

RULES OF THE COMMON COUNCIL

August 2, 2022

These rules are established by the Common Council to promote consistency and orderly meetings of the Common Council. The rules will be reviewed periodically, as needed, and at the Organizational Meeting of each newly established Common Council.

These rules are established in conjunction with the ordinance authorized through the City of Franklin Municipal Code, Chapter 19 Council Proceedings. It is the intent of these rules to compliment, not replace, Municipal Code.

1) MEETINGS

- a.** Regular and Special Meetings of the Common Council are held per the City of Franklin Municipal Code, §§ 19-1 A. – D., as attached hereto.
- b.** In addition to the codified criteria for Special Meetings, per the City of Franklin Municipal Code, § 19-1 B., as attached hereto, a Special Meeting may be called with a minimum of 6 hours' notice for emergency business of the Common Council. The notice shall specify the time, place, and purpose of the meeting.

2) NOTIFICATION OF ABSENCE OF COUNCIL MEMBERS

- a.** Any Council Member who is unable to attend a Council Meeting shall notify the Mayor or City Clerk in advance if he/she is unable to attend such meeting, except in the case of an emergency. If an emergency causes a Council Member to miss a Common Council Meeting, that Council Member shall notify the Mayor or City Clerk as soon as practicable. Members shall be recorded as 'present' or 'not present' on the official minutes.
- b.** It shall be noted in the official meeting minutes if a Member enters a meeting after the meeting convenes, or leaves before the meeting adjourns.

3) SPECIAL RECOGNITION

- a.** The City of Franklin will consider requests for moments of silence or other appropriate recognition at the beginning of Common Council Meetings that relate to persons or events of community-wide, state-wide, or national significance involving Franklin residents. All requests shall be made to the Mayor or presiding officer prior to the meeting and the Member making the request shall be recognized by the Mayor or presiding officer at the appropriate point within the agenda.

4) PRESIDING OFFICER TO MAINTAIN AND PRESERVE ORDER

- a.** It shall be the duty of the Mayor or presiding officer to maintain and preserve order during Common Council Meetings, including: keeping the discussion of Council Members on track and relevant to the agenda items and preserving decorum; and if any Member transgresses the rules of the Common Council, the Mayor or presiding officer shall, on his or her own or at any Members' request, call such offending Member to order. The Common Council, if appealed to, shall decide the matter by

majority vote, per the City of Franklin Municipal Code, § 19-3 A., as attached hereto.

- b. When a question is pending, a Member is allowed to speak against the nature of likely consequences of the proposed measure in strong terms, but the Member must avoid personalities and under no circumstances shall the Member attack or question the motives of another Member or the entire Common Council.
- c. Points of Order may be used to draw attention to a breach in rules, an irregularity in procedure, the irrelevance or continued repetition of a speaker, the breaching of established practices, or contradiction of previous decision. The chair shall immediately acknowledge the Point of Order and rule on it. A Point of Order is non-debatable, however, may be overruled by a two-thirds vote of the Body. Points of Order which are recognized shall be recorded in the official minutes.

