

**MILWAUKEE COMMON COUNCIL
PROCEDURE AND RULES**

ARTICLE I OFFICERS

Section 1. Election of Common Council President and City Clerk. The election of the common council president shall precede the election of the city clerk.

1. Common Council President. a. The city clerk shall serve as temporary chair for purposes of presiding over the election of the common council president.

b. The clerk shall call for nominations by saying: "Nominations are now in order for the office of common council president."

c. Nominations are necessary to validate the vote for any individual. Nominations need not be seconded.

d. After all candidates have been nominated, the clerk shall ask 3 times whether there are further nominations; if not, the clerk shall declare nominations closed.

e. The clerk shall call the roll in district number order and each council member shall orally state the name of the candidate of his or her choice.

f. After the roll call vote, the clerk shall announce the totals for each candidate.

g. The candidate receiving a majority vote of the council members-elect shall be deemed elected.

h. Should no one receive the vote of the majority of the council members-elect, another ballot shall be taken repeating the procedure established pursuant to pars. b to g.

2. City Clerk. a. The common council president shall preside over the election of the city clerk.

b. The president shall call for nominations by saying: "Nominations are now in order for the office of city clerk."

c. The remaining procedures for the election of the city clerk shall follow those listed in sub. 1-c to h.

Section 2. President. Whenever the common council president is unable to attend to the duties of the office, because of absence or otherwise, his or her place shall be taken by the chair of the committee on finance and personnel who shall serve as acting president of the common council and discharge all the duties of the office until the president returns. These duties shall include the signing of reports, ordinances and other matters taken up at council meetings. If the chair of the committee on finance and

personnel is also absent, successors to the office shall be the remaining members of the common council in the same order as provided in the city charter for succession to the office of mayor.

Section 3. Clerk. The city clerk, in addition to the duties prescribed by the city charter, shall furnish the chairs of committees, the comptroller and other city officers with the resolutions and other matters that may be referred to them, and perform all such other duties as may be required by the council.

Section 4. Sergeant-at-arms. 1. Upon direction of the council president, the city clerk shall appoint a sergeant-at-arms, whose name shall be filed with the common council. Under the direction of the presiding officer, the sergeant-at-arms shall preserve order and decorum at council and committee meetings. By order of the council or a committee, the sergeant-at-arms shall compel the attendance of absent members. The sergeant-at-arms shall also keep order and prevent undue noise in the meeting rooms and the adjacent halls, and be available to council members attending the meeting.

2. Not later than 15 minutes prior to the start of any council meeting, the sergeant-at-arms shall exclude all persons from within the bar of the council chamber, except members, the mayor and staff of the office of the city clerk when engaged in official business related to the conduct of the meeting. Reporters and photographers may be permitted within the bar provided they observe general rules of decorum.

ARTICLE II COMMITTEES

Section 1. Standing Committees. The following standing committees, including their chairs and vice-chairs, shall be appointed by the president. Members are required to serve on all committees to which they are appointed. In the absence of the chair, the vice-chair shall carry out the duties of the chair. In the absence of both the chair and vice-chair, the duties of the chair shall be carried out by one of the remaining members, in the order by which they were appointed to the committee by the president. All committees shall consist of 5 members. The standing committees shall be given the following assignments:

- 1.** Community and economic development:
 - a. Business improvement districts.
 - b. City public relations.
 - c. Community development.
 - d. Community development block grant.
 - e. Development fund appropriations.
 - f. Economic development.
 - g. Emerging business enterprises.
 - h. Industrial revenue bonds.
 - i. Job development.
 - j. Land bank.
 - k. Library system
 - l. Milwaukee economic development corporation
 - m. Neighborhood improvement development corporation
 - n. Recreation and cultural arts.
 - o. State development zones.

- 2.** Finance and personnel:
 - a. Annual budget and related files.
 - b. Appropriations.
 - c. Audits.
 - d. Bonds and notes, except industrial revenue bonds.
 - e. Employee and labor relations.
 - f. Financial contracts for services rendered.
 - g. Information and technology management.
 - h. Insurance.
 - i. Long range financial planning.
 - j. New positions and reclassifications.
 - k. Official advertising and printing.
 - l. Pensions and other benefits.

m. Taxation and new revenue sources.

3. Judiciary and legislation:

- a. Annexation, detachments and boundaries.
- b. Billing cancellations.
- c. Claims and court suits.
- d. Deferred assessments.
- e. Elections and referenda.
- f. Ethics.
- g. Intergovernmental relations.
- h. Lobbying.
- i. Native American affairs.
- j. State, county or federal legislation.
- k. Tax cancellations.

