

**\*\*\*ATTACHMENTS\*\*\***

*"I think local government is the hardest job in the country because it is one thing to be at the federal level where you can talk grand thoughts, talk about things in policy terms, and encourage legislation that channels your decision making into certain goals; it is another thing to pick up the garbage, to plow the snow, to sweep the street, to make sure your signal lights are working. Local government is really hard. That is where the rubber meets the road, and it is much harder than federal government." -- Pauline A. Schneider*



**GENERALLY USED RULES OF  
ORDER, PROCEDURE AND CONDUCT  
FOR  
COMMON COUNCIL, COMMISSIONS, COMMITTEES,  
BOARD MEMBERS, AND THE PUBLIC**

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# **City of Sheboygan**

## **Common Council Handbook**

*"I think local government is the hardest job in the country because it is one thing to be at the federal level where you can talk grand thoughts, talk about things in policy terms, and encourage legislation that channels your decision making into certain goals; it is another thing to pick up the garbage, to plow the snow, to sweep the street, to make sure your signal lights are working. Local government is really hard. That is where the rubber meets the road, and it is much harder than federal government." -- Pauline A. Schneider*

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### **Preface**

This manual is intended to provide alderpersons, committee and board members, city employees, and members of the public with general rules of procedure and decorum during all formal meetings. These rules are intended for easy reference only and do not supersede current city ordinances or resolutions. The City of Sheboygan follows the rules of parliamentary procedure set forth in Robert's Rules of Order, Newly Revised, in all cases in which they are applicable and not inconsistent with the ordinances and regulations of the City.

The mayor (who chairs council meetings) and committee chairpersons set the tone and structure of the meetings over which they preside. That tone and structure may vary from individual to individual. The mayor and chairperson are responsible for ensuring that debate and discussion is conducted appropriately, professionally and within the rules of order. They enforce the observance of order and proper decorum between the entire membership and those present during any meeting. The mayor and chairpersons have discretionary authority to excuse non-members from the meeting whenever any disturbance or disorderly conduct occurs.

All alderpersons, commissioners, committee members, board members, officers and those in attendance at all meetings shall conform their conduct to the rules and expectations of this manual.

## I. COMMON COUNCIL PROCEEDINGS

### A. Generally Used Rules of Order and Procedure

Alderpersons may only act on items posted on the agenda. Alderpersons may not act on items posted for discussion only. Certain items not posted on the agenda may be introduced as “Other Matters Authorized by Law,” but no action may be taken on such matters other than to lie over to the next meeting or be referred to a committee.

The consent agenda deals with matters generally regarded as routine. However, any alderperson may call a specific document for separate action after the motion is made to approve the agenda. If an alderperson simply requires clarification about a document in the consent agenda, he or she may simply inquire without calling for separate action.

Any alderperson may request to pull forward any document out of the order of the agenda.

#### 1. Most Commonly Used Documents

The following are the types of documents upon which the common council generally acts:

**Ordinances:** Ordinances are the laws of the city. An ordinance may enact new legislation or amend or repeal an existing ordinance.

The proper motion for the passage of an ordinance is: “I move to adopt the ordinance.”

This motion requires a second, is debatable, amendable and generally requires a majority vote, unless otherwise required by law or ordinance. For example, charter ordinances require a two-thirds vote of all members.

**Resolutions:** The common council conducts general business through resolutions. They are generally less permanent enactments than ordinances. Resolutions may direct or authorize the appropriate city officials to act on matters approved by the common council. Resolutions also may be used to create committees, commissions or boards to assist the common council in conducting its business.

The proper motion for the passage of a resolution is: “I move to adopt the resolution.”

This motion requires a second, is debatable, amendable and generally requires a majority vote, unless otherwise required by law or ordinance. For example, resolutions altering the adopted budget require a two-thirds vote of the entire membership of the council.

**Report of Committees:** These documents, generally known as R.C.s, are reports created by committees and then referred to the common council to give recommendations on matters initially referred to them. They often include a recommendation for action or to adopt an ordinance/resolution.

When an R.C. comes to council, the report should simply be received. However, additional action will generally be needed on the matters referred to the committee. Proper motions related to an R.C. include the following: "I move to receive the R.C. and adopt the ordinance." "I move to receive the R.C. and file the ordinance." "I move to receive the R.C. and approve the licenses." "I move to receive the R.C. and deny the license." Filing an item is to reject it.

These motions require a second, are debatable but not amendable, and require a majority vote.

**Report of Officers:** These documents, generally known as R.O.s, are reports or recommendations submitted by boards, commissions, or department heads.

