

**CITY OF WAUSAU**  
**STANDING RULES OF THE COMMON COUNCIL 2010-2012**

**RULE 1 - MEETINGS**

**A. Regular Meetings.**

(1) Following the spring election of each year, the common council shall meet on the third Tuesday of April for the purpose of organization. Regular meetings of the common council shall be held on the second and fourth Tuesday of every month at 7 p.m., in the council chambers.

(2) If any meeting date, as fixed by par. (1), falls on a legal holiday or Election Day, the meeting shall instead be held on the first business day succeeding that holiday or election day at the same hour and place, unless the meeting is canceled or another date is specified by the mayor.

(3) The Mayor, from time to time and for good cause, may cancel or reschedule any of the regularly scheduled monthly meetings to another time and date, but each regular meeting so rescheduled shall then be considered a special meeting.

**B. Special Meetings.**

(1) The mayor may call special meetings by notice to each council member. The notice shall be delivered to the members personally by telephone or left at their usual abode at least 24 hours before the meeting, unless for good cause a 24-hour notice is impossible or impractical. In that case, a shorter notice may be given, but the notice may not at any time be provided less than 6 hours in advance of the meeting. The notice shall specify the time, place, and purpose of the meeting. Meeting notices shall comply with Wis. Stats. 19.83 & 19.84 (1) & (3). Attendance by any council member is a waiver of any defect of notice.

(2) The mayor may call a special meeting, without notice, at a regularly convened council meeting if all members are present.

(3) Special meetings shall be deemed regular meetings for the purpose of transacting any business that may be permitted by law.

**C. Adjournment.**

Any council member may move to adjourn a meeting. If any agenda item is not considered before a motion to adjourn is adopted, it shall automatically be referred to the council's next regular meeting, unless the motion provides for a specific date and hour.

**RULE 2 - QUORUM REQUIRED**

A quorum is necessary for the transaction of any council business. Two-thirds of all members of the council, excluding the mayor, shall constitute a quorum. Vacant seats shall be counted to determine whether or not a quorum is present.

**RULE 3 - CALL TO ORDER**

The presiding officer shall at the hour appointed call the members to order. If both the mayor and the council president are absent from the meeting, the clerk shall call the council to order and preside until the council selects a member to preside at that meeting.

#### **RULE 4 - ABSENCE OF MEMBERS**

If an alderman for any reason cannot attend a regularly scheduled meeting, he or she shall notify the city clerk, before the meeting in question, of his or her anticipated absence. The alderman's absence shall be entered into the council's record.

#### **RULE 5 - ORDER OF BUSINESS**

The business of the council shall be conducted in the following order:

1. Call to order by the presiding officer.
2. Pledge of Allegiance, Roll Call. If a quorum is not present, the meeting shall automatically adjourn to the next regular meeting or other specified date.
3. Presentations.
4. Consideration of the minutes of the preceding meeting, approval of the minutes if correct, and correction of mistakes if any.
5. Comments and suggestions from preregistered citizens (as authorized under Rule 16).
6. Communications and recommendations from the mayor.
7. Reports of city officers.
8. Committee reports (standing and non-standing).
9. Unfinished business from previous meetings.
10. Consent agenda.
11. New business (resolutions and ordinances).
12. Comments and suggestions from citizens present.

#### **RULE 6 - INTRODUCTION OF BUSINESS**

##### **A. Introduction Requirements.**

All ordinances, resolutions, memorials or other communications shall be in writing, contain a brief statement of their content, indicate the name of the presenting member/committee, and, prior to their consideration by council, be delivered to the clerk. At the first permitted opportunity, the presiding officer or designee shall read each by title at a meeting of the council. Any alderman may require at any time the reading in full of any matter while it is before the council.

##### **B. Filing**

Each proposed ordinance or resolution shall be filed in the office of the clerk no less than seven (7) days prior to that scheduled council meeting at which the measure is to be introduced. Council packets must be prepared and available for distribution no less than six (6) days prior to that scheduled council meeting and that council packet must also contain all committee results for each measure to be considered. If for good cause this prefiling is impossible or impractical, the mayor may waive this requirement.

##### **C. Reintroduction Restricted.**

Unless otherwise provided by city ordinance, no proposed ordinance or resolution, having once been defeated, may again be introduced in the same or in the substantially same form until 30 days after the date when that ordinance or resolution was defeated.

