Resolution recreating Council Rules (Appendix B of the Municipal Code).

AMENDED RESOLUTION

BE IT RESOLVED by the Common Council of the City of La Crosse that the Council Rules are hereby recreated as follows:

Rule I. - Officers of the Common Council.

The officers of the Common Council include: the Mayor, the Council President, the Chairperson of Judiciary and Administration Committee, the Chairperson of the Finance and Personnel Committee, a Council Member appointed to the Executive Committee, the Vice Chair of Judiciary and Administration Committee, and the Vice Chair of Finance and Personnel Committee. In accordance with Wis. Stats. 19.88(1), officers may be chosen by secret ballot as applicable.

Rule II. – Meetings.

All meetings shall be held in the Council Chambers at La Crosse City Hall unless otherwise ordered by the Council. If an emergency arises in which it would be unsafe or a threat to the health of members of the Council, members of the public, and staff to hold an in-person meeting, meetings may be conducted by electronic means at the discretion of the Mayor and/or Council President. All meetings, including any electronic meetings, must be conducted in accordance with the Wisconsin Open Meetings Law and provide reasonable access to members of the public.

(1) Common Council Meetings. Regular meetings of the Common Council shall be held on the second Thursday of each month at 6:00 p.m.

(2) Organizational Meeting. On the third Tuesday in April of odd years, the new Common Council shall hold an organizational meeting at which time they will elect the Council President to serve pursuant to Wis. Stats. sec. 64.07(2) and members of the Council to serve on the Board of Public Works. In addition, to confirm the Mayor's council member appointments to the Board of Park Commissioners. The voting method used for electing Council President and members to serve the Board of Public Works will be pursuant to sec. 2-106(d).

(3) Annual Budget Meeting. A special November meeting, or meetings, will be held for the annual Operating Budget. An annual Council meeting calendar shall be created by the City Clerk modifying meetings dates for holidays and elections. The annual calendar shall be adopted by the Council at the annual budget meeting and publicly posted.

(4) Special Meetings. Special meetings of the Common Council may be ordered by the Common Council or may be called by the Mayor, or in case of his/her refusal to act, by any five (5) Council Members and pursuant to provisions of sec. 2-34 of the Municipal Code as necessary.

(5) Council Planning Meeting. A Council Planning Meeting shall be held quarterly with meetings in March, June, September, and December of each year the Tuesday immediately preceding the monthly Council Meeting at 6:00 p.m. Additional Council Planning Meetings may be scheduled at the discretion of the Council President. The

Council Planning Meeting shall be for the purpose of education and information only. No legislative items pending before the Council shall be added to the Council Planning Meeting agenda. No action on legislation shall be taken at this meeting and there will be no public hearings. The President of the Council shall call the meeting to order and shall be the Chair of said meeting. The Council President shall determine the items to be added to the Council Planning Meeting agenda, or in case of his/her refusal to act, by any five (5) Council Members.

(6) Public Information Presentations. From time to time, the City may desire to host a public information presentation. A possible quorum of the Council (and other governing bodies) may attend; however, no deliberation or action may occur.

Rule III. – Cancellation of meetings.

Only the Mayor or Council President may cancel a meeting listed under these Rules. Meetings may be cancelled only in the event of a lack of quorum, an emergency or inclement weather such that it would be unsafe for members of the Council and the public to attend the meeting, and due to open meetings law requirements. Prior to cancelling a meeting, the Mayor and Council President shall consult and immediately notify the City Clerk. The public and the news media shall be promptly informed of any meeting cancellation.

Rule IV. – Call to order and order of succession.

At the hour appointed for any meeting, the Mayor, or in his/her absence, the President of the Council shall call the meeting to order. The Clerk shall then call the roll and announce whether a quorum be present. If a quorum be present, the Council shall then proceed with its business. If no quorum be present, that fact shall be entered in the minutes and the Council shall adjourn to such time as those present shall decide.

In the absence of the Council President, the Chair of the Judiciary and Administration Committee shall call the meeting to order and preside over the meeting. In the absence of the Chair of the Judiciary and Administration Committee, the Chair of the Finance and Personnel Committee, and in the absence of the Chair of the Finance and Personnel Committee, the Vice Chair of the Judiciary and Administration Committee shall call to order and preside over the meeting.

Rule V. – Recording of Meetings.

When possible, all meetings of the Common Council shall be recorded electronically, excluding any closed sessions, and recordings shall be retained in accordance with the City records retention policies.

Rule VI. – Quorum.

A quorum of the Council shall be two-thirds (2/3) of the members, excluding the Mayor, pursuant to Wis. Stats. sec. 62.11(3). As currently constituted, quorum is nine (9).