5) **RULES PERTAINING TO CONDUCT OF THE COUNCIL MEETING/MOTIONS/VOTING**

- a. **ORDER** - The most recent version of Roberts Rules of Order shall be used for conduct of City of Franklin meetings. The City Attorney shall be the Parliamentarian.
- b. **MOTIONS/VOTING** - Motions and voting shall occur per the City of Franklin Municipal Code, §§ 19-7 A. – G., as attached hereto.
- c. **MOTIONS** - When a motion is made and seconded, it shall be deemed to be in possession of the Common Council and shall be stated by the presiding officer.
- d. **WITHDRAWING MOTIONS** - Withdrawing motions shall occur per the City of Franklin Municipal Code, § 19-7 A., as attached hereto.
- e. **DIVISION OF QUESTION** - Any Member may call for a division of the question when the question is one that may be divided, per Robert's Rules of Order.
- f. **DEBATE**
 - i. In the debate, each Member has the right to speak and shall be offered the opportunity by the Mayor or presiding officer before a Member may speak a second, or subsequent, time.
 - ii. Members shall be succinct in their statements on an item and shall not dominate debate.
 - iii. Members shall at all times be aware the Council meetings are a place for debate of the item at hand and for decisions on that matter. Additional information requested by a Member should be addressed to the responsible Department Head prior to the Council meeting. Upon the request of a Common Council Member for any staff member to supply the Body such information as requested, the Member must first be recognized by the presiding officer for that person to speak. (This does not apply to deficiencies, the desire to have a project or task performed, having a special request for service, or any other directive for staff, as these matters are addressed in the Code of Conduct.)
 - iv. A Member who wishes to abstain must do so in accordance with the City of Franklin Municipal Code, § 19-7 D., as attached hereto, and announce the same at the start of debate due to a conflict or other basis upon which to abstain, or the point in time during the debate in which the Member determines that he/she has a conflict with the matter, and consider leaving the room during the debate. Such abstention shall be included in the

minutes. A Member who participates in debate, but does not voice that he/she is abstaining due to a conflict is discouraged from abstaining from voting.

- v. No officer, elected official or staff member may distribute, hold aloft, or place on the dais for public view information not previously available to the public, during or the day of a Common Council meeting.
- g. **CALLING THE QUESTION** - Any Member wishing to terminate the debate may move the previous question as detailed in the City of Franklin Municipal Code, § 19-7 C., as attached hereto, per Robert's Rules of Order.
- h. **MOTIONS TO TABLE SHOULD INCLUDE DATE OR TIME FRAME FOR ACTION** - Motions to table shall include a specific date to be returned to the Council or shall require return to the Council upon a specific occurrence within a specified time frame. Except for matters which may be approved by operation of law if not acted upon by Council, if the occurrence shall not happen within the specified time frame, the City Clerk shall notify the Council at the end of the time frame that the matter shall not be brought forward and make appropriate notation to the minutes of the meeting during which the matter was laid over. Upon notice of non-action by the City Clerk, any Council Member may request that the matter be placed upon the next Council agenda for report or official action.
- i. **VOTE CHANGE** - A Member shall only be permitted to change his/her vote up until the point all votes are in and the Mayor reports the results of the vote.
- j. **MOTION TO RECESS** - Any Member or the chair may move to recess at any point during the meeting with a majority vote with a stated time for such recess to reconvene.
- k. **MOTION TO ADJOURN** - A motion to adjourn shall always be in order unless the Common Council is engaged in voting, and shall be decided pursuant to Robert's Rules of Order.
- l. **RECONSIDERATION** - Reconsiderations are allowed through the process included in the City of Franklin Municipal Code, § 19-7 F., as attached hereto.
- m. **USE OF UNANIMOUS CONSENT** - Unanimous Consent shall only be used for termination of debate, motions to adjourn, motions to recess and for elections for Common Council President or Temporary Chair when there shall be only one Member put forward for election.
- n. **BREAKING TIES** - Per Wisconsin State Statutes § 62.11 (1) , the Mayor shall not be counted in determining whether a quorum is present at a meeting, but may vote in case of a tie. When the Mayor does vote in case of a tie the Mayor's vote shall be counted in determining whether a sufficient number of the Council has voted favorably or unfavorably on any measure. The foregoing Mayoral vote, only in case of a tie, is not applicable when the Mayor is serving as the Presiding Officer of other City Boards/Commissions/Committees, during which the Mayor can (but is not obligated) to vote whenever his/her vote will affect the result – that is, he/she can vote either to break or to cause a tie; or, in a case where a two-thirds vote is required, he/she can vote either to cause or to block the attainment of the necessary two-thirds vote.

When the Council President is fulfilling the role of the Presiding Officer at a Common Council Meeting, he/she may exercise, at his or her option, the voting

rights of an Alderman or may choose not to vote and instead act as the Mayor to cast a tie-breaking vote. In this circumstance, the Council President should announce whether he/she is acting as Mayor or Alderman on each proposal to be voted upon.