## **RULE 7 - PRESIDING OFFICER**

### **A. Designation Of.**

The mayor shall be the presiding officer. In the absence of the mayor, the president of the council shall preside at the meetings of the council and be styled "Acting Mayor." If both the mayor and council president are absent, the clerk shall call the meeting to order and preside until the council selects a member to preside at the meeting.

### **B. Function.**

The presiding officer shall preserve order, conduct the proceedings of the council, and be its parliamentarian. If a member does not follow the council's rules, the presiding officer may, on his or her own motion, or shall, at any member's request, call the offending member to order. The council, if appealed to, shall decide the matter.

### **C. Questions of Order.**

Any alderman may raise a point of order or question of the order ("question of order"). The question of order must be raised at the time of the alleged breach of order occurs. The presiding officer shall, in turn, immediately rule on the question of order, subject to an appeal by a member to the council. The appeal may be sustained by a majority vote of the members present, exclusive of the presiding officer.

### **D. Motion.**

The mayor may speak on any question or make any motion if he or she vacates the chair and designates the council president to preside temporarily.

### **E. Veto.**

The mayor may exercise his or her veto power as defined in sec. 62.09(8)(c), Stats., and disapprove any common council action. Disapproval is expressed by mayoral veto made within five (5) business days of the time it is submitted to him or her by the city clerk. A veto shall be accompanied by the mayor's reason for rejecting the proposal, which shall be placed on file with the clerk. The clerk shall place the vetoed measure on the agenda of the next regularly scheduled meeting for council override consideration. The council may override the mayor's veto by a two-thirds vote of all its members.

## **RULE 8 - PRESIDENT OF THE COUNCIL**

### **A. Selection.**

The council president shall be selected by a majority vote of all council members at the organizational meeting conducted on the third Tuesday of April.

### **B. Absence of Mayor.**

During the mayor's absence or inability to serve, the council president shall be acting mayor and shall be vested with the powers and duties of the mayor, except the council president may not approve a council act that the mayor has vetoed. When presiding, the council president retains his or her right to vote as alderman and may not vote in case of a tie.

## **RULE 9 - VOTING**

### **A. Mode of Voting.**

(1) Any alderman may demand an aye and no vote on any matter. However, the vote shall be by ayes and noes if the council is: (a) confirming appointments; (b) adopting any measure that assesses or levies taxes; (c) appropriating or disbursing money; or (d) creating any liability or charge against the city or any fund of the city.

(2) No member may explain his or her vote during the calling of the ayes and noes. All aye and no votes shall be recorded by the clerk.

### **B. Majority of Vote Required.**

A majority vote of all members of the council in favor of any proposed ordinance, resolution or appointment shall be necessary for passage or approval, unless a larger number is required by law. In all other cases, a majority of the votes cast shall be necessary for council action, provided a quorum has voted.

### **C. Tie Vote.**

The mayor shall not vote except in case of a tie. When the mayor does vote in case of a tie, his or her vote shall be counted in determining whether a sufficient number of the council has voted favorably or unfavorably on any measure.

### **D. Abstentions.**

(1) All council members present shall vote on all matters or issues placed before them; unless required to abstain due to a direct pecuniary or personal interest not common to other members of the council. Members shall identify for the record whether the conflict is pecuniary or personal.

(2) A council member who is required by law to abstain from voting on any particular matter shall not be counted for determining (a) the number of "members present" if passage of that measure requires a favorable vote by a majority or other fractional vote (*i.e.*, 2/3 or 3/4) of the alderman "present," or (b) the presence of a quorum for purposes of that particular vote.

### **E. Vote Change.**

A council member may change his or her vote on a matter up to the time the result of the vote is announced.

### **F. Absentee Voting.**

No member may cast an absentee vote on any proposed ordinance, order, resolution or proposition before the council regardless of whether the absence is planned or unplanned.

## **RULE 10 - RECONSIDERATION OF QUESTION**

Any member who voted with the prevailing side on any question may move for a reconsideration of the vote immediately after the vote or at the next succeeding regular meeting of the council. If a motion to reconsider is defeated, it may not again be presented to the council.

## **RULE 11 - ORDINANCES**

### **A. Referral of Ordinances.**

All ordinances under consideration shall have been first reviewed by the appropriate committee who shall make an action recommendation on the matter to council, unless an alderman moves

for immediate consideration of the ordinance.

