upon adoption of a motion to approve the proposed reference, or upon order of the Presiding Officer in the absence of such motion, be referred as indicated upon such agenda without separate reading of each item, in full or by summary, by the Clerk/Treasurer.
- 2.) Any member of the Common Council, upon request and without motion, shall obtain separate consideration of one or more new items upon such agenda for the purpose of having such items read at length by the Clerk/Treasurer or his/her designee, or to request or move for a different referral, or to put any motion relating thereto authorized by the rules of the Council.

5.6.3 Committee Reports.

- 1.) The reports and recommendations of each committee on all items upon which it has completed its consideration, and which are to be included on the agenda, shall be prepared in cumulative written form and submitted to the Clerk/Treasurer in advance of the next succeeding meeting of the Council. All such written reports shall contain an itemized summary of each matter to be reported on, shall contain the committee's recommendation thereon, and shall show, for each matter, the committee vote thereon. Reports and recommendations of the Committees shall be signed by the Chair on behalf of the Committee's action, or in the absence of the Chair, the Vice Chair or Acting Chair shall sign. Official voting shall be recorded.
- 2.) The Council may act upon the entire committee report upon motion to adopt, or at the request of any member, without motion, shall separately consider any item. Upon consideration of such written committee report by the Council, a motion to adopt any or all of the items upon such report within the scope of the motion, including the passage of an ordinance or the adoption of a resolution, and also including any amendments or substitutions to such ordinance or resolution recommended by the committee and contained upon such report.
- 3.) No committee shall be precluded from orally presenting any or all of its report and recommendations to the Council on any matters.
- 4.) The committee may act on any of the Council agenda items during the Recess meetings and report them out as a Recess meeting standing committee report.

5.6.4 Deletions and Corrections. Items on the regular and supplemental agenda may be deleted or corrected upon motion and action by the Council prior to and/or as a part of the approval to establish the agenda for that meeting.

5.6.5 Comments from Members of Committees. In case all the members of any committee required or entitled to report on any subject referred to them cannot agree upon a report, any member of the committee may express his/her views accordingly.

5.6.6 Roll Call Vote.

- 1.) On Ordinances, Resolutions, and Appropriations. On adoption of all ordinances, resolutions, reports of Committees, and regulations or other matters appropriating moneys or creating any charge against any of the funds of the City, renewing taxes, renewing the appropriation of moneys, or releasing, discharging or commuting a claim or demand of the City, the question shall be taken by call of the roll, and shall be passed or adopted by a majority vote of all members of the Council.

- 2.) On City Officers. When voting for any City officer or on the confirmation of an appointment, the voting shall be by call of the roll.
 - 3.) On Other Matters. On any other matter it shall be in order to call for the ayes and noes, unless a roll call be requested by a member of the Council.
 - 4.) Vote To Be Recorded. All roll call votes shall be duly entered in the journal by the Clerk/Treasurer or his/her designee.
 - 5.) Call Of The Vote. The Clerk/Treasurer or his/her designee 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.
- 5.6.7 Members Who Shall Vote. Every member, when a question is put, shall vote unless the Council shall, for special cause, excuse him/her; but it shall not be in order for a member to be excused after the Council has commenced voting.
 - 5.6.8 Tie Vote - Mayor To Vote. The Mayor shall not vote except in the case of a tie vote in the Council, when he/she shall cast the deciding vote.
 - 5.6.9 Stating of Motions Before Debate. When a motion is made, it shall be stated by the presiding officer or read by the Clerk/Treasurer or his/her designee, previous to debate, upon request of any member.
 - 5.6.10 Recognition For Debate. Whenever a member is to speak in debate, or deliver any matter to the Council, he/she shall address himself/herself to the presiding officer, and confine his/her remarks to the question under debate, and avoid personalities.
 - 5.6.11 Presiding Officer To Name First To Speak. When two or more members seek recognition at the same time, the presiding officer shall name the member who is first to speak.
 - 5.6.12 Member May Speak Twice. No member shall speak more than twice on any question, except by leave of the Council.
 - 5.6.13 Motions in Order During Debate. When a question is under debate, no motion shall be received except:
 - 1.) To adjourn.
 - 2.) To lay on the table.
 - 3.) For the previous question.
 - 4.) To postpone to a certain day.
 - 5.) To commit to a standing committee.
 - 6.) To commit to select committee.
 - 7.) To amend.
 - 8.) To postpone indefinitely.