6) **ATTIRE, PROXY, AND ELECTRONIC COMMUNICATIONS AND DEVICES**

- a. **ATTIRE** - Common Council Meetings are to conduct official business of the City of Franklin, therefore, business casual attire or better is expected out of respect for our constituents and the Body. Except for the City's logo, business casual attire does not include apparel with advertising or logos of specific businesses, hats, shorts, flip flops, clogs, or similar. However, the Council may designate certain meetings to allow for clothing to support specific events.
- b. **PROXY** - No Member shall be allowed to vote by proxy.
- c. **ELECTRONIC DEVICES** - Respect for each other, constituents, and those appearing before the Council and Commissions/Boards/Committees is paramount, and full attention to the matters before the Body is the purpose of the meetings. The use of electronic devices to communicate regarding City business during meetings is prohibited since it presents an opportunity for violation of open meetings and open records laws. Personal use of electronic devices is strongly discouraged and is to be reserved only for emergency situations. However, it is acknowledged that occasional use of electronic devices occurs for business purposes within the context of meetings, and is acceptable.

7) **CONFIDENTIAL INFORMATION**

Common Council Members are frequently provided information that is confidential. The information could be relating to personnel matters, which is the responsibility of the Mayor; development matters; legal matters; or other information.

Holding confidential information private, when appropriate, is a foundation of trust that is very difficult to earn and easy to lose. Losing trust forever impairs a Council Member from doing his/her job in representing their constituents.

- a. No official may use or disclose confidential information, including knowledge imparted orally, recordings, and written documents or records, concerning the property, government or affairs of the City gained in the course of or by reason of such official position or activities unless the release is ordered by a court or the informed consent of the subject, as applicable; or authorized by the legal custodian or other proper legal authorization is given. This includes confidential information received in a Closed Session of the governmental Body.
- b. Inappropriate disclosure of such confidential information may subject the official to penalties, including a fine or public censure. Other potential consequences for violating this restriction is criminal prosecution under §946.12, Wisconsin State Statutes, misconduct in public office, or removal from office under Chapter 17 of the Wisconsin State Statutes for cause.

Any questions regarding confidential information, its' restrictions, and any release of confidential information should be privately addressed with the City Attorney.

8) GENERAL RULES OF DECORUM

No person shall personally attack a Council Member, City official, City employee or any other person. For purposes of this section, personal attacks shall include comments directed at a particular person or persons which pertain to any matter that is unrelated to the performance of official duties or the conduct of City business, are threatening, slanderous, defamatory or obscene or are of such a nature that the comments disrupt the meeting or cause a disturbance.

No person shall make irrelevant, unduly repetitious, offensive, threatening, slanderous, defamatory, or obscene remarks or act in such a manner as to disrupt or disturb the orderly conduct of any meeting, including handclapping, stomping of feet, whistling, shouting or other demonstrations.

Any person violating this provision shall be called to order by the Mayor or presiding officer. If the conduct continues, the Mayor or presiding officer may order the person, other than a Body Member, removed and the Council may make a finding of fact whether such behavior was outside the scope and content of the Council rules and, if applicable, whether the behavior was of a character to cause a breach of the peace.

9) SOCIAL MEDIA

Social media presence by those officials covered under this code is to be informative in nature and positively reflect on the community and City staff, and promote local activities. All officials shall avoid expressing opinions or bias regarding City business or issues that may come before the Council/Commission/Board/Committee when it may be construed that they are acting on behalf of the City.

In the use of social media, all officials are to abide by the following:

- Refrain from making belligerent, impertinent, slanderous, threatening, abusive, or personally disparaging comments;
- Ensure that they do not participate in discrimination or harassment, even if the identified behavior is not targeting a protected class, consisting of unwelcome conduct, sexual or otherwise, whether verbal, physical, or visual. Harassing conduct includes, but is not limited to: slurs or negative stereotyping; bullying, threatening, intimidating or other hostile acts; degrading jokes and display or circulation of graphic material that degrades or shows hostility; and physical touching;
- Shall never demean or personally attack an employee regarding the employee's job performance in public; and
- Are to demonstrate their honesty and integrity, and to be an example of appropriate and ethical conduct.

