

City of Waukesha
Rules of the Common Council
Amended August 1, 2023

1. Conduct of Meetings.

- 1.1. Time of Meeting.** Unless determined otherwise by the consent of the Council, the regular time for commencement of meetings of the Council shall be 6:00 p.m., or as soon thereafter as the meeting can commence. The presiding officer shall call the meeting to order at that time, and the Council shall remain in session until adjourned.
- 1.2. Quorum, Determination.** A quorum shall consist of two-thirds of the members of the Council. The Clerk-Treasurer shall call the roll of members and announce whether a quorum is present.
- 1.3. Rules of Order.** Unless specifically provided otherwise in these Council Rules, Robert's Rules of Order shall control the proceedings of the Council. If there is a conflict between Robert's Rules and these Council Rules, then these Council Rules shall control.
- 1.4. Order and Decorum.** The presiding officer shall have authority to maintain order and decorum.
- 1.5. Order of Business.** Business at the meeting shall proceed in the following order:
- Roll call, determination of quorum
 - Pledge of Allegiance
 - Public comment
 - Correction and approval of minutes
 - New business
 - Public hearings
 - Board, commission and committee Reports
 - Plan Commission report
 - Standing committee reports
 - Board of Public Works report
 - City Attorney report
 - City Administrator report
 - Mayor report
 - Communications
 - Referrals
 - Adjournment
- 1.6. Members Shall Address Chair.** Members need not rise, but shall raise their hands to be recognized by the chair. Members shall address the chair and not other members.
- Remarks shall be confined to the question under consideration and not personalities.
- 1.7. Precedence of Speakers.** When two or more members wish to speak at the same time, the chair shall determine the order of speakers.
- 1.8. Precedence of Motions.** When a question is under consideration, no motion shall be in order except to adjourn, lay on the table, call the previous question, postpone, commit or refer, amend, or postpone.
- 1.9. Limit of Debate.** No member shall speak more than twice on the same question. Motions to limit debate or to call the previous question require a two-thirds vote.
- 1.10. Points of Order.** When a point of order is called, the member will cease speaking until the point of order has been decided by the chair.
- 1.11. Stating Motion.** When a motion is made, it shall be stated by the chair, or read by the Clerk, prior to voting. If required by the chair or any member, the motion shall be put in writing.
- 1.12. Roll Call Vote.** Any member present when a question proceeds to a vote may request a roll call vote in lieu of, or after, a voice vote. The roll call vote shall be recorded by the Clerk.
- 1.13. Reconsideration of Action.** Motions to reconsider previous actions may be made by any member who had voted on the prevailing side, no later than the next regular meeting of the Council. A motion to reconsider, having been made and lost, cannot be renewed.
- 1.14. Failed Motions, Renewal.** Except for motions to rescind or amend, a motion, or substantially the same motion, which has failed shall not be made again until on or after the subsequent third Tuesday of April.
- 1.15. Committing and Referring.** Any member may commit or refer (a) items of new business, or (b) matters which have not been subject to a motion for reconsideration, to a committee without the consent of the Council.
- 1.16. Amendment or Suspension of Rules.** No motion to rescind or amend any Council Rule shall be made unless notice of the motion is given at the previous regular meeting. No

Council Rule may be suspended, except by motion made and carried by a two-thirds vote.

1.17. Virtual Attendance at Meetings. Council members may attend and participate in Council meetings by virtual means no more than two times in each one-year period beginning the second Council meeting in April and ending the first meeting in the subsequent April. Members participating by virtual means may not participate in closed sessions.

2. Public Comment.

2.1. Eligibility to Comment. Only those individuals who are registered to vote in the City of Waukesha, reside within the City of Waukesha, own a business located within the City of Waukesha, or pay taxes to the City of Waukesha may comment to the Council. Speakers shall provide proof of eligibility if requested, or be denied the right to comment.

2.2. Request to Comment, Time Limit. Individuals wishing to comment shall complete a public comment form no later than five minutes before the commencement of the meeting. Public Comment is limited to three minutes per speaker. An 8-1/2 by 11 orange card will be shown to the speaker when 30 seconds remain of the allotted time.

2.3. Topic of Comment. Public comments shall be limited only to matters of City business, and are to be addressed only to the chair.

2.4. Public Decorum. Public comment is limited to oral statements, presented only by those who have completed the public comment form and have been recognized by the chair. Public comment shall be respectful and not disruptive of the meeting, and signs, clapping, shouting, whistling, booing, profanity, obscenity, personal attacks, and other disorderly behavior are prohibited. Violators shall be removed from the chambers.

2.5. Council May Not Respond to Comment. Because Wisconsin's Open Meetings law requires an agenda of discussion topics be given to the public prior to meetings, and that items that do not appear on the agenda may not be discussed, members shall not respond to, or debate, matters raised during public comment.

