

**CITY OF MUSKEGO
CHAPTER 2 - THE GOVERNING BODY**

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2.01 ORGANIZATION MEETING; REGULAR MEETINGS

Following a regular City election for the purpose of organization, the Common Council shall meet on the third Tuesday of April. Regular meetings of the Common Council shall be held on the 2nd and 4th Tuesday evenings of each month, at 7:30 p.m. The Mayor and Council President may schedule the meeting to start earlier; however, the meeting will not commence before 6:00 p.m. Any regular meeting falling upon a legal holiday may be rescheduled. Unless otherwise noticed, all meetings of the Council shall be held in the City Hall, including special and adjourned meetings. (Ord. #1314 – 03-18-2010)

2.02 SPECIAL MEETINGS

Special meetings may be called by the Mayor upon written notice of the time and purpose thereof to each member of the Council, delivered to him personally or left at his usual place of abode at least 6 hours before the meeting. The Clerk shall cause an Affidavit of Service of such notice to be filed in his office prior to the time fixed for such special meeting. A special meeting may be held without such notice when all members of the Common Council are present in person, or consent in writing to the holding of such a meeting. If written consent is obtained, it shall be filed with the Clerk prior to the beginning of the meeting. Attendance by any Council member shall be deemed a waiver on his part of any defect of notice. Any special meeting attended by all Alderman shall be a regular meeting for the transaction of any business that may come before such meeting.

2.03 ADJOURNMENT; QUORUM

No action shall be taken unless a quorum is present. Two-thirds of the Aldermen of the Council shall constitute a quorum. A lesser number may compel the attendance of absent members or may adjourn. The Mayor shall not be counted in determining whether a quorum is present at a meeting. The Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour.

2.04 ORDER OF BUSINESS (Ord. #1373 – 07-04-2013)

The business of the Council shall be conducted in the following order:

- (1) Call to Order by Presiding Officer
- (2) Pledge of Allegiance
- (3) Roll Call (If a quorum is not present, the meeting shall thereupon adjourn, which may be to a specific date.)
- (4) Statement of Public Notice
- (5) Communications from the Mayor
- (6) Public Comment (As established by Resolution #04-2012.)
- (7) Unfinished Business
- (8) Consent Agenda. (As established by Resolution #239-2005.)

- (9) Review of Committee Reports
- (10) New Business
- (11) First Reading of Ordinances and Possible Second Reading if Rules Waived
- (12) Licenses
- (13) Voucher Approval
- (14) City Officials' Reports
- (15) Communications and Miscellaneous Business
- (16) Future Agenda Items

The Presiding Officer may change the order of items to accommodate those in attendance.

2.05 CLERK PRO-TEM

In the absence of the Clerk, the Mayor shall appoint a Clerk Pro-Tem.

2.06 PRESIDENT PRESIDING OFFICER

The Mayor at the stated hour shall call the meeting to order. He shall preserve order and decorum, decide all questions of order and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order Revised, unless otherwise provided by statute or by these rules. Any member shall have the right of appeal from a decision of the presiding officer. The appeal may be sustained by a majority of the members present, exclusive of the presiding officer.

2.07 PRESIDENT OF THE COUNCIL

If the Mayor is absent at the designated time of any meeting, the President of the Council shall preside, and during the absence or inability of the Mayor, shall have the powers and duties of the Mayor, including, but not limited to, the powers of the Mayor as a member of the Plan Commission as in part set forth in Chapter 1:1.05(2), and limited by that section, excepting that he shall not have the power to approve an act of the Council which the Mayor has disapproved by filing an objection with the Clerk. He shall, when so officiating, be styled, "Acting Mayor." The President shall be selected by a majority vote of all members of the Council at the annual meeting on the third Tuesday of April. In the absence of both the Mayor and the President of the Council, the Clerk shall call the meeting to order and preside until the Council shall, by motion, select an acting Mayor for that meeting. The Common Council President shall be a member of the Finance Committee. (Ord. #1186 - 02-03-2005)

2.08 WHEN PRESIDING OFFICER ADDRESSES COUNCIL

Whenever the presiding officer shall desire to speak upon any question, or to make any motion, he shall vacate the chair and designate the President of the Council, if present, and if not, any Alderman, to preside temporarily.

2.09 COMMITTEES (Ord. #1314 – 03-18-2010)

- (1) Standing Committees:

The following Standing Committees shall be appointed by the Mayor for a one-year term at the organization meeting or first regular meeting of the newly elected Council.