The proper motion for acting on an R.O. is: "I move to receive the R.O. and adopt the recommendation" or "I move to receive the R.O. and file the recommendation."

These motions require a second, are debatable but not amendable, and require a majority vote.

**Communications:** Communications are letters received by the mayor, alderpersons or the city clerk that are submitted to the common council for consideration. Communications may be referred to a committee, commission, or board. Often, they may also be immediately acted upon during a council meeting. All communications must be submitted to the city clerk before the meeting of the common council. All communications submitted to the city clerk on the council floor will be held by the city clerk until the next regular meeting.

A proper motion for acting on a communication is: "I move that the communication be received and filed," or "I move that the communication be referred to committee."

This motion requires a second, is debatable, but not amendable, and requires a majority vote.

**Other documents:** Often, staff members will prepare attachments, exhibits, or other documents to assist alderpersons in preparing for committee or council meetings. These are for information only, and not meant for action.

The most common such document is called an "IFC" (Item for Consideration). This standardized document includes information about the fiscal impact of a proposed document, gives some background on the proposal, provides staff input and recommendations, references current law that may impact the proposal, and gives a recommended action.

IFCs are generally available with the other documents on the agenda item in “BoardDocs” (the city’s online system for organizing meeting agendas, minutes, and documents.) While an IFC is not something that is approved or debated, it generally contains important information that will assist the common council in making policy decisions.

## 2. Most Common Types of Action

The following are the four most common types of actions the common council takes during a meeting:

**Passage** - this is favorable action taken by the common council.

**Referral** - this action sends a document to a committee, commission or board for deliberation and a recommendation.

**Filing** - this action dispenses of a document immediately or refers out of committee.

**Lying Over** - this results when certain documents cannot be passed on the first reading without suspension.

## 3. Calling the Vote

**Voice Vote** - all actions other than those requiring a roll call vote may be adopted or passed by voice vote.

**Roll Call Vote** - a roll call vote is required on the adoption of all ordinances, resolutions, report of committees, report of officers and other documents assessing or levying taxes, appropriating or disbursing funds, actions creating a liability or charge against the city or discharging or commuting a claim or demand against the city. A roll call vote is required on confirmation of appointments. It is also required whenever the common council or a committee votes to go into and come out of closed sessions.

A roll call vote may be called for by the mayor at his discretion or upon the request of any member of the common council.

An appropriate request for a roll call by a member of the common council is: “Your Honor/Mayor, I request a roll call vote.”

This is not a motion and therefore does not require a second, debate or vote.

#### 4. Most Commonly Used Motions

MOTION	REQUIRES SECOND	DEBATABLE	AMENDABLE	VOTE REQUIRED
Main Motion	Yes	Yes	Yes	Majority
Motion to Reconsider	Yes	Yes	No	Majority
Motion to Rescind	Yes	Yes	Yes	Majority (with notice)
Motion to Amend	Yes	Yes	No	Majority
Motion to Substitute	Yes	Yes	Yes	Majority
Motion to Amend the Amendment	Yes	Yes	No	Majority
Motion to Refer to Committee	Yes	Yes	Yes	Majority
Motion to Hold	Yes	Yes	Yes	Majority
Motion to Call the Question	Yes	No	No	2/3
Motion to Suspend the Rules	Yes	No	No	* 3/4
Motion to Divide the Question	Yes	No	No	Majority
Motion to Open the Floor	Yes	Yes	Yes	Majority
Point of Order	No	No	No	None
Motion to Recess	Yes	No	Yes	Majority
Motion to Adjourn	Yes	No	Yes	Majority

\* The motion to suspend the rules, per Sec. 2-168, Sheboygan Municipal Code, requires  $\frac{3}{4}$  vote of the members-elect. In addition, "unless unanimous consent is given, the vote on suspension shall be by call of the roll."

#### 5. Other Common Rules

An alderman may appear and vote at a common council meeting remotely (i.e., by telephone, video conference, etc.), if notice of remote attendance appears on the agenda. A member who is not physically present shall not count towards a quorum. A member may not participate or vote on any matter that requires the visual assessment of a witness's demeanor if the member is unable to make such a visual assessment, nor may a member vote on any matter that requires the visual assessment of physical evidence or exhibits that have not been previously reviewed by the member. (Sec. 2-138, Sheboygan Municipal Code.)

Alderpersons shall speak only twice on matters being debated or discussed during a common council meeting except upon leave of the common council. (See Sec. 2-184, Sheboygan Municipal Code.)