Rule VII. – Preserving order.

It shall be the duty of the presiding officer to preserve decorum. If any member infringes the Rules of the Council, the presiding officer shall, on his or her own or at any member's request, call such offending member to order. The Council, if appealed to, shall decide the matter. The Council President shall assist the presiding officer in preserving order.

Rule VIII. - Order of business.

The order of business shall, in all cases, be adhered to, but the same may be temporarily suspended by unanimous consent.

The order of business shall be as follows:

(1) Approval of the minutes of the previous meeting(s)
(2) Reports – monthly or annual reports of departments
(3) Notices and discussions
(4) Bills, accounts, and estimates
(5) Appointments
(6) Suspension of Rules
(7) Public Works Contracts
(8) Reports of standing committees
(9) Unfinished business
(10) Any item for closed session
(11) Consent agenda
(12) Adjournment

Items receiving unanimous consent out of standing committees may be placed in a consent agenda. The consent agenda will be approved with a single voice vote, based on the recommended actions by standing committee, unless an item is removed at the request of the Mayor or a Council Member. Any item requiring a vote other than majority shall not be placed on the consent agenda.

Rule IX. – Standing Committees.

Standing committees of the Common Council shall be as described below along with the primary responsibilities. Items not fitting precisely within the following descriptions may be assigned to the most appropriate of the committees.

(1) Judiciary & Administration Committee. Meetings of the Judiciary & Administration Committee shall be held at 6:00 p.m. on Tuesday of the week immediately preceding each regular meeting of the Council and shall be assigned matters concerning ordinances, annexations, license and permitting, rezonings, conditional uses, plats, quiet zones, judiciary and legislative matters and policy matters concerning police, fire, airport, La Crosse Center or other departments and boards, commissions, and committees.

(2) Finance & Personnel Committee. Meetings of the Finance & Personnel Committee shall be held at 6:00 p.m. on Thursday of the week immediately preceding each regular meeting of the Council and shall be assigned matters concerning expenditures and fiscal planning, including the annual budget, bills and special claims, bond issuance, TIF funding, CDBG, insurance, purchase of supplies and equipment, property acquisition and sales, contracts and agreements, leases, easements, fees and assessments; public parks, facilities and buildings; parking, transit and utilities; salaries, contract negotiations and personnel matters.

Following each organizational meeting of the Common Council on the third Tuesday in April of odd years, and no later than ten (10) days thereof, the Council President shall appoint the standing committees with six (6) members to one and seven (7) members to the other. Once Council Members are appointed to a standing committee during the regular two-year session, a

Council Member may voluntarily agree to be reappointed to another standing Committee if the Council President approves of said reappointment.

Unless there is a vacancy on the Council, the Council President shall appoint himself/herself a member of one of the standing committees and shall vote thereon. The Council president may, should there be a vacancy on the Council, appoint himself/herself to a standing committee to fill a vacancy on such committee or delay his/her appointment to a standing committee until the vacancy is filled either by local election or pursuant to sec. 2-106.

At the first meeting of each committee, they shall elect a Chair and Vice Chair. The Chair shall preside at all subsequent meetings of the committee and in his/her absence, the Vice-Chair shall preside. The Council Attendant for standing committees shall record all votes taken by the committee on matters referred to it and the City Clerk shall keep a permanent record of such votes. The voting method used for electing standing committee chair and vice chair will be pursuant to sec. 2-106(d).

The Mayor, Chair, or majority of a committee may call special meetings of a standing committee.

A quorum of a standing committee shall be majority of its membership.

All matters pending before the Council and undisposed of at any meeting shall be referred to the appropriate committee unless otherwise directed by the Council.

Rule X. – Public hearings and procedure.

The purpose of public hearing shall be to gain information of fact and public opinion concerning an item of business before the Council.

Public hearings may be held during standing committee meetings and shall pertain to matters in each respective committee's hands. All statements shall be restricted to the subject matter of the hearing and shall avoid personality.

All statements shall be directed to the presiding officer, and upon conclusion of a statement, the presiding officer shall permit members of the Council to direct relevant questions to the speaker without initiating debate.

Public hearings shall be limited to 30 minutes when there are opposing viewpoints from the public. In the absence of opposing viewpoints, public hearings are limited to 15 minutes. Public hearing time limits may be extended by a majority vote of the committee. With respect to those matters that require a public hearing per state law, federal law or ordinance, those matters shall not be subject to the same time limitations and shall be subject to reasonable limitations as approved on a case-by-case basis by a majority of the committee.

All speakers at a public hearing shall speak no more than three (3) minutes unless waived by the chair or a majority of the committee. Speakers may not give their time to other people. For the agenda item on the floor, the chair shall call registered speakers to the podium in random order; excepting applicants and/or their agent who shall be given preference on the respective agenda item.