The Finance Committee and Public Works Committee shall consist of three (3) members, and the Mayor shall ex officio be Chairman of the Finance Committee, unless otherwise ordered by suspension of the rules. The Chairmen of the other committees shall be designated by the Mayor. Each member shall serve on at least one standing committee. The Council President shall serve as an alternate member of the Public Works or Public Safety Committee in the event the absence of the other regular members results in the lack of a quorum. The City of Muskego Purchasing Policy shall govern all contracts and purchases reviewed by the Standing Committees. The items listed below are not all inclusive; other related items may be put on an agenda subject to the Mayor's discretion.

(a) Finance Committee. The Common Council President shall automatically be a member of the Finance Committee. The Mayor shall appoint an alternate member to serve on the Finance Committee in the event the absence of the other regular members results in the lack of a quorum. The Finance Committee will review matters related to the following City Departments: Assessor, Clerk-Treasurer, Finance, Information Systems and the Planning and Zoning Divisions of the Community Development Department. The Finance Committee will review the following:

- Cable Television
- Contract Approvals
- Developer's Agreements
- Fees
- Financial Matters
- Human Resources
- Insurance Matters
- Letters of Credit
- Licenses
- Miscellaneous Administrative Issues
- Sale of Equipment
- Ordinances (Unless reviewed by another committee)
- Voucher Approval
- Wireless Communication Facilities

(b) Public Works Committee. The Public Works Committee will review matters related to the following City Departments: the Engineering Division of the Community Development Department, Public Utilities and Public Works. Whenever possible, the Mayor will appoint the aldermanic representative to the landfill committees to the Public Works Committee. The Public Works Committee will review the following:

- Acceptance and Dedication of Improvements
- Contract Approvals Related to Public Works and Public Utilities
- Easements
- Grading, Drainage and Soil Erosion Issues
- Invoices - MMSD and Town of Norway
- Leaf Pickup
- Ordinances that Pertain to Public Works or Utilities Matters
- Polices Related to Public Works/Public Utilities

- Proposed Projects (Review, Approval, Funding Including Any Special Assessments, and Status)
- Public Improvement Specifications
- Public Utilities Operating and Capital Budgets
- Public Works Capital Budget
- Purchasing and Sale of Equipment
- Refuse and Recycling
- Regulation of Dams on Big Muskego and Little Muskego
- Road Improvement Program
- Road Vacations and Acquisition
- Street Lighting
- Storm Water Management
- Subdivider's Exhibits
- Utility Rates

Any reference in the ordinances of the City of Muskego to the Committee on Public Water, Committee on Public Sewer, or Public Utilities Committee shall mean the Public Works Committee.

- (c) Public Safety Committee. The Public Safety Committee shall consist of three aldermen and two citizen members. The citizen members shall be appointed by the Mayor subject to the confirmation of the Council. The term of the citizen members shall be two years provided that initially one member shall be appointed for a term of two years and one member shall be appointed for a term of one year. The Committee shall review matters related to the Building Inspection Division of the Community Development Department, Police Department and Fire Department and will review the following:
- Building Regulations/Codes
 - Contract Approvals Related to Public Safety Issues
 - Emergency Management - As Defined in Chapter 6
 - Fire Department
 - Annual Contracts for Fire Protection and Rescue Service
 - Annual Operating and Capital Budgets
 - Purchases
 - Fire Prevention Code
 - Forfeitures
 - Licensing and Regulation of Animals
 - Ordinances that Pertain to Public Safety Matters
 - Police Department
 - Annual Capital Budget
 - Unbudgeted Capital Purchases Exceeding \$1,500
 - Public Nuisances - As Defined in Chapter 10
 - Public Waters and Beaches
 - Snowmobile Regulations
 - Traffic Regulations
- (2) Committee of the Whole. The Mayor may declare the entire Council a Committee of the Whole for informal discussion at any meeting or for any other purpose and shall ex officio be Chairman of the same provided there is no objection by any one of the Aldermen present at the meeting. Attendance of five (5) members of the Committee shall be necessary for a quorum.
- (3) Special Committees. The Mayor may appoint such special committee or committees stating the number of members and duties to be performed. The appointed alderperson shall serve a one-year term. (Ord. #1342 07-07-2011)

- (4) The appointment by the Mayor to Standing Committees or Special Committees shall be subject to being overridden by a super-majority of six members of the Common Council at the same meeting as when said appointment is made by the Mayor in which event the appointment is not effective.

2.10 SUBMISSION AND REFERRAL OF ORDINANCES AND COMMUNICATIONS

All ordinances (except those submitted by the Ordinance Committee) and communications and other matters submitted to the Council shall be read by title and author and referred to the appropriate committee by the Mayor without motion unless objected to by a Council member. The Clerk shall read and record each such reference by title. Any alderman may require the reading in full of any matter at any time it is before the Council.