2.6. Posting of Public Comment Rules. Public comment rules shall be posted at the sign-up table at meetings, and shall be made available to the public at the City's web site and public notice posting locations.

2.7. Inclusion of Public Comment in Agendas.

Copies of these Council Rules shall be given to all heads of City Departments, Commissions, Boards and Committees, and all Commissions, Boards and Committees shall include Public Comment in the agendas of their meetings, and follow these Council Rules in the conduct of their public comment.

3. Placing Items on Agenda. Items of business shall be placed on meeting agendas as follows:

3.1. Any two Council members may place an item on an agenda, except motions to reconsider or rescind, by making a joint written request to the Mayor no later than 4:30 p.m. on the date five days before the meeting at which the item is to be considered. Any single Council member may place a motion to reconsider or rescind on an agenda by making a written request to the Mayor no later than noon the day before the meeting at which the motion is to be made.

3.2. Any chairperson of a committee, board, or commission may place an item on which the committee, board, or commission has acted and made a recommendation on an agenda by making a written request to the Mayor at least five days before the meeting at which the item is to be considered.

3.3. Requests shall include specific language for the agenda item, sufficient to give reasonable notice of the content and purpose of the item.

3.4. The term "written," as used in this Rule, includes emails.

3.5. If a request is made in compliance with this Rule, the item shall be placed on the agenda. Items may be placed on an agenda at the Mayor's discretion even if the requests are not in compliance with this Rule, or are from individuals not listed in the above subsections.

4. Preparation of Minutes. The Clerk-Treasurer shall complete minutes of Council meetings and post them to the City's website no later than two weeks after the adjournment of a Council meeting.

5. Standing Committees. The Standing Committees of the Council shall be Finance, Buildings and Grounds, Ordinance and License, and Human Resources.

6. Public Improvements. All recommendations to the Council for public improvement expenditures shall include the City Engineer's estimate of the expense, the current budget allocation for the expenditure, and funds remaining for additional expenditures in the budget year.

7. Procedure for Ordinances Amending the Municipal Code.

7.1. All proposed ordinances creating, amending, or repealing a Municipal Code provision shall originate in the following bodies:

- 7.1.1. Plan Commission – Ordinances affecting Chapters 16 through 24, 27, and 28.
- 7.1.2. Board of Public Works – Ordinances affecting Chapters 6, 29, and 32.
- 7.1.3. Transit Commission – Ordinances affecting Chapter 31.
- 7.1.4. Finance Committee – Ordinances affecting Chapter 4.
- 7.1.5. Ordinance and License Committee – Ordinances affecting all other Chapters of the Municipal Code.

7.2. All proposed ordinances creating, amending, or repealing a Municipal Code provision shall receive no fewer than three readings before final passage by the Council. The readings shall consist of the following:

- 7.2.1. The first reading shall take place when the proposed ordinance is presented to the bodies referred to in section 7.1. Those bodies shall make their recommendation to the Common Council concerning the proposed ordinance after the first reading.
- 7.2.2. The second reading shall consist of the full Common Council's consideration of the proposed ordinance at a regular Common Council meeting, after the Plan Commission, Board of Public Works, Transit Commission, Finance Committee, or Ordinance and License Committee have made their recommendations to the Council. The Council may not take final action on the proposal at this meeting, and final action may take place no sooner than the next regular meeting of the Common Council, unless this Rule is suspended as provided elsewhere in these Rules. A draft of the ordinance, containing all amendments made by the Council at the second reading, shall be prepared and attached to the Common Council agenda when the ordinance comes up for its third reading.
- 7.2.3. The third reading shall consist of the full Common Council's consideration of the proposed ordinance as amended during

the second reading. Further amendment and final action on the proposed ordinance may be done at this meeting, or any subsequent meeting, of the Common Council.

7.3. Readings and final action upon ordinances may not be placed on a consent agenda.

- 8. **Statements in Support or Opposition.** All petitions, statements of fact or points in support, opposition or protest shall be read at length by the member presenting them, or by the Clerk, and shall be referred to the appropriate committee.
- 9. **Mayoral Appointments, Confirmation.** All appointments by the Mayor of a City official (defined in Chapter 2.01 of the Municipal Code) to a Board or Commission shall require the majority consent of the Council.
- 10. **Disorderly Behavior and Neglect of Duties Prohibited.** No member of the Council shall engage in disorderly behavior at any meeting of the Council, nor shall any member neglect the duties of a Council Member.
- 11. **Penalty.** Any member found by a majority of the Council to have engaged in disorderly behavior or be in neglect of duty is subject to a forfeiture of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).