10) RULES PERTAINING TO INDIVIDUALS ADDRESSING THE COUNCIL DURING A CITIZEN COMMENT PERIOD (NOT APPLICABLE FOR PUBLIC HEARINGS)

- a. Citizen comments shall be conducted per the City of Franklin Municipal Code, § 19-2 B., as attached hereto, allowing any person to address the Common Council.
- b. No person shall personally attack a Council Member, City Official, City Employee or any other person. For purposes of this section, personal attacks shall include comments directed at a particular person or persons which pertain to any matter

that is unrelated to the performance of official duties or the conduct of City business, are threatening, slanderous, defamatory or obscene or are of such a nature that the comments disrupt the meeting or cause a disturbance.

- c. Questions posed by the speaker may be answered by the Mayor or presiding officer, or referred to City staff for a future reply in a timely manner. Council Members will refrain from commenting or attempting to answer questions during Citizen Comment Period unless authorized by the Mayor.
- d. Statements must not include endorsements of any candidates or other electioneering; but if a citizen speaking is a candidate for office, he/she must identify him/herself as such.
- e. Speakers shall refrain from presenting unduly repetitious, offensive, threatening, slanderous, defamatory, or obscene remarks or act in such a manner as to disrupt or disturb the orderly conduct of any meeting.
- f. Statements made by the public during Citizen Comment Period orally or in writing become part of the meeting record via audio recording or paper statements but will not be included in the official minutes or postings of the meeting.
- g. Written statements provided to the Common Council regarding an agenda item or as a citizen comment must be received by the Clerk's office at least 24 hours prior to the start of the Common Council Meeting. Such comments will be provided to the Council and appropriate staff but will not be read out loud at the meeting.

11) RULES PERTAINING TO THE TIMING OF SUBMISSIONS FOR INCLUSION ON THE COUNCIL AGENDA AND INFORMATION REQUESTED FOR MEETINGS

- a. Agenda items for submittal must follow the City of Franklin Municipal Code, § 19-2 A., as attached hereto.

Council Members should keep in mind that additional time may be needed to work with staff to convert items into resolution or ordinance form or provide clarifications as necessary; and that items submitted at the last minute may need to be delayed until the following regular Council meeting.

Should a requested agenda item not be placed on an agenda as submitted it shall be automatically placed on the next scheduled agenda unless withdrawn by the submitter. Items for reconsideration and other timely procedural matters for which the time limit or existence limit would otherwise expire if not addressed at the subject meetings shall not be subject to delay. The Council Action Sheet for that item shall contain a statement by the Mayor as to the reason for the delay.

- b. Council Members shall work with the Mayor or his designee to obtain any additional information needed prior to the Common Council meeting.

12) RULES PERTAINING TO STAFF/APPLICANT PRESENTATIONS

The Mayor or presiding officer may call appropriate staff or outside party to present additional information on any agenda item to the Common Council without notice or restriction on time.

13) CLOSED SESSION

Closed Sessions are the legal opportunity for the Common Council to discuss matters that, if done in an open meeting, would potentially debilitate or negatively impact persons and/or matters otherwise protected by privileged and confidentiality provisions under the law, the closed session being held in the interest of such persons and/or matters and in the interest of the public. Wisconsin Statutes, § 19.85, provides the only reasons a common council may enter closed session.

The Common Council must recognize the confidential nature of discussions held in Closed Session and understand the importance of confidentiality of ALL conversations and information discussed and/or distributed in a Closed Session.

Disclosing any of this information inappropriately, or prematurely in some cases, not only will potentially harm the City, but it will forever break any trust between the person disclosing the information and everyone else who participated in the Closed Session. Regaining that trust may not be possible and may have ramifications for the discloser far past the subject of one particular Closed Session.

Violating Closed Session confidentiality exposes the Common Council Member to potential legal action as well as sanctions as outlined in Wisconsin State Statutes, City of Franklin Ordinances, and the Code of Conduct.

As a practice, only parties with direct information on a Closed Session matter in support of the City, will be included in any Closed Session. The Mayor will make the decision on attendance, other than the Members. The Common Council may, on motion and second of Members, vote to include a participant while still in open session.

