

# CHAPTER 2 – THE COMMON COUNCIL

## 2.01 (COMMON COUNCIL)

### (1) GENERAL

- (a) The Mayor and 12 Aldermen shall constitute the Council. (See also sec. 1.02 of this Code)
- (b) The Mayor shall not be counted in determining whether a quorum is present at a meeting, but may vote in case of a tie.
- (c) When the Mayor does vote in 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.
- (d) The Council shall be the judge of the election and qualifications of its members, may compel their attendance, and may fine or expel for neglect of duty.
- (e) A majority of all the members shall be necessary to confirm appointments. In case of a tie, the Mayor shall have a vote as in other cases.

(2) QUORUM: Two-thirds of the members of the Council shall constitute a quorum, except a lesser number may compel the attendance of absent members and adjourn.

## 2.02 (COUNCIL MEETINGS)

(1) ANNUAL ORGANIZATIONAL MEETING: The Council shall meet annually on the third Tuesday of April for the purpose of organization.

(2) REGULAR MEETINGS: The regular meetings of the Common Council shall be held in the Council Chamber at City Hall on the first and third Tuesdays of each month at 7:00 P.M., except that when the day for holding any regular council meeting shall be a legal holiday, the regular council meeting shall be held on the next secular day. Further, in the event any election falls on the first or third Tuesdays of the month, such regular meeting shall be held on the next day following said election. **(HISTORY: Amended by Ordinance 2010-23, passed on December 7<sup>th</sup> 2010.)**

### (3) SPECIAL MEETINGS:

- (a) Special meetings of the Council may be called by the Mayor, or in his/her absence the President of the Council, at such time as he/she may appoint, by written notice of the purpose and time thereof to each member delivered to him/her personally at his/her usual place of abode, at least 6 hours before the meeting.
- (b) Upon petition of 3 or more of the members of the Council, the Mayor, or in his/her absence the President of the Council, shall call a special meeting of the Council.
- (c) In addition to all other notice requirements, the requirement of sub. (5) below shall be complied with.

(4) ADJOURNMENTS: Any regular or special meeting may be adjourned by a majority of the members present, but no adjournment shall be made to a time later than the next regular meeting.

(5) OPEN MEETINGS: Except as provided in § 19.85, Wis. Stats., all meetings of the Council or of the City Board, commission, committee, or otherwise designated formally constituted subunit of City government shall be open sessions as defined by § 19.82, Wis. Stats. Pursuant to § 19.84, Wis. Stats., notice of all meetings shall be given as to time, place and subject matter not less than 24 hours prior to the commencement of such meetings unless for good cause such notice is impossible or impractical, in which case, shorter notice may be given, but in no event less than 2 hours in advance of the meeting. In addition, such notice shall be posted for a like period on the City Hall bulletin board. The subject matter of all closed sessions shall be announced by the Mayor and a roll call vote taken on the motion to go into closed session so as to comply with the requirements of § 19.85, Wis. Stats.

(6) CALL TO ORDER: The Mayor, or in his/her absence the President of the Common Council or in his/her absence, the Common Council member with the most years of continuous uninterrupted years of service on the Common Council, shall promptly call each meeting of the Common Council or Committee of the Whole to order at the hour fixed for the holding of such meeting. **(HISTORY:**

**Amended by Ordinance 2006-15, approved on October 17<sup>th</sup> 2006 and by Ordinance 2007-09, approved on June 5<sup>th</sup> 2007.)**

### **2.03 (ORDER OF BUSINESS)**

At all regular meetings of the Common Council, the order of business shall be conducted as follows, unless the same shall be temporarily suspended by the Council:

- (1) Call to order and roll call
- (2) Report as to compliance with open meeting law requirements
- (3) Public input
- (4) Approval of Council Minutes
- (5) Consent agenda
- (6) Items removed from Consent Agenda
- (7) Committee Reports and Actions
- (8) Old business
- (9) New business
- (10) Such other business as may legally come before the Common Council

**(HISTORY: Amended by Ordinance 2009-02, approved on March 3<sup>rd</sup> 2009.)**

### **2.04 (CONSENT AGENDA)**

The City Administrator is hereby authorized to create a subsection on any Common Council agenda entitled "Consent Agenda" in which the City Administrator shall place matters which, in his/her judgment, are routine and noncontroversial and which do not require a special vote or action to be taken by the Common Council. No separate discussion or debate shall be permitted on any matters which have been included in the Consent Agenda. A single motion, seconded and adopted by a majority vote of the Common Council shall be sufficient to approve, adopt, enact or otherwise favorably resolve any matter listed on the Consent Agenda without the requirement of a separate reading or discussion thereof. At such time during a Common Council meeting when the Consent Agenda is reached, any Alderman may request removal of any item or part thereof previously included in the Consent Agenda and such item or part thereof shall be removed without debate or vote. Any item or part thereof removed from the Consent Agenda by action of the Common Council shall be separately considered at an appropriate time during the Common Council's regular order of business.

