

CITY of MANITOWOC COMMON COUNCIL RULES for 2020-2021

Adopted by the Common Council on April 21, 2020

1. The powers of the Common Council shall be governed by Wis. Stat. § 62.11 and the following:
2. The regularly scheduled meeting of the Common Council shall be held on the third Monday of each month at 6:30 P.M., unless otherwise provided. Whenever the meeting time falls upon a legal holiday, the meeting shall be held the next day the City is open for business.
3. The Common Council shall hold a re-organizational meeting on the first day of the term for newly elected alderpersons each year.
 - a. The Common Council will elect a President from amongst its members at this meeting. Nominations for President will be taken from the floor and a majority vote of members present will elect the Council President for that Common Council year. The Council member who most recently served as President shall automatically serve as the Vice-President of the Common Council.
4. The Mayor shall chair the Common Council meetings and shall be responsible for setting the Common Council agenda per Wis. Stat. § 62.09(8)(b). In the absence of the Mayor, the Common Council President shall chair the meeting per Wis. Stat. § 62.09(8)(e).
 - a. The Mayor shall not have a vote on the Common Council except to break a tie per Wis. Stat. § 62.11(1) and 62.11 (3)(b).
5. There shall be four (4) standing committees of the Common Council. Standing committees do not have the sole authority to adopt agreements, contracts, reports, resolutions, or ordinances (hereinafter referred to as “documents”) without the subsequent approval of the Common Council. Standing committees are allowed to direct staff to prepare documents without Common Council approval.
 - a. The following shall represent the standing committees of the Common Council along with the department head(s) responsible for it:
 - i. Finance – five (5) voting members.
 - Finance Director, Community Development Director, Library Director, Rahr-West Art Museum Director
 - ii. Personnel – five (5) voting members.
 - Human Resources Director, City Attorney
 - iii. Public Infrastructure – five (5) voting members.
 - Director of Public Infrastructure, Wastewater Treatment Facility Superintendent
 - iv. Public Safety – five (5) voting members.
 - Police Chief, Fire Chief
6. Committee of the Whole – eleven (11) voting members.
 - a. The Common Council President shall chair the Committee of the Whole and all Alderpersons including the Mayor shall have a vote.
 - b. The Committee of the Whole is intended to address matters which require full Common Council knowledge before final action, joint recommendations, or items not otherwise suited for a standing committee. Most matters should begin in a standing committee to be referred to Committee of the Whole.
7. The chairperson of any standing committee shall chair the standing committee and shall be responsible for setting the agenda in conjunction with the appropriate department head(s). In the absence of the chair, the vice-chair shall chair the meeting. In the absence of both, the most senior alder shall chair the meeting. The chairperson of the standing committee shall also be responsible for reporting to the Common Council any activity of their committee that they deem necessary to report.
8. All requests for agenda items from an alderperson shall be addressed with the Committee Chair before being agendaized. Any written request from a Common Council member to a chair of a standing committee shall be taken up by that committee at their next regularly scheduled meeting.
9. Special or select committees may be raised at any time by resolution stating the number of members and object of the committee. Unless otherwise provided, members of said committees shall be appointed by the Mayor subject to approval of the Common Council.
10. All documents shall originate from a standing committee with a recommendation to the Common Council, except that matters addressed by the Plan Commission under 3.050 MMC shall originate from the Plan Commission with a recommendation to the Common Council. No document shall be on the Common Council agenda without a prior recommendation of a standing committee.
 - a. If a standing committee has two (2) or less documents to bring before the Common Council and the chair does not wish to call a committee meeting to address these items, the chair has the authority to prepare a recommendation on behalf of the committee and that document will be placed on the following Common Council agenda under reports of standing committees.
 - b. Plan Commission recommendations will be placed on the Common Council agenda under “Plan Commission”. Board of Public Works recommendations will be placed on the Common Council agenda under the Public Infrastructure Committee.