All personal electronic devices are prohibited while in Closed Session.

Documents and information distributed while in Closed Session should be returned to the distributing party unless the distributing party releases the information or the receiving party is able to guarantee confidentiality of such documents and information. That information remains confidential until Council action, and in some cases indefinitely.

14) COUNCIL APPOINTMENT OF A COUNCIL MEMBER DUE TO THE VACATION OF A COUNCIL SEAT BETWEEN ELECTIONS

Per Wisconsin State Statutes, § 17.23, vacancies in offices of mayor or alderperson of cities operating under the general law or special charter may be filled by the common council, by majority vote, appointing a successor to serve for the residue of the unexpired term or until a special election is held, as ordered by the common council under § 8.50, or an office may remain vacant until an election is held. Also, per § 19.88, (1) Unless otherwise specifically provided by statute, no secret ballot may be utilized to determine any election or other decision of a governmental body except the election of the officers of such body in any meeting.

In accordance with Wisconsin State Statutes, § 17.23 & § 19.88, the City of Franklin has utilized the following process to fill Council vacancies: (1) Issue and publish an Official Notice to Residents of the vacancy and accept letters of interest; (2) Invite all interested parties to a meeting of the Common Council to make a presentation to the Common

Council; and (3) The Common Council appoints by majority vote. The appointment is complete once the result of a sufficient vote is ascertained and announced, and no resolution declaring that person to be appointed is necessary. Once appointed, the governing body may not rescind its vote or reconsider its actions and elect another person. This process may be altered in the future when Council determines that it wishes to fill a vacated Council seat through an appointment process.

15) AMENDMENT AND SUSPENSION OF RULES

- a. REVIEW OF THESE RULES** - These Rules will be reviewed periodically, but not less than at the installation of each new Council.
- b. AMENDMENT OF THESE RULES** - These Rules may be amended, and/or new rules adopted upon proper notice by a majority of all Members at any meeting of the Common Council.
- c. SUSPENSION OF THE RULES** - A vote of two-thirds of the Members present will suspend any Rule of the Council.

Chapter 19. Council Proceedings

§ 19-1. Meeting time and date.

- A Regular meetings Regular meetings of the Council shall be held on the first and third Tuesdays of each calendar month at 6 30 p m , except when otherwise scheduled by majority vote of the Council to accommodate summer schedules, holidays, election days and the like
[Amended 3-5-2002 by Ord No 2002-1708, 7-1-2003 by Ord No 2003-1755]
- B Special meetings Special meetings of the Council may be called by two Alderpersons by filing a written request with the Clerk at least 24 hours prior to the time specified for such meeting The Clerk shall immediately notify each Alderperson of the time and purpose of such meeting The notice shall be delivered to each Alderperson personally or left at his or her usual place of abode The Clerk shall cause an affidavit of service of such notice to be filed in his or her office prior to the time fixed for such special meeting Special meetings may be held without notice when all members of the Council are present or consent in writing to the holding of such meeting Unless all Alderpersons are in attendance, no business shall be transacted at a special meeting except for the purpose stated in the notice thereof
- C Place of meetings All meetings of the Council, including special and adjourned meetings, shall be held in the City Hall, except where a meeting is attended by a number of persons in excess of that number for which the facility may provide reasonable public access for the meeting or where the City Clerk, upon the advice and consent of the Mayor, has determined in advance of a meeting that such a large attendance is anticipated, and in either such event, the meeting may be adjourned to or scheduled at, respectively, a larger facility
[Amended 3-5-2002 by Ord No 2002-1708]
- D Quorum Four Alderpersons shall constitute a quorum, but a lesser number may adjourn from time to time or compel the attendance of absent members A call of the house may be ordered by majority vote
[Amended 8-18-2009 by Ord No 2009-1976]

§ 19-2. Order of business.

