



# City of West Allis

## Legislation Text

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An Ordinance to repeal and recreate Section 3.05 of Chapter III of the West Allis Revised Municipal Code Relative to Rules of Procedure for Common Council.

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 3.05 is hereby repealed and recreated to read as follows:

### 3.05 RULES OF PROCEDURE FOR COMMON COUNCIL

#### (1) Standing Committees.

(a) Standing Committees of the Common Council, the number of Alderpersons assigned to each Committee and the areas of basic responsibility for such Committees shall be as follows:

##### 1. Public Works - five (5) members.

Functional Responsibilities. Sanitary sewers, storm sewers, water, streets, sidewalks, alleys, street lighting, bridges, underpasses, grades, public utilities, purchasing, cemeteries, railroads, garbage, rubbish, weed control, public buildings, parking utility, forestry, public grounds and parks. The Public Works Committee shall exercise the duties and powers of the Board of Public Works under sec. 62.14 of the Wisconsin Statutes.

Liaison Responsibilities.

Engineering Department

Water Department

##### 2. Safety and Development - five (5) members.

Functional Responsibilities. Safety, traffic, zoning, building inspection, building codes, regulatory ordinances, master planning, development and redevelopment.

Liaison Responsibilities.

Police & Fire Commission

Police Department/Fire Department

City Development Department

Plan Commission

Municipal Court

Emergency Government

Building Inspections & Zoning Department

##### 3. License and Health - five (5) members.

Functional Responsibilities. Licenses, library service, health, public assistance, weights and measures, conventions, celebrations, museum and cable television.

Liaison Responsibilities.

Library Board/Library Department

Health Department

Market Commission

4. Administration and Finance - five (5) members.

Functional Responsibilities. Municipal budget, capital improvement financing, claims, collections, deposits, investments, financial accounting, auditing, insurance, land account, ad valorem assessments, negotiations, elections, legal printing, personnel and purchasing.

Liaison Responsibilities.

City Administrative Officer

Administration and Finance Department

City Clerk/Treasurer Department

City Assessor Department

City Attorney Department

Civil Service Commission/Personnel Department

Purchasing

5. Advisory - five (5) members.

Functional Responsibilities. Common Council rules, legislation studies, special problems, confirmation of executive office appointments and Common Council appointments, when covered by local ordinance or state statute.

(b) Chair of the Committees and Vice-Chair and members of all Committees shall be appointed by the Mayor on the third Tuesday of April after each municipal election, or as soon thereafter as may be. No Alderperson shall be Chair of more than one Committee. Each standing committee shall have one member from each Aldermanic District.

1. The Chair of the Committee shall have authority to set the agendas for meetings. In addition, the Chair shall direct the Committee staff to take appropriate actions as determined by the Committee. Finally, the Chair shall participate with the Mayor in conducting the annual performance review of the appropriate department heads.

2. The Vice-Chair of the Committee shall have the authority of the Chair in his/her absence.

(c) Any Committee of the Common Council may, in its discretion, perform a part of its duties through subcommittees which shall, in all cases, report directly to their respective Committees. Each Committee and subcommittee shall have available to it the services of any City officer or employee which it deems necessary.

(d) Committees of the Common Council shall exercise legislative oversight and provide for liaison with those City offices, Departments, Boards and Commissions designated within their areas of basic responsibility. Budgets submitted by each office or Department to the Common Council shall, in addition to any other referral or analysis otherwise required, be also referred to the appropriate Committee of the Common Council for review. Thereafter, further review of departmental budgets prior to formal hearing by the Common Council shall be performed by the Administration & Finance Committee.

(e) Each committee of the Council shall convene at the discretion of the chair or upon a date established by the committee. The Clerk/Treasurer shall post and also publish in the official City newspaper, the schedule of all such regular meetings. In addition, the Clerk/ Treasurer shall post in the City Hall, all matters pending before each committee, prior to regular public meetings of Council committees; shall make available for public inspection, the minutes of all public meetings of Council committees; and shall separately notify any interested parties of scheduled committee meetings specifically affecting them. Nothing contained in this subsection shall

be construed as a limitation on any Committee in considering any other business which may properly come before it.

(f) The quorum for all standing committees shall be three (3) member alderpersons, and the quorum for any other committee is a majority of the appointed members.

(g) A simple majority of those present constituting a quorum shall be necessary to take action. For the standing committees, a minimum of three (3) 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. A tie vote will result in a Committee report to Council without recommendation.

(2) Committee of the Whole. Any member of the Council may move to go into a Committee of the Whole to consider and report on any matter pending before the Council. A majority vote of the Council shall be required to convene a Committee of the Whole. The President of the Common Council shall preside as Chair of the committee. The Committee shall consider any matter referred to it, and make written report and recommendations thereon to the Council.

(3) Select or Special Committees. Select or Special Committees may be provided for on motion or by resolution, designating the number and object and, unless otherwise ordered, shall be appointed by the Mayor or other presiding officer of the Council.

(4) 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) Cameras, Sound Equipment and Lighting. 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.

(6) 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.

(7) Introduction of Matters to Council.

(a) Alderpersons 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 ordinance.

(b) 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.

- (c) 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.
- (8) Reference of Ordinances, Resolutions, Communications, etc.
- (a) 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.
- (b) 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.
- (c) 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.
- (9) Reports of Committees; Second Reading.
- (a) 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.
- (b) 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.
- (c) 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.
- (10) 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 objections of the Mayor.

(11) Council Agenda.

(a) 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, forty-eight (48) hours in advance of each Council meeting.

(b) 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 twenty-four (24) hour notice shall be given for supplemental agendas. However, if twenty-four (24) hours is impossible due to an emergency situation, or impractical due to some overwhelming consideration, a minimum of at least two (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.

(c) 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 City 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.

(d) 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.

(e) 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.

(12) 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.

(13) Roll Call Vote.

(a) On Ordinances and Appropriations. On adoption of all ordinances and those resolutions, reports of Committees, 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.

(b) 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.

(c) 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.

(d) Vote to be Recorded. All roll call votes shall be duly entered in the journal by the Clerk/Treasurer or his/her designee.

(e) 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.

(14) 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.

(15) 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.

(16) 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.

(17) 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.

(18) 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.

(19) Member May Speak Twice. No member shall speak more than twice on any question, except by leave of the Council.

(20) Motions in Order During Debate. When a question is under debate, no motion shall be received except:

- (a) To adjourn.
- (b) To lay on the table.
- (c) For the previous question.
- (d) To postpone to a certain day.
- (e) To commit to a standing Committee.
- (f) To commit to select Committee.
- (g) To amend.
- (h) To postpone indefinitely.

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

(21) 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.

(22) 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.

(23) Division Of The Question. Any member may call for a division of the question when the same can be separated into two (2) or more distinct propositions.

(24) 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.

(25) 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.

(26) Call Of The House.

- (a) 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.
- (b) 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.
- (c) 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.
- (d) 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.
- (e) 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 proceedings 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.
- (f) 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.
- (27) Quorum. The quorum for the Council shall be seven (7) Alderpersons.
- (28) 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.
- (29) 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.
- (30) 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.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in full force from and after its passage and publication.