Rule XI. - Limitations on standing committee meeting on same day or evening.

If two (2) regular monthly standing committee meetings are scheduled on the same day or evening, they shall be scheduled at least one (1) hour apart.

Rule XII. - President of Council to be ex officio member of standing committees; right of Council President to vote at meetings of standing committees.

In addition to being an ex-officio member of the standing committees and voting member of one of the standing committees, the Council President may act as a voting member of any standing committee in cases where a quorum is not present in order that such standing committee may conduct business.

Rule XIII. - Matters tabled by standing committee.

Should a matter referred to a standing committee of the Council be tabled or held in such committee, such shall be reported to the Council by the committee chair and the Council may by a majority vote take up the matter.

Rule XIV. - Executive Committee.

The Executive Committee shall be comprised of the Chairs of each standing committee, the Council President, the Mayor, and a Council Member elected by the Council at the regular May Council meeting following the organizational meeting. The Mayor shall be Chair of the Executive Committee. Such committee shall hold a meeting at any reasonable time upon the request of the Mayor, or any two (2) members of said committee and shall act as a liaison committee and further aid in development of programs for the good of the City.

Rule XV. – Presentation of business; legislation.

Unless otherwise directed by the Council, all ordinances and resolutions shall be reduced to writing before being presented and shall be in as complete detail as possible and shall include a legislative staff report. All ordinances and resolutions shall be sponsored by the Mayor or no more than two (2) Council Members. The use of a sponsor's name must be with his or her knowledge and consent.

Except as provided in Rule I for special meetings, all ordinances and resolutions presented to the Common Council shall be submitted to and approved as to form by the City Attorney and items with fiscal impact shall be approved by the Director of Finance. Legislation shall be entered into the legislation management database in a timely manner by the department requesting the legislation or by the department facilitating a council member’s request to enter legislation. Legislation receiving complete routing approval on or before 12:00 noon on Friday of the week after the regular Council meeting shall be submitted to the appropriate board, commission or committee and standing committee for recommendation to the Common Council for consideration at its next regular meeting; however, department reports, committee appointments by the Mayor and resolutions approving the monthly bills, estimates, and those awarding public construction contracts are exempt from this provision. If said routing approval date falls on a holiday, such approval date shall occur on the preceding business day.

Citizen petitions, applications, or communications shall be presented in the same manner as ordinances or resolutions, except for items otherwise provided in the Municipal Code of Ordinances and payment of any associated fee, in which case the item may be presented without a sponsor.

Legislation that pertains to adopting the annual operating budget, including, without limitations, a resolution to adopt an annual operating budget, resolution to enact a fee schedule, and resolution adopting the annual Council calendar, shall not require a suspension of Council Rule XV when such legislation is submitted on the Common Council's annual budget meeting

and where such legislation stems from the proposed annual operating budget from the Board of Estimates.

Rule XVI. - Parliamentary Procedure.

Except where governed by these rules or other sections of the Municipal Code, or the laws of the State of Wisconsin, the business of the Council shall be conducted in accordance with the most current version of Robert's Rules of Order.

Rule XVII. – Recognition from presiding officer; ~~speaking more than twice on same question~~ discussion limits.

Whenever a member is to speak in debate, or deliver any matter to the Council, he or she shall first gain recognition from the presiding officer, avoid personalities, and confine his or her remarks to the question under debate.

No person shall speak more than twice upon any question without first obtaining leave of the Council or by majority vote.

No person shall speak more than five (5) minutes on any question without first obtaining leave of the Council or by majority vote.

Rule XVIII. - Roll call votes.

After all members have spoken, a roll call shall be called by the presiding officer and the City Clerk shall then record the votes. Once a vote is in progress, further discussion may not occur.

Every member, when a vote is taken, shall be expected to vote "aye" or "no." In the event a member abstains from a vote, it is expected that said member state their intention and the reason for abstaining.

While a vote is being recorded, it shall not be in order for any member to explain his or her vote.

Any unexcused absence at the time of a roll call vote is taken, shall be recorded as “non-voting” or “absent”.

Any member desiring to change their vote on any question must do so before the presiding officer announces the result of the vote.

Rule XIX. - Reconsiderations.

Any member voting on the prevailing side of a question may move to reconsider at the same meeting or prior to the next regular Council meeting and if a majority of members present shall be in favor of a reconsideration, the subject shall be before the Council for further action.

A member considering reconsideration at a succeeding meeting shall notify the City Clerk no less than twenty-four (24) hours prior to the time of the meeting of his or her intentions so the matter can be placed on the agenda.

Rule XX. - Amendment to rules.