**B. Immediate Consideration of Ordinance.**

Upon a motion for immediate consideration, the presiding officer shall put the question, “Is there any objection to an immediate consideration of the ordinance?” If an objection is voiced by an alderman, a roll call vote on the motion for immediate consideration is required. If no objection is voiced, then the clerk shall record unanimous consent to the motion for immediate consideration. The presiding officer shall then state the principal question.

**C. Legal Review.**

The council may not vote on any ordinance unless the ordinance language has been reviewed and its enforce ability has been attested to by the city attorney.

**D. Affirmative Rule.**

All ordinances under consideration shall be written in the affirmative whereby the council votes to approve the measure by voting yes or not to approve the measure by voting no.

## **RULE 12 - RESOLUTIONS**

**A. Referral of Resolutions.**

All resolutions under consideration shall have been first considered by the appropriate committee who shall make an action recommendation on the matter to council, unless an alderman moves for immediate consideration of the resolution.

**B. Immediate Consideration of Resolution.**

Upon a motion for immediate consideration, the presiding officer shall put the question, “Is there any objection to an immediate consideration of the resolution?” If an objection is voiced by an alderman, a roll call vote on the motion for immediate consideration is required. If no objection is voiced, then the clerk shall record unanimous consent to the motion for immediate consideration. The presiding officer shall then state the principal question.

**C. Resolutions Providing for Appropriation of Money.**

A resolution providing for the appropriation of money shall not be granted immediate consideration unless the number of votes required by Rule 15B are cast in favor of immediate consideration. Such resolution shall designate the particular fund from which the appropriation is to be made.

**D. Affirmative Rule.**

All resolutions under consideration shall be written in the affirmative whereby the council votes to approve the measure by voting yes or not to approve the measure by voting no.

## **RULE 13 - COMMITTEES**

**A. Appointments.**

The mayor shall appoint a chairperson and (number) of other members to each of the standing committees at the organizational meeting of the newly elected council conducted on the third Tuesday of April.

## **B. Standing Committees.**

The standing committees of the council shall be:

1. Capital Improvements and Street Maintenance
2. Coordinating (made up of chairpersons of other standing committees)
3. Economic Development
4. Finance
5. Human Resources
6. Park and Recreation
7. Parking and Traffic
8. Public Health and Safety

## **C. Committee of the Whole.**

The mayor may call for a meeting of the entire council as a committee of the whole for discussion and consideration on any matter. The mayor shall ex officio be the chairperson of the committee of the whole.

## **D. Special Committees.**

The council may provide for non-standing and special (ad hoc) committees as it may from time to time deem necessary. Appointments to special ad hoc committees shall be made by the mayor. Appointments to non-standing committees shall be appointed by the mayor and confirmed by council.

## **E. Committee Reports.**

(1) Each committee shall keep a written record on all matters referred to it. Committee reports/minutes shall be filed with the clerk and distributed to all members of the council. Matters under council consideration shall include the meeting minute detail with the proposed ordinance or resolution unless it is impossible or not practical to do so. Staff reports may also be submitted to the clerk.

(2) For each ordinance or resolution referred to it, the committee shall submit a separate written report/minutes and recommendation to council. The council shall at the same meeting consider and vote on the separately reported ordinance or resolution. The council, however, may defer action on the measure to its next regular meeting or other specified meeting.

## **F. Notice of Committee Meetings.**

The committee chairperson shall file notice of each committee meeting with the clerk. The notice shall comply with the notice requirement of sec. 19.84, Stats.

(1) Committee members shall determine at their first meeting a schedule of regular meeting times for matters referred to them for investigation and report and shall meet to consider items that may be deemed necessary upon the call of the chairperson or upon the call of a majority of the members of the committee. The chairperson may also schedule other such meeting times as he or she may deem necessary.

## **G. Committee Referrals.**

The presiding officer shall make all committee referrals, except as provided under Rule 15.

## **RULE 14 - COMMITTEE REPORTS**

Committee chairs may make brief report to the council on any matters pertaining to their committees they feel pertinent to council business as long as the item has been noted on the agenda.