2.11 BILLS AND FINANCIAL CLAIMS

All bills and other financial claims against the City shall be itemized and upon receipt thereof shall be referred by the Clerk to the Committee on Finance for report thereon at the next meeting of the Council, provided that payment of regular wages and salaries of officials and employees according to schedules adopted by the Council shall be made by the Clerk without submission to the Council after verification by the department head submitting the same.

2.12 COMMITTEE REPORTS

Each committee shall at the next regular meeting submit a written report on all matters referred to it, unless a longer time be granted by vote of the Council, and such report shall be entered in the proceedings. Such report shall recommend a definite action by the Council on each item, shall be signed by a majority of the committee and shall be filed with the Clerk prior to each meeting. Minority reports may be submitted.

2.13 NOTICE OF COMMITTEE MEETINGS; MEETING TO BE PUBLIC

Previous notice of each committee meeting shall be filed with the Clerk by the Chairman, and each meeting shall be open to the public.

2.14 OFFICERS TO COOPERATE WITH COMMITTEES

Any committee may require any city officer to confer with it and supply information needed in connection with any matter pending before the committee.

2.15 ACTION ON COMMITTEE REPORTS

A voice vote shall be taken on each committee report immediately following its submission, but any Alderman may require a roll call vote on any matter in any report. Action upon a specific matter included in any committee report shall be deferred until the next regular meeting following the submission of the report upon the request of any 2 Aldermen.

2.16 ORDINANCES AND RESOLUTION TO BE IN WRITING

No ordinance or resolution shall be considered by the Council unless presented in writing by the Mayor or an Alderman.

2.17 DELIBERATIONS OF COUNCIL

- (1) No Alderman shall address the Council until he has been recognized by the presiding officer. He shall thereupon address himself to the Chairman and confine his remarks to the question under discussion and avoid all personalities.
- (2) When 2 or more members simultaneously seek recognition the presiding officer shall name the member who is to speak first.
- (3) When a question is under discussion no other action shall be in order, except (a) to adjourn, (b) to recess, (c) to lay on the table, (d) to move the previous question, (e) to postpone to a certain day, (f) to refer to a committee, (g) to amend, (h) to postpone indefinitely. These motions shall have precedence in the order listed.
- (4) Any member wishing to terminate 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 2/3 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 to bring the Council to a direct vote, first upon any pending amendments, and then upon the main question.
- (5) Any Alderman may demand a roll call vote on any matter, and all roll call votes shall be recorded in the journal. On confirmation of appointments and on the adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the City, or any fund thereof, the vote shall be by roll call. Every Alderman shall vote when a question is put unless the Council by a majority vote of those present shall excuse him for special cause. An Alderman may not change his vote on any question after the result has been announced, unless the matter has been duly moved for reconsideration.

The Mayor shall not vote except in the case of a tie. When the Mayor does vote in the case of a tie, his vote shall be counted in determining whether a sufficient number of the Council has voted favorably or unfavorably on any measure. A majority vote of all members of the Council in favor of any proposed ordinance, resolution or appointment shall be necessary for passage or approval, unless a larger number is required by law. Except as otherwise provided, a majority vote of those present shall prevail.

A motion to adjourn shall always be in order, and a motion to adjourn, to recess, to lay on the table and a call for the previous question shall be decided without debate.

2.18 ACTION ON ORDINANCES AND RESOLUTIONS

- (1) All propositions for the Common Council shall be reduced to writing.
- (2) Every ordinance shall have 2 readings previous to its passage, however said reading may consist of reading only the title of said ordinance. No ordinance shall have its second reading on the same day that it is first read, unless by suspension of the rules as hereinafter provided.

Copies of all ordinances shall be submitted in writing to each Council member at least 3 days prior to presentation at a formal Council meeting.

- (3) Resolution offered which are noted on the agenda for the meeting may be acted upon at that meeting. Otherwise they shall not be acted upon until the next regular meeting unless this rule is suspended as hereinafter provided.

2.19 RECONSIDERATION

Any member who voted in the majority on any question, or who voted in the negative when the Council is evenly divided, may move consideration of such vote at the same or next succeeding regular meeting of the Council, or any adjournment thereof. A motion to reconsider having been put and lost cannot be renewed.

2.20 MINUTES OF MEETINGS

Within not more than 10 days after each meeting of the Council the Clerk shall supply to each Alderman at his residence a typewritten copy of the proceedings thereof, perforated for insertion in a ring binder. By majority action of those present the Council may dispense with the reading of the minutes at the ensuing meeting.

2.21 SUSPENSION OF RULES

These rules or any part thereof may be temporarily suspended in connection with any matter under consideration by a roll call vote of 2/3 of the members present.

2.22 AMENDMENT OR RESCISSION OF RULES

No standing rule or order of the Common Council shall be permanently rescinded or changed, unless notice to that effect shall have been given at the previous regular meeting.