These rules may be amended by resolution with a concurrence of two-thirds (2/3) of the members present.

Rule XXI. - Suspension of rules.

These rules of procedure and order of business shall be invariably adhered to unless the same be temporarily suspended by a minimum of two-thirds (2/3) vote of the members of the Council voting on the proposed suspension, except only a majority of those voting is required to suspend the rules to allow a public hearing at a meeting of the Common Council. Rules may not be suspended as they pertain to quorum.

Rule XXII. - Notice of meetings.

The Mayor and all Council Members shall receive notice of any regular or special meetings of the Council and notice of regular or special committee, boards, or commission meetings.

Rule XXIII. – Notice of pending matters, department head and other official attendance at meetings.

The City Clerk shall send meeting agendas to department heads and other officials who may have matters pending before the Council. It is further expressly made the duty of such department or official having charge of any pending matter to attend the meeting to inform the Council as necessary of the matter being considered.

Rule XXIV. - Presence required at meetings, sanctions for nonattendance at meetings.

Every Council Member who for whatever reason cannot attend a scheduled meeting shall notify the City Clerk and:

(1) In the case of a Council, Council Planning or Executive Committee meeting, the Mayor and Council President.
(2) In the case of a standing committee meeting, the committee chair.

All such excused absences shall be entered in the record. In cases where unavoidable circumstances make advance notice impossible, the notification of excused absence shall be filed with the City Clerk within one (1) week of the absence and entered into the record. Any Council Member who because of an emergency cannot file prior notification of absence may be excused by orally notifying, at any time prior to or during the meeting, another Council Member or City Clerk, who shall so advise the Common Council.

Those Council Members who are consecutively absent for a period of sixty (60) days or more from Council meetings, Council Planning and standing committee meetings shall not receive their salary and expenses for said corresponding period of time for said absence unless said absences are for good cause as determined by the Council President with the right to appeal to the entire Council, including matters beyond the control of the Council Member.

Rule XXV. – Electronic attendance at meetings – policy, requirements, and responsibilities.

Electronic meeting attendance for voting members should be used sparingly and in conformance with the provisions described herein.

The presiding officer of the respective bodies shall appear in person.

Members of the Council may attend any open meeting via electronic attendance, provided that such attendance is compliant with these rules and any applicable laws.

The presence of a quorum shall be determined by those present in-person and by the participation list of those attending electronically via the City's chosen video conferencing system. A quorum call may be made by any member during the meeting.

Members of the Council attending electronically have the following responsibilities:

(1) Voting members shall notify the chair of the respective body and City Clerk with as much notice as possible prior to the meeting.

(2) Have the communications equipment necessary to attend the meeting electronically.

(3) Voting members must be able to participate using the applicable video conferencing system both visibly and audibly, in real time, for the purpose of discussion and voting. Remote appearance by audio only is permissible only if appearance by video is impracticable but must use the call-in feature of the applicable video conferencing system.

(4) To seek recognition by the chair, a member shall use the raise hand feature in the video conferencing system or voting application.

(5) A member who leaves the meeting before adjournment shall announce his or her departure but may not interrupt a speaker to do so.

The chair may cause or direct the disconnection or muting of a member's connection if it is causing undue interference. The chair's decision to do so shall be announced during the meeting and recorded in the minutes.

Attendance in closed sessions must be in-person to preserve and protect confidentiality. In the event electronic attendance is allowed in closed session by suspension of the rules or otherwise, those attending electronically shall affirm to the chairperson that no other person is present, listening, transmitting, or recording the closed session.

Rule XXVI. – Electronic Devices and Communications.

Any electronic communication device not used for the purpose of conducting meeting business shall be silenced or turned off so as not to interfere with, distract from, or disrupt the conduct of a public meeting. Electronic devices shall not be used for social media or entertainment purposes during governmental meetings. The use of any communication device to transmit or record a closed session is prohibited.

No member of the Council shall communicate electronically with another member of the Council during a meeting on any matter on the meeting agenda.

Rule XXVII. – Conduct of Officials.

The conduct of public officials shall be above reproach and avoid the appearance of impropriety. Public officials may disagree during debate of issues; however, the debate should be civil and cordial. Public officials shall refrain from the abusive conduct, personal charges,

and written/verbal attacks, including via social media, upon the character or actions of other Council Members or of members of other boards, commissions, committees, City staff, or the public.

Public officials shall prepare for meetings to conduct the business of the City in a meaningful manner regarding the public issues to be debated. Public officials will listen courteously and attentively to all public discussion before the body and focus on the business being conducted.

Public officials shall refrain from interrupting other speakers, making personal comments not related to the public discussion, or otherwise interfere with the orderly conduct of the meeting.