## **RULE 15 - FINANCIAL MATTERS**

### **A. Bills and Other Financial Claims.**

All bills and other financial claims against the city shall be itemized and presented to the finance director for examination. The clerk shall then refer claims to the city's insurance carrier for consideration and to finance committee upon recommendation of the city's insurance carrier, which shall make a recommendation for disposition of the matter at the next council meeting. Payment of bills, regular wages and salaries of officers and employees already provided for in the budget adopted by the council shall be made without submission to the council after ratification by the department/division head submitting them and approval of the finance director.

### **B. Ordinances and Resolutions.**

The council shall act on all ordinances and resolutions appropriating money or creating any charge against the city, other than the payment of claims for purchases or work previously authorized by the council.

## **RULE 16 - CITIZENS' RIGHT TO ADDRESS COUNCIL**

### **A. Right Declared.**

A citizen may address the council under either or both:

1. Rule 5(12);
2. 2. Rule 5 (5), provided the following conditions are met:
  - a. The citizen registers with the clerk before the meeting is called to order, and indicates his or her interest to address the council; and
  - b. The citizen's comments relate to a matter on the agenda for that meeting.

### **B. Time Limited.**

Except for informational and public hearings, speakers shall be limited to three minute addresses unless the council consents, by a two-thirds (2/3) vote of the members present to extend the time.

### **C. Other Restrictions.**

If the presiding officer decides that the comments are not relevant or are abusive, the presiding officer may:

1. Order the citizen to modify his or her comments;
2. Order the citizen to refrain from speaking;
3. Order the citizen to leave the council chambers;
4. Take such other steps as may be necessary to ensure the efficient conduct of the council's business.

## **RULE 17 - MANNER OF DELIBERATION**

### **A. Manner Of.**

No alderman shall address the council until recognized by the presiding officer. The alderman

shall then address the presiding officer and keep all remarks to the question under discussion. The alderman shall also avoid personal confrontations when speaking.

**B. Recognition.**

When two or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.

**C. Motions.**

No motion shall be discussed or acted upon until it has been seconded, unless these rules specifically permit one alderman to initiate action. No motion shall be withdrawn without the consent of those aldermen making and seconding the motion.

**D. Motions, Precedence Of.**

When a question is under consideration, no motion shall be entertained except a motion to:

1. Adjourn.
2. Recess.
3. Lay on the table.
4. Move the previous question (call for the question)
5. Postpone to a certain day.
6. Refer to a committee.
7. Amend.
8. Postpone indefinitely.

These motions shall take precedence in the order listed.

**E. Termination of Debate.**

Any member wishing to terminate the debate may move the previous question (call for the question). The presiding officer shall then announce the question as, "Shall the question before the council not be put?" If no objection is voiced, the clerk shall record unanimous consent to terminate debate. If an objection is voiced by an alderman, a roll call vote on the motion for termination of debate is required. If two-thirds (2/3) of the members present vote in the affirmative, the question before the council shall be taken without further debate. The presiding officer shall then state the principal question. The council then votes, first on any pending amendments and then on the main question.

**RULE 18 - CONSENT AGENDA**

**A. Clerk's Responsibilities.**

The city clerk may create a subsection on any council agenda entitled "consent agenda." In a consent agenda, the clerk shall place matters that, in the clerk's judgment, are routine and noncontroversial and do not require a special vote or specific action by the council.

**B. Procedure for Adoption.**

The following procedure shall apply when a consent agenda is used:

1. No separate discussion of debate may be permitted on any matter listed on the consent agenda.
2. A single motion, seconded and adopted by a majority vote of all members on the council, shall be required to approve, adopt, enact or otherwise favorably resolve all matters listed on the consent agenda.
3. Any alderman may request removal of any item or part of an item included in the consent agenda. At the time of the consent agenda is considered, that item, requested by the alderman, shall be removed without debate or vote.
4. If any item or any part of the item has been removed from the consent agenda in accordance with this rule, the council shall consider that item at an appropriate time during the council's regular order of business.

#### **RULE 19 - ROBERT'S RULES OF ORDER TO GOVERN COUNCIL**

In the absence of a standing rule, the council shall be governed by *Robert's Rules of Order*, unless contrary to state law.

#### **RULE 20 - SUSPENSION OF RULES**

These rules or any part of them may be suspended in connection with any matter under consideration by a recorded vote of two-thirds (2/3) of the members present.

#### **RULE 21 - AMENDING OF THE RULES**

By a recorded vote of two-thirds (2/3) of all the members of the council, these rules or any part of them may be amended.

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