Privilege of the floor during common council meetings is extended to the mayor, the city clerk, the city attorney, the city administrator, the chief of police or such other police officer in attendance, the finance director/treasurer, members of the department of engineering and public works, the director of planning and development, and members of the media who are confining themselves to their professional duty. No other person is allowed on the council floor except upon the invitation of the mayor or common council.

Only those persons who have privilege of the floor may address the common council. All others may address the common council pursuant to a motion to open the floor.

An appropriate request to allow a person who has privilege of the floor to address the common council is: "Your Honor/Mayor, I request that Mr./Mrs. (state name) address the council." Only the mayor may call the person forward.

An appropriate motion to allow persons who do not have privilege of the floor is: "Your Honor/Mayor, I move to open the floor to (state name)."

Alderspersons may address those persons who have privilege of the floor or to whom the floor has been open with the consent of the mayor.

An appropriate request to address those persons is: "Your Honor/Mayor, may I address Mr./Ms. (state name)?"

An alderperson may not engage in debate or become confrontational with persons who have privilege of the floor or to whom the floor has been open. At all other times, alderpersons must address the mayor or other presiding officer, not each other or the public.

A motion to amend or a motion to amend the amendment that will totally alter the nature of the original ordinance or resolution is considered out of order as not being "germane." To be germane, an amendment must in some way involve the same question that is raised by the motion to which it is applied. The mayor or presiding officer of the common council shall rule in the first instance as to the admissibility of the amendment in question.

No alderperson may cross the floor or leave the council chamber while the mayor or presiding officer is addressing the common council or submitting a question. (See Sec. 2-180, Sheboygan Municipal Code.)

When an alderperson is called to order, he or she shall sit down and not speak except in explanation until it shall have been determined that the alderperson is in order. (See Sec. 2-183, Sheboygan Municipal Code.)

Any action under consideration by the common council, at the request of three alderpersons, shall be deferred to the next common council meeting to be held no sooner than one week following. The same action may not be deferred a second time or laid over. (See Sec. 2-81, Sheboygan Municipal Code.)

Whenever any disturbance or disorderly conduct occurs in the council chambers, or rooms or halls adjacent to the council chambers, the mayor or presiding officer has the power, with the aid of the chief of police or police officers in attendance, to cause the chambers, rooms or halls to be cleared of all persons except the alderpersons or officers of the common council. (See Sec. 2-39(a), Sheboygan Municipal Code.)

#### **B. General Rules of Conduct**

Alderpersons and members of committees, commissions, and boards shall conduct themselves in a professional and respectful manner while representing the city.

Alderpersons and members of committees, commissions, and boards should wait to be recognized by the mayor or the chairperson before speaking. Upon being recognized, an appropriate preface to your comments is: "Thank you your Honor/Mayor" or "Thank you Mr. Chairman" or "Thank you Madam Chair."

Alderpersons shall not make disparaging statements during common council meetings about each other, elected officials, or others belonging to a different committee, commission, board, or staff.

Alderpersons and members of committees, commissions, and boards must turn off all personal electronic devices, including but not limited to smart phones, tablets, etc., during meetings unless prior permission is obtained from the respective body for extenuating circumstances.

## **II. COMMISSIONS, COMMITTEES, AND BOARD PROCEEDINGS**

The Common Council has four standing committees: Finance and Personnel Committee, Public Safety Committee, Public Works Committee, and Law and Licensing Committee. All committee members are appointed by the mayor and confirmed by the common council.

The Committee of the Whole is comprised of all the alderpersons. The mayor is not a member of the committee. The meetings are called as needed and serve the purpose of deliberation. The Committee of the Whole does not approve or disapprove of any matter before it; it simply makes a recommendation to the common council.

The common council has the power to create special committees on motion or by resolution as the common council deems appropriate.

Any standing committee or special committee may appoint a subcommittee from its membership.

#### **A. Generally Used Rules of Order and Procedure**

Only the items posted on the agenda may be acted on or discussed. Any items posted for discussion only may not be acted on.

Chairpersons of committees are responsible for preparing the agenda for all meetings and arranging for minutes to be taken and forwarded to the city clerk. Members may make a request for an item to be placed on the agenda.

A quorum must be present in order for the meeting to proceed and the chairperson set the tone for the meeting. A quorum for committees, commissions, and boards is a majority of the full membership. Remote attendance is permitted under the same rules as for the common council (see Item I. A. 5, above.)

Members may speak only when recognized by the chairperson. There is no limitation on how many times a member may speak unless the chairperson sets one. Members may not interrupt the chairperson, other members, or the public who are speaking.