- A Agenda The business of the Council shall be conducted according to the agenda prepared by the Clerk All matters intended to be placed upon a regular meeting agenda shall be submitted to the Clerk no later than 9 00 a m on the Friday during the week preceding the regular Tuesday meeting, and the Clerk shall distribute the agenda to Common Council members no later than 5 00 p m on the Friday during the week preceding the regular Tuesday meeting No matters may be otherwise added to the agenda excepting those which are emergency in nature and could not have been submitted to the Clerk prior to the aforesaid deadline The Clerk shall determine whether an item is emergency in nature, which determination shall consider whether, absent the consideration of such matter at the forthcoming meeting, harm may result to the health, safety and welfare of the community, irreparable harm may result to the applicant or some other individual or entity, or whether the subject matter being appropriate for Council determination would become moot, unavailable or preempted
[Amended 12-16-1997 by Ord No 97-1482, 3-5-2002 by Ord No 2002-1708]
- B Citizen comment period
- (1) Every agenda of City Council meetings shall include, immediately following roll call, an agenda item entitled "citizen comment period " Such agenda item shall authorize any person to address the City Council
 - (2) During the citizen comment period, no person shall speak for longer than three minutes at each Council meeting, unless the City Council shall direct otherwise to an individual City Council direction may take the form of unanimous consent
[Amended 3-5-2002 by Ord No 2002-1708, 8-18-2009 by Ord No 2009-1976]
 - (3) Nothing contained in this subsection is intended to limit in any way the right of the electorate to petition or in any manner contact City government officials
- C Committee of the Whole The Common Council members shall regularly meet as a Committee of the Whole on the first Monday of each calendar month at 6 30 p m , except when otherwise scheduled by majority vote of the Common Council or the Committee of the Whole to accommodate summer schedules, holidays, election days and the like All meetings of the Committee of the Whole shall be held in the City Hall, except where a meeting is attended by a number of persons in excess of that number for which the facility may provide reasonable public access for the meeting or where the City Clerk, upon the advice and consent of the Mayor, has determined in advance of a meeting that such a large attendance is anticipated, and in either such event, the

meeting may be adjourned to or scheduled at, respectively, a larger facility. The Mayor shall preside over meetings of the Committee of the Whole, unless absent, in which case the Common Council President shall preside, in the further absence of the Council President, the Alderperson designated upon the rotation calendar for such service pursuant to § 33-1C of this Code shall call the meeting to order and preside until the Committee selects one of its members to preside for that meeting.
[Added 3-5-2002 by Ord No 2002-1708, amended 8-18-2009 by Ord No 2009-1976]

§ 19-3. Presiding officer.

- A Control of meeting. The Mayor shall preserve order and conduct the meeting. A member may appeal from the decision of the presiding officer. Such appeal is not debatable and must be sustained by a majority of the members present, exclusive of the presiding officer.
- B Absence of Mayor. If the Mayor is absent at any meeting, the Council President shall preside. In the absence of both the Mayor and Council President, the Clerk shall call the meeting to order and preside until the Council selects an Alderperson to preside for that meeting.
- C Participation in debate. The presiding officer may speak upon any question.

§ 19-4. Committees.

- A Committee appointments. At the first regular Council meeting in May, the Mayor shall appoint the following committees, subject to Council confirmation.
 - (1) Finance Committee
 - (2) (Reserved)^[1]
 - [1] *Editor's Note: Former Subsection A(2), Labor Negotiations Committee, was repealed 12-4-2001 by Ord No 2001-1687 and 3-5-2002 by Ord No 2002-1708.*
 - (3) License Committee. The Committee shall review applications for business applications and submit its recommendations to the Council.
- B Committee reports. Each committee shall, at the next regular meeting of the Council, submit or provide a written or verbal report on all matters specifically referred to it by separate action of the Council. Such report shall recommend a definite action on each item and be approved by a majority of the committee. Any committee may require any City officer to confer with it and supply information in connection with any matter pending before it.
[Amended 8-18-2009 by Ord No 2009-1976]

§ 19-5. Ordinances and resolutions.