**(HISTORY: Amended by Ordinance 2009-02, approved on March 3<sup>rd</sup> 2009.)**

### **2.05 (COUNCIL RULES OF PROCEDURE)**

(1) **PARLIAMENTARY PROCEDURE:** In the absence of any other rule or provision of law, the Council shall be governed by *Robert's Rules of Order*, Revised.

(2) **QUESTIONS OF PROCEDURE:** The Mayor or presiding officer shall decide all questions of order, but any Alderman may appeal from his ruling to the Council.

(3) **ALL MEMBERS TO VOTE:** Every member present when a question is put shall vote thereon unless excused by the Council.

(4) **ADDRESSING THE CHAIR:** When an Alderman is about to speak to a question or make a motion, he shall raise his hand and address the Mayor presiding officer, who shall recognize him by pronouncing his name. Every speaker shall confine himself to the question under consideration and avoid personalities. No speaker shall speak more than twice on any question or for more than 10 minutes at any one time without leave from the Mayor, and the same rules shall be observed in committee of the whole.

(5) **ORDINANCES AND RESOLUTIONS:** All ordinances, bylaws and communications and all resolutions appropriating money or creating any charge against any funds of the City shall be read by title and author and be referred to the appropriate committee by the Mayor. No ordinance, bylaw or resolution shall be considered unless presented in writing by an Alderman. Unless requested by a

majority of the Council members before final vote is taken, no ordinance, resolution or bylaw need be read in full.

(6) MOTIONS: When a question is before the Council, no motion shall be received, unless to adjourn, lay on the table, to refer to a committee or to amend, which several questions shall have precedence in the order in which they are offered. A motion to adjourn shall always be in order unless the Council shall be engaged in voting, and shall be determined without debate.

(7) AYES and NOES: The ayes and noes shall be taken and recorded on any question before the Council upon the call of any member.

(8) PRESIDING OFFICER MAY VACATE CHAIR: Whenever the presiding officer desires to speak on any question or make any motion, he shall vacate the chair and designate an Alderman to preside temporarily.

(9) RECONSIDERATION: Any person who voted in the majority on any question or any person who voted in the negative when the Council was equally divided may move a reconsideration of such vote on the same or next succeeding meeting of the Council. A motion to reconsider having been put and lost shall not again be in order.

(10) SUSPENSION OF RULES: No standing rule shall be rescinded, changed or suspended except by a vote of 2/3 of the members present.

## **2.06 (STANDING COMMITTEES)**

(1) GENERAL PROVISIONS: Unless specifically provided otherwise, the following provisions shall apply to all standing committees:

(a) Appointments: The Mayor shall, at the annual organizational meeting of the Council, appoint members to the standing committees and designate a chairman.

(b) Meetings: The Committees shall meet at the time established by the Chairman.

(c) Committee Reports: Matters shall be referred to the appropriate Committee by the Mayor or the Council and each Committee shall, at the next regular Council meeting, submit a written or oral report on all matters referred to it. Such reports shall recommend a definite action on each item, which recommendation shall be noted in the minutes of the Council meeting.

Committees may require City staff members to confer with them and to supply information in connection with any matter pending before them.

(d) Mayor Ex-Officio Member: The Mayor shall be an ex-officio member of all Committees.

(2) FINANCE COMMITTEE: The Finance Committee shall consist of 5 Aldermen. The Committee shall be responsible for approving claims, the investigation of unusual claims against the City, the investigation of and application for any State, Federal or County grants and aids for which the City may be eligible; the recommendation for the pay scale and fringe benefit guidelines for City employees; the preparation of the annual budget; and all other matters referred to the Committee by the Council.

(3) PERSONNEL AND LICENSING COMMITTEE: The Personnel and Licensing Committee shall consist of 5 Aldermen. The Committee shall be responsible for bargaining with City employee units pursuant to guidelines established by the Council; promoting the voluntary conciliation, mediation and arbitration of disputes between City bargaining unit employees and the City; the investigation and recommendations for license and permit applications requiring Council action; and investigating and making recommendations to the Council regarding the City's insurance program.

(4) PUBLIC WORKS COMMITTEE: The Public Works Committee shall consist of five (5) alderpersons. The Committee shall be responsible for the construction and maintenance of all City streets and sidewalks; the operation of the water and waste water utilities; the construction of sewer and water mains; the maintenance and rental of all City owned land, improvements, and personal property; the sale of all City owned land, improvements, and personal property not needed for City purposes; the preparation and letting of bids for all authorized public construction; the preparation of proposals for authorized equipment purchases; the maintenance of City buildings and grounds and

policy recommendations to the Council for the operation of same; the annual preparation of the Public Works budget and submission of same to the Finance Committee; and all other matters referred to the Committee by the Council.