- c. Licenses will automatically go on the consent agenda. Denials and appeals will still be sent to the Finance Committee for further review.
 - d. General city claims will automatically be added monthly to the consent agenda under the Finance Committee.
- 11. Order of Business for Common Council Meetings:**
- a. Call to Order
 - b. Roll Call
 - c. Pledge of Allegiance and Invocation
 - d. Presentations
 - e. Public Hearings
 - f. Public Input
 - g. Appointments and Other Business Presented by the Mayor
 - h. Consent Agenda
 - i. Standing Committee Reports
 - i. Recess (as needed)
 - j. Other Business
 - k. Adjourn
- 12. Consent Agenda:**
- a. The chair of a standing committee shall determine what is placed on the consent agenda for the Common Council meeting during the standing committee meeting or prior to the Common Council agenda being published.
 - b. No separate discussion or debate on matters included in the consent agenda shall be permitted.
 - c. When the consent agenda is reached, any member may request removal of any item from the consent agenda and such item shall be removed without debate or vote.
 - d. Any item or part thereof removed from the consent agenda shall be separately considered during the reports of standing committees for the standing committee the document belongs to.
 - e. A single motion, seconded and adopted by a majority vote of the members shall be sufficient to approve, adopt, enact or otherwise favorably resolve any matter listed on the consent agenda.
- 13.** Any document which does not receive a majority vote of the standing committee shall be placed on the Common Council agenda under the appropriate standing committee reports declaring its denial. This minority document may be acted upon by the Common Council under Robert's Rules of Order for minority documents.
- 14.** Once an item has been acted upon by the Common Council, the item may not be acted on during the term of the current council year unless the item has been substantially changed. The current council year is defined as the period during which the current council is seated. The determination of an item being substantially changed will be made by the Chair but can be challenged by a member of the Council. An item that has been acted on in the previous council year can be reintroduced by resolution in the current council year.
- 15.** Members of the public will be permitted to speak at any Common Council meeting on any matter of public interest. The comments from each speaker shall be limited to five (5) minutes in length unless extended by majority action of the Common Council.
- 16.** When any Common Council member or city staff is about to speak or deliver any matter to the Common Council and Mayor, the individual shall respectfully address the Mayor as Mr. or Ms. Mayor, or the Acting Mayor by the name of President or Vice-President, and shall not proceed with remarks until recognized by the meeting Chair. All individuals shall respectfully address fellow Common Council members as Alder, Alderperson, or the like. Employees shall be referred to by their title and last name during Council or Committee meetings.
- 17.** The rules of parliamentary practice comprised in Robert's Rules of Order Newly Revised (2011) shall govern this Common Council in all cases in which they are applicable when not inconsistent with the General Charter, State Statutes, or with these rules.
- 18.** These rules may be amended only by the proposed amendment being submitted in writing and voted upon at the next regular business meeting and adopted by a two-thirds vote of those members present. A vote to suspend the rules shall require a two-thirds vote of those members present.
- 19.** A special Common Council meeting may be called by the Mayor at any time the Mayor deems necessary.
- a. No action shall be taken by the Common Council at any special meeting except that stated on the agenda for the meeting.
 - b. A special Common Council meeting must have written notice delivered to each Common Council member in a manner consistent with the requirements of Wis. Stat. §62.11(2).
- 20.** Any item that needs to be acted upon by the Common Council in a timely manner but has not gone through the proper standing committee may be added to the Common Council agenda upon approval of the Mayor.
- 21.** Notices which have been previously published, such as notices for public hearings, need not be read aloud at Common Council meetings but may be incorporated by reference into the minutes.
- 22.** Items which have been recommended by any standing committee for placing on file shall automatically be placed on the Common Council consent agenda unless otherwise requested by any member of the Common Council.
- 23.** Alderpersons are expected to attend Common Council meetings and standing committee meetings. Alderpersons are required to provide notice to the Mayor and City Clerk prior to any Common Council meeting if they will be absent, or

the Chairperson of the standing committee they will miss.

- a. Any committee member who, ~~for good cause shown~~, is unable to be physically present at a ~~standing committee~~ meeting may ~~request, at least 24 hours in advance, the consent of the committee chairperson to participate in the meeting by audio and/or videoconferencing device. Upon a showing of good cause, as determined by the committee chair at his/her sole discretion, such a request may be granted. If the committee member is unable to contact the committee chair, the next most senior member of the committee may consent to the request in his/her place.~~ participate by using the City's selected videoconferencing technology.
 - b. When a member participates by audio or video conferencing device, the device shall be placed in the meeting room so that the member not physically present can hear and be heard by all those who are physically present, including all members of the public in attendance. ~~All costs of the teleconference or video conference shall be borne by the member who chooses to participate remotely.~~
 - c. A committee member participating remotely shall be counted for quorum and shall be entitled to vote.
 - ~~d. No more than two (2) committee members may appear remotely at any given committee meeting.~~
 - ~~e. Committee members may not remotely participate in a closed session.~~
 - ~~d. Anyone remotely participating in a closed session is expected to keep their microphone and video on and live for the duration of the meeting. Remote participants shall swear an oath administered by the Clerk, Deputy Clerk, or a notary public that they are alone in the room or otherwise positioned such that meeting proceedings will be kept confidential.~~
24. In cases of inclement weather or for other good cause, the Mayor (for Common Council meetings) or the Chairperson (for Committee meetings) may adjourn a scheduled meeting by giving notice to the public at least two hours before the scheduled start of the meeting. Such notice shall include a time and date to which the meeting is adjourned. Council members shall be notified of such time and date by e-mail and/or phone.
 25. Alderpersons shall use their City-issued email ~~to~~ for all City -related correspondence.
 26. Alderpersons are expected to follow the applicable ethics laws of the state and City, including the ethics codes outlined in Wis. Stat. § 19.59 and MMC 3.800, at all times, as well as the Common Council Code of Conduct. Failure to do so may result in discipline including censure, a fine, or expulsion from the Council.
 27. Standing committees may exclude a member of the Common Council who is not a member of the Standing Committee from any closed session if there is a conflict of interest or concern about the alderperson's ability to maintain confidentiality, pursuant to a vote of a majority of the members present and Wis. Stat. § 19.89.