These several motions shall have precedence in the order in which they stand in this rule.

- 5.6.14 Motions To Adjourn; Lay On Table. A motion to adjourn, shall always be in order; and a motion to adjourn, to lay on the table, and call for the previous question, shall be decided without debate.

- 5.6.15 Motion For Reconsideration. It shall be in order for any member voting in the majority to move for a reconsideration of the vote on any question at the same or next succeeding meeting. A motion to reconsider being put and lost shall not be renewed.
- 5.6.16 Division Of The Question. Any member may call for a division of the question when the same can be separated into two or more distinct propositions.
- 5.6.17 Moving Previous Question. Any member desirous of terminating the debate, may call the previous question, when the question to be announced by the presiding officer shall be: "Shall the main question now be put?" Such motion shall be decided without debate. If a majority of the members present, vote in the affirmative, the main question shall be taken without further debate, and its effect shall be to put an end to all debate, and bring the Council to a direct vote, first upon the pending amendment, if any, and then upon the main question.
- 5.6.18 Accounts To Be Audited And Verified. Every account presented to the Council to be audited, shall be verified, as provided by law, and shall not be allowed or directed to be passed until it shall have been examined and certified as correct by the Committee on Administration & Finance, which shall be composed of five (5) members, and reported and audited by the Council.
- 5.6.19 Call Of The House.
- 1.) When Made. Any three (3) members of the Common Council may make a call of the house and require absent members to be sent for. A call of the house may only be used to establish a quorum.
 - 2.) Putting Question On Call Of House. On a call of the house being moved, the presiding officer shall say: "It requires three (3) members to order the call of the house," and if three or more agree, the call shall thereby be ordered.
 - 3.) Doors To Be Closed. The officer acting as Sergeant-At-Arms, shall close the doors, and no member shall be allowed to leave the room.
 - 4.) Absentees, How Brought In. The Clerk/Treasurer or his/her designee shall immediately call the roll, and shall furnish a list of the absentees without leave to the Sergeant-At-Arms, who shall forthwith proceed to find and bring in such absentees.
 - 5.) Procedure While Under Call. While the Council is under call, no business shall be transacted, except to receive and act on the report of the Sergeant-At-Arms, and no other motion shall be in order, except to adjourn and motion to suspend further proceeding under the call, which motions shall be determined by ayes and noes, and the motion to suspend further proceedings under the call shall not be adopted unless a majority of the members elect to vote in favor thereof, but a majority of those present may adjourn.
 - 6.) Call Raised When Absentees Present. When the Sergeant-At-Arms shall report that all who were absent without leave are present, the call shall be at an end and the business or motion pending at the time the call was made shall be proceeded with.
- 5.6.20 Quorum. The quorum for the Council shall be seven (7) Alderpersons.
- 5.6.21 Voting. A simple majority of those present constituting a quorum shall be necessary to take action. A minimum of seven (7) members voting aye or nay is required for official action. A member voting present on any action shall not be included when counting a quorum for that item.

5.6.22 Suspension Of Rules. These rules may be suspended by a vote of not less than seven (7) members of the Council. Unless unanimous consent is given, the vote on suspension shall be by vote on call of the roll.

5.6.23 Robert's Rules Of Order. The rules of parliamentary practice set forth in Robert's Rules of Order Newly Revised shall be the standard in all cases to which they are applicable, and in which they are not inconsistent with these rules.

5.6.24 Taking of Minutes. Minutes for the Common Council, committees of the Common Council, and any other boards or bodies of City government shall consist of at least the following:

1.) The subject matter discussed.

2.) Who made any motion and who seconded said motion.

3.) The vote on the motion.

4.) A description of consensus reached and, if applicable, direction given to staff if the motion and vote process is not used.

The Chair of the Common Council, committee, or other body may direct staff to take more detailed minutes on a particular matter at the request of any member of said body. Upon a majority vote of the body, staff may be directed to take more detailed minutes for the entire meeting or may establish more stringent minute rules for the general operation of said body. When deciding whether to require staff to take more detailed minutes, the committee or body may consider other factors that impact the taking of detailed minutes.