**(HISTORY: Amended by Ordinance 2010-18, approved on August 17<sup>th</sup> 2010.)**

(5) PROTECTION AND HEALTH COMMITTEE: The Protection and Health Committee shall consist of 5 Aldermen. The committee shall be responsible for all sanitation matters, health, Police and Fire Department budgets and such other matters referred to the Committee by the Council.

~~(6) PROPERTY COMMITTEE: The Property Committee shall consist of 3 Aldermen. The Committee shall be responsible for the maintenance, rental and sale of all City land not used for City purposes, subject to Council approval, and such other related matters referred to it by the Council.~~

**(HISTORY: Amended by Ordinance 2010-18, approved on August 17<sup>th</sup> 2010.)**

### **2.07 (SPECIAL COMMITTEES)**

All special committees shall be appointed by the Mayor or presiding officer, subject to approval of the Council, unless otherwise directed by the Council.

## CHARTER ORDINANCE

Pursuant to Section 66.01 of the Wisconsin Statutes, the Common Council for the City of Prairie du Chien, Crawford County, Wisconsin, hereby enacts the following Charter Ordinance:

Section 1: That any Council Member, who is required to assume the Mayor's position to conduct any City Council meeting at which the Mayor is absent, shall upon assuming that position, retain all rights and privileges to vote on any issue that may come before the meeting over which the Council Member is presiding due to the Mayor's absence.

Section 2: This Charter Ordinance shall be effective 60 days after its passage and publication as required by Section 66.01(5), Wis. Stats., and subject, within the time frame above set forth, to the referendum procedure set forth in Section 66.01, Wis. Stats.

INTRODUCED BY:

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Passed and approved this 13<sup>th</sup> day of January, 1998.

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Karl K. Steiner, Mayor

ATTEST:

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Gary Koch, City Administrator/Clerk/Treasurer

### **CITY OF PRAIRIE DU CHIEN CHARTER ORDINANCE - CITY ADMINISTRATOR**

The Common Council of the City of Prairie du Chien, Wisconsin, does ordain as follows:

#### **SECTION 1.**

(a) City Administrator, Office Created: By Charter Ordinance # 10-05, the office of City Administrator is created. In order to provide the City of Prairie du Chien with an efficient, effective, and responsible government under a system of a part-time Mayor and part-time Common Council (hereinafter referred to as "Common Council") at a time when city government is becoming increasingly complex, there is hereby created the Office of City Administrator for the City of Prairie du Chien (hereinafter referred to as "City Administrator").

(b) Appointment and Term: The City Administrator shall be appointed by a 2/3 vote of the Common Council. The City Administrator shall be "an at will" employee and the City Administrator may be discharged or terminated by the City of Prairie du Chien at any time without reason and without cause by a simple majority vote of the Common Council. The City Administrator if he/she so desires, may

terminate his/her appointment upon a 30 day prior written notice to the Mayor and the Common Council. **(HISTORY: Amended by Charter Ordinance 2005-02, approved November 1<sup>st</sup> 2005.)**

(c) Functions and Duties: The City Administrator shall serve as the chief administrative officer of the City. The City Administrator shall plan, organize, coordinate, and direct the municipal administration of the City, and he/she shall be responsible for carrying out the directives and policies of the Mayor and Common Council, subject to statutory limits which may apply. The City Administrator shall have clear authority to administer the day-to-day operations of the City government subject only to the restrictions noted above. In addition to the general duties and responsibilities as stated above, the City Administrator shall:

**(A) GENERAL DUTIES**

1. Carry out directives of the Mayor and Common Council which require administrative implementation, reporting promptly to the Mayor and Common Council any difficulties encountered.
2. Be designated as overall head of all City departments and be responsible for the administration of the day-to-day operations of the City of Prairie du Chien and the government of the City of Prairie du Chien, including the monitoring of all City departments, ordinances, resolutions, council meeting minutes, and state statutes. Nothing herein stated shall annul any authority previously given to the Police and Fire Commission or Library Board.
3. Prepare a plan of administration, including an organization chart, which defines authority and responsibility for all non-statutory positions of the City; and submit it to the Common Council for adoption as the official organization and administrative procedure plan for the City.
4. Establish, when necessary, administrative procedures to increase the effectiveness and efficiency of City government according to current practices in local government, not inconsistent with paragraph 2 above or directives of the Mayor and Common Council.
5. Serve as an ex-officio non-voting member of all boards, commissions, and committees of the City, except as specified by the Common Council or Wisconsin State Statutes.
6. Keep informed concerning current federal, state, and county legislation and administrative rules affecting the City and submit appropriate reports and recommendations thereon to the Common Council.
7. Keep informed concerning the availability of federal, state, and county funds for local programs. Assist department heads and the Common Council in obtaining these funds under the direction of the Mayor and the Common Council.
8. Represents the City in matters involving legislative and inter-governmental affairs as authorized and directed as to that representation by the Mayor and Common Council.
9. Act as public information officer for the City with the responsibility of assuring that the news media are kept informed about the operations of the City.
10. Establish and maintain procedures to facilitate communications between citizens and City government to assure that complaints, grievances, recommendations, and other matters receive prompt attention by the responsible official, and to assure that all such matters are expeditiously resolved.
11. Promote the economic well-being and growth of the City through public and private sector cooperation and shall be the economic liaison officer for all economic development within the City.
12. Oversee and coordinates a strategic plan responsive to our dynamic and changing City environment.

**(B) RESPONSIBILITIES TO THE COMMON COUNCIL**

1. Attend all meetings of the Common Council, assisting the Mayor and the Common Council as required in the performance of their duties.
2. In coordination with the Mayor, the Common Council, and the Clerk, ensure that appropriate agendas are prepared to all meetings of the Common Council, all Common Council

committees, and all other appropriate committees and commissions of the City, together with such supporting material as may be required; with nothing herein being construed as to give the City Administrator authority to limit or in any way prevent matters from being considered by the Common Council, or any of its committees or commissions.

3. Assist in the preparation of ordinances and resolutions as requested by the Mayor or the Common Council, or as needed.

4. Keep the Mayor and the Common Council regularly informed about the activities of the City Administrator's office by oral or written report at regular and special meetings of the Common Council.

5. In the event action normally requiring Common Council approval is necessary at a time when the Common Council cannot meet, the City Administrator shall receive directives from the Mayor.

#### (C) PERSONNEL

1. Be responsible for the administrative direction and coordination of all employees of the City according to the established organizational procedures.

2. Recommend to the Common Council the appointment, promotion, and when necessary for the good of the City, the suspension or termination of department heads.

3. In consultation with the appropriate department head, Common Council Committees and Common Council, be responsible for the appointment, promotion, and when necessary for the good of the City, the suspension or termination of employees below the department head level.

4. Serve as personnel officer for the City with responsibilities to see that complete and current personnel records, including specific job descriptions, for all City employees are kept; evaluate in conjunction with department heads the performance of all employees on a regular basis; recommend salary and wage scales for City employees not covered by collective bargaining agreements; develop and enforce high standards of performance by City employees; assure that City employees have proper working conditions; work closely with department heads to promptly resolve personnel problems or grievances.

5. Assist in labor contract negotiations and collective bargaining issues.

6. Work closely with department heads to assure that employees receive adequate opportunities for training to maintain and improve their job related knowledge and skills and act as the approving authority for requests by employees to attend conferences, meetings, training schools, etc., provided that funds have been budgeted for these activities.

7. Evaluates and coordinates the City's health insurance plan and all other employee benefit programs.

#### (D) BUDGETING AND PURCHASING

1. Be responsible for the submittal of the annual City budget, in accordance with guidelines as may be provided by the Common Council and in coordination with department heads, and pursuant to state statutes, for review and approval by the Mayor and the Common Council.

2. Administer the budget as adopted by the Common Council.

3. Report regularly to the Common Council on the current fiscal position of the City.

4. Supervise the accounting system of the City and insure that the system employs methods in accordance with current professional accounting practices.

5. Serve as the purchasing agent for the City, supervising all purchasing and contracting for supplies and services, subject to the purchasing procedures established by the Common Council and any limitation contained in the Wisconsin State Statutes or local Ordinance.

#### (E) CONTRACT ADMINISTRATION

1. Be responsible for administration of all contracts and agreements not specifically delegated to department heads in their normal course of work.

#### (F) RISK MANAGEMENT

1. Coordinates the City's liability, property, and worker compensation insurance needs with

appropriate insurance company representatives.

SECTION 2 (Severability): The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Common Council of the City of Prairie du Chien would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid; and if any provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 3: This Charter Ordinance repeals Chapter IV, Section 22 and Section 23 of the City of Prairie du Chien Charter Ordinance. Further, any other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 4 (Effective Date) This Ordinance shall take effect and be in force from and after the completion of the following events: (1) Sixty (60) days from its passage and publication as provided by law, and (2) the hiring of a City Administrator to replace the present City Administrator-Clerk/Treasurer.

Passed and approved this 19th day of July, 2005.

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Cheryl Mader, Mayor

ATTEST:

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Gary Koch, City Administrator