- A Ordinances, resolutions, bylaws, communications and other matters submitted to the Council shall be read by title and author and referred to the appropriate committee by the Mayor. No ordinance, resolution or bylaw shall be considered unless presented in writing and submitted to the Clerk. Unless requested by an Alderperson before final vote is taken, no ordinance, resolution or bylaw need be read in full. Before taking effect, all ordinances passed by the Council shall be signed by the Mayor, countersigned by the Clerk and published in the Official Newspaper.
- B All acts subject to the veto power of the Mayor shall be submitted to him or her by the Clerk and be in force upon his or her approval, evidenced by his or her signature or upon his or her failing to approve or disapprove within five days, which fact shall be certified thereon by the Clerk. If the Mayor disapproves, he or she shall file his or her objections with the Clerk, who shall present them to the Council at its next meeting. A two-thirds vote of all members of the Council shall then make the act effective, notwithstanding the objections of the Mayor.

§ 19-6. General rules.

Deliberations of the Council shall be conducted in accordance with the parliamentary rules in Robert's Rules of Order, Revised, incorporated herein by reference. No person other than a member shall address the Council, except by majority vote of the members present.

§ 19-7. Method of voting.

- A Voting shall be as follows. When a motion is made and seconded, it shall be stated by the member making the same or by the Mayor or be read by the Clerk before being debated. No motion shall be discussed or acted upon unless and until it has been seconded. No motion shall be withdrawn without the consent of the person making the same and the person seconding it.

- B When a question is under discussion, no action shall be in order except the following, which shall have precedence in the order in which they stand
- (1) To adjourn
 - (2) To lay on the table
 - (3) The previous question
 - (4) To postpone to a certain date
 - (5) To refer to a standing or special committee
 - (6) To amend
 - (7) To postpone indefinitely
- C Any member desirous of terminating the debate may move the previous question, in which event the Mayor shall announce the question as "Shall the main question now be put?" If a majority 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 bring the question to a direct vote, first upon any pending amendments and then upon the main question
- D Every member shall have the right to abstain from voting on any given matter Any vacancy on the Common Council shall not diminish the number of votes required to take action where the voting requirement is for the concurrence of a majority or otherwise specified proportion of all the members of the Common Council, however, where the voting requirement is for the concurrence of a specified proportion of the Common Council or other phrase indicating its membership at the time action is taken, the required number is reduced by any vacancy When a board member abstains upon any matter, such abstention shall not diminish the number required to take action where the requirement is for the concurrence of a majority or other specified proportion of all of the members of the Common Council, however, where the voting requirement is for the concurrence of a specified proportion of the Common Council or other phrase indicating its membership at the time action is taken, the required number shall be reduced by such abstention, in all cases, an abstention being treated as neither an affirmative nor a negative vote
[Amended 2-15-1999 by Ord No 99-1536, 2-16-2004 by Ord No 2004-1782]
- E A majority of votes cast when a quorum is present shall be necessary for passage, adoption or approval of any proposed ordinance, motion, resolution or appointment, unless a larger number is required by statute
- F It shall be in order for any member who voted in the affirmative on any question which was adopted or for any member who voted in the negative when the number of affirmative votes was insufficient for adoption to move a reconsideration of such vote, at the same or next succeeding regular meeting of the Council A motion to reconsider having been lost shall not be again in order
- G Roll call votes of the Aldermanic Common Council members shall be taken in a continuing alternating method per vote of the Common Council, alternating from a vote in order of numerical district designation (from District 1 through District 6), to a vote in reverse order of numerical district designation (from District 6 through District 1), to a vote in order of numerical district designation, and so on Failure to comply with this subsection shall not affect the validity of any vote or Council action resulting therefrom
[Added 5-7-2002 by Ord No 2002-1713]

§ 19-8. Suspension of rules.

These rules or any part thereof may be temporarily suspended by a recorded vote of two-thirds of the members present at any Council meeting

§ 19-9. Procedures for commencing projects.