Items on the agenda may be pulled forward at the request of a member with the consent of the chairperson.

## **B. Most Commonly Used Documents**

Every committee, commission, and board is unique. Many of them handle documents that are pertinent to them or have been referred to them by the common council.

The following documents are received or acted upon by committees, commissions, and boards:

**Reports** – reports by department heads or other officials are generally informative. The proper motion for reports is to accept and file the report. Reports may also be referred.

**Requests** – requests are generally made by the public and in some instances city employees. Requests may be granted, denied, held or referred.

**Communications** – communications vary and they generally are filed. In some instances they may be referred, held or acted upon.

**Presentations** – presentations are generally for information only; though action may be requested.

**IFCs** – staff members often prepare an “IFC” (Item for Consideration) for items on a committee agenda. This standardized document includes information about the fiscal impact of a proposed ordinance, resolution, or other document for action; gives some background on the proposal; provides staff input and recommendations; references any current law that impacts the proposal; and gives a recommended action. It is for information, not action, although action may be requested.

### **III. RULES FOR THE PUBLIC**

All personal electronic devices that make noise, including but not limited to smart phones, tablets, etc., or anything else that makes noise, should be turned off while Council is in session so as not to cause a disturbance or distraction.

#### **A. Public Forum**

The common council welcomes community input during its meetings.

The public present at the meeting is required to remain silent during the common council meeting. The mayor sets the tone for the common council meetings and enforces all the rules. The mayor may call anyone out of order. In order to preserve order, the mayor may also have anyone who is out of order escorted out of the council chambers.

In order to speak before the common council at the public forum, the public must first make a request to the city clerk. Such request shall be made no later than noon on the day of the common council meeting. Up to five persons are allowed to speak for up to five minutes during the public forum. If more than five people sign up, preference shall be given to city residents and persons who pay property taxes to the City on real or personal property. Comments shall be limited to discussion of items on the agenda. Any alderman may move to open the floor for one minute additional time. The common council has a full agenda to follow but may grant a person additional time to speak by a majority vote.

#### **Basic Rules**

1. Before speaking, clearly state your name and address.
2. Speak clearly, do not swear or use foul language.
3. Address comments to alderpersons, committee, etc.
4. Limit comments to matters on the meeting agenda.
5. No advertising, self-promotion, or electioneering.
6. Do not be argumentative with presenters or department heads or representatives.
7. Do not personally attack or criticize the mayor, alderpersons, city officials, department heads, elected officials or staff.
8. Do not personally attack or criticize members of the public present at the meeting.
9. Do not personally attack any member of the public (whether or not present), board/committee members, employees, and the mayor.
10. Maintain your composure and show respect to the chairperson and respective committee members.

The common council receives citizen input and generally does not respond or debate issues with the public during the meeting. However, during a period of public comment, the open meeting law allows a governmental body to discuss any matter raised by the public. (See Sec. 19.83(2), Wis. Stats.) If there is a need for a response or answer to a question or concern, please make a request during your statement and the appropriate city official or employee will get back to you within a reasonable time.

## **B. Committees, Commissions and Boards**

The various city committees, commissions and boards welcome community input. When communications are received by the city and referred to a committee, commission or board, the respective chairperson may invite individuals to attend the meeting. The opportunity to speak is strictly up to the discretion of the chairperson.

Persons wishing to speak during these meetings should raise their hand and be recognized by the chairperson before speaking. There is no limitation on the amount of time an individual has to speak but the chairperson may limit the time.

Everyone is required to remain quiet during the meeting. The chairperson may rule one out of order and may have one escorted out if necessary.

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7. Do not personally attack or criticize the mayor, alderpersons, city officials, department heads, elected officials or staff.
8. Do not personally attack or criticize members of the public present at the meeting.
9. Do not personally attack any member of the public (whether or not present), board/committee members, employees, and the mayor.
10. Maintain your composure and show respect to the mayor and alderpersons.

III

2.1

Res. No. 1 - 17 - 18. By Alderperson Donohue. April 18, 2017.

A RESOLUTION requesting the Mayor to reactivate various special committees for the 2017-2018 Council year.

WHEREAS, by Res. No. 1-16-17, the Mayor was requested to reappoint various special committees.

NOW, THEREFORE, BE IT RESOLVED: That the Mayor is hereby respectfully requested to reactivate the following committees by reappointment of members thereon:

- Mayor's International Committee
- Mayor's Neighborhood Leadership Cabinet
- Senior Activity Center
- Sheboygan Sustainable Task Force

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I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

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III