[Amended 3-5-2002 by Ord No 2002-1708, 7-18-2017 by Ord No 2017-2285]

When specifically authorized for a proposed project or projects by a resolution approved by at least 2/3 of the members-elect of the Common Council and to maintain orderly development within the financial limitations of the community and to weigh the financial impact of the project on the short- and long-term basis

- A Initiation of projects Proposed projects shall be initiated by the following methods at a regular meeting of the Council
- (1) Recommendation of the City Engineer and/or the Board of Public Works
 - (2) Request of Alderperson
 - (3) Petition of property owners
- B City Council action on adoption of motion to consider project Refer project to respective committee for recommendation, as follows

- (1) To Board of Public Works all public works projects
- (2) To committee of the whole all public buildings and grounds
- (3) To Finance Committee all projects for finance impact studies and methods of financing

C Procedural steps by Board of Public Works

- (1) Determine area affected by the proposed drainage project
- (2) Determine if proposed project can be feasibly done with City labor or if a private contractor would be required, or both
- (3) Estimate cost of labor, materials and rental equipment required with the use of City labor forces
- (4) Provide alternate cost of labor and materials, if a private contractor would be required
- (5) Submit a unit cost on the basis of area assessment benefits assessing
 - (a) Cost of material and rental equipment
 - (b) Entire costs
- (6) Propose alternate methods of assessment, if appropriate
- (7) Consider and recommend a project priority and start date
- (8) Incorporate the above determination into writing and submit the same along with recommendations to the Council via the City Clerk, who shall submit the same to the Finance Committee for its consideration and recommendations

D Procedural steps by the committee of the whole

- (1) Determine the short-term or long-term need for the public building or grounds with input from all interested departments, civic groups and citizens, where appropriate
- (2) Select site for proposed building
- (3) Solicit architectural design proposals from architectural or engineering firms along with estimated costs and estimated time for project completions
- (4) Review proposed designs and qualifications of the respective architectural and engineering firms and submit recommendations of the site, design and architectural or engineering firm, as well as estimated costs, to the City Clerk, who shall forward the same to the Finance Committee for its study and recommendations

E Procedural steps for the Finance Committee

- (1) Determine if funds are available for the proposed budget in the current budget on the basis of estimated costs of the project
- (2) Prepare a financial impact study on the basis of short- and long-term effects of the cost of the project on the debt limitations of the City and the community's ability to meet its obligations when due Consider the effect of the project on the real estate property tax if the project is to be funded from the general fund rather than by special assessments
- (3) Solicit additional input from department heads, boards or committees, as required
- (4) Consider and recommend method of financing project
- (5) Consider repayment schedules of existing debts and recommend a project start date which will have the least financial impact on the City's debt repayment schedules
- (6) Submit recommendations to Council, including method of financing, proposed start date on the basis of available financing and effect of project costs in the City debt to the Council If the project is recommended for reject, submit reasons

F Action upon committee recommendations

- (1) Committee recommendations shall be referred to the Council committee of the whole, which shall
 - (a) Accept, reject or modify recommendation of said committees
 - (b) Consider and recommend an assessment policy for drainage projects
 - (c) Determine if the project is financially feasible
 - (d) Recommend proposed project commencement date
 - (e) If a determination has been made to recommend proceeding with the project, recommend commencement of financial arrangements, if necessary

- (f) Order the preparation of the appropriate resolutions for special assessments if the project is to be assessed
- (2) Where the committee of the whole was directed to make a study and submit recommendations, it shall incorporate in its recommendations the requirements of Subsection F(1) above
- G Final determination by the Council The Council, on receipt of recommendation from the committee of the whole, shall determine whether to proceed or not to proceed with the proposed project If determination is made to proceed with the project, the Council shall direct that all necessary steps be taken by the appropriate officials to finance, schedule and complete the project

§ 19-10. City participation in public construction projects.

[Added 7-18-2017 by Ord No 2017-2285]

In accordance with § 62 15, Wis Stats , any class of public construction or any part thereof may be done directly by the City without submitting the same for bids

§ 19-11. Letting of bids for public construction projects.

[Added 11-5-2018 by Ord No 2018-2344]

No public construction project shall be let for bid unless the Common Council has previously authorized the solicitation of bids for such public construction project This section does not apply to a public emergency as set forth in § 62 15(1b), Wis Stats , and it does not apply to a public construction for which the cost does not exceed \$25,000 as set forth in § 62 15(1), Wis Stats