4. Public works

- a. Air lease rights.
- b. Assessments for public improvements.
- c. Declaration of city-owned property as surplus.
- d. Easements.
- e. Flood control projects.
- f. Harbors, rivers, creeks.
- g. Highways and streets.
- h. House numbers.
- i. Leases and rental of public buildings, facilities, and land.
- j. Milwaukee metropolitan sewerage district.
- k. Parking facilities.
- l. Public building and facilities operation, construction, maintenance, and naming.
- m. Recycling.
- n. Removal of deed restrictions from former city-owned property.
- o. Sale of surplus city-owned property to non-profit agencies for housing purposes.
- p. Sewer projects.
- q. Special privileges.
- r. Street names.
- s. Transportation, including railroads.
- t. Waste collection and disposal.
- u. Water department.

5. Public safety:

- a. Emergency government.
- b. Emergency medical services.

- c. Fire department, except those matters pertaining to public facilities.
- d. Health department, except those matters pertaining to public facilities.
- e. Neighborhood services, department of, except those matters pertaining to public facilities.
- f. Parking regulations.
- g. Police department, except those matters pertaining to public facilities.
- h. Pollution.
- i. Traffic control.

6. Utilities and licenses:

- a. Cable television.
- b. Licenses and permits.
- c. Utility rates and services.

7. Zoning, neighborhoods and development:

- a. Blight designation.
- b. Building code.
- c. Historic preservation.
- d. Housing authority.
- e. Housing projects
- f. Offers for property needed for city purposes.
- g. Offers to purchase city property, including tax deed.
- h. Planning, including master plan.
- i. Plats and maps.
- j. Redevelopment authority.
- k. Redevelopment project areas.
- L. Sale of city-owned property to non-profit agencies for purposes other than housing.
- m. Tax incremental financing districts
- n. Zoning.

Section 2. Steering and Rules. A steering and rules committee comprised of the president, who shall be the chair, and the standing committee chairs, with their vice-chairs serving as alternates, shall have jurisdiction over:

- a. Charter schools.
- b. City clerk's office.
- c. Extraordinary matters not covered by the responsibility of any standing committee.
- d. Matters within the responsibility of more than one standing committee, in the discretion of the president.
- e. Rules and procedures of the council.
- f. Strategic planning.

Section 3. Committee Rules. Insofar as possible, the council procedure and rules shall apply to the standing committees of the council.

Section 4. Committee Meetings. The city clerk, upon the request of the chair or of a majority of the members of any standing or special committee of the council shall call the committee at the time and place designated by the chair or by the majority.

Section 5. Committee Reports. When a standing committee has met and considered a matter referred to it, it shall report on the matter to the council. Each committee shall present a report containing a listing of its recommendations to the council on all matters considered.

Section 6. State Legislative Proposals. A recommendation of the committee on judiciary and legislation regarding the stand to be taken on a bill pending in the state legislature, when approved by the common council, as referred by the committee or as amended by the council, shall become the official position of the city and shall not be changed except by action of the council at a regular or special meeting. If a bill comes up for a hearing before the legislature or one of its committees before the common council can act on its committee recommendation, the stand of the committee on judiciary and legislation shall represent the official position of the city.

ARTICLE III MEETINGS

Section 1. Regular Meetings. The common council shall annually adopt a schedule of regular meetings of the council and its committees. No regular meetings shall be held during the month of August.

Section 2. Notification Requirements for Meetings. Before convening a meeting of the common council or any of its committees, the president of the common council, a committee chair or other presiding officer, or his or her designee shall inform the city clerk of the time, date, place and subject matter of the meeting, including the subject matter intended for consideration at any contemplated closed session. The city clerk shall give public notice of the meeting in accordance with the requirements of the Wisconsin open meetings law.

Section 3. Absences. Any member who fails to appear and answer to his or her name when the roll is called at any regular or special meeting, including committee meetings, shall be recorded as absent or excused, at the discretion of the president or committee chair. If a member cannot attend, the member shall so notify the city clerk who shall notify the president or committee chair before the meeting begins.

Section 4. Order of Business. The president shall take the chair at the hour fixed for the meeting and call the members of the common council to order.

Before proceeding to business, the roll of the members shall be called, and the names of those present, excused and absent entered in the minutes. If a quorum is present, the order of business shall be:

1. Pledge of allegiance.
2. Invocation or silent meditation.
3. Corrections of the minutes of the previous meeting.
4. Presentations.
5. Unfinished business.
6. Reports of standing committees.
7. Communications to be ordered on file.
8. Motions for immediate approval.
9. Resolutions for immediate adoption.
10. Presentation of ordinances.
11. Presentation of resolutions and motions.
12. Presentation of communications.
13. Announcements.

Section 5. Call of the House. A member may move a call of the house at any time except after voting has commenced. A motion for a call of the house may not be debated. A motion for a call of the house shall prevail if six votes are cast in its favor. If a call of the house is made, no member shall be permitted to leave the room. The clerk shall immediately call the roll and shall furnish a list of the absentees without leave to the sergeant-at-arms who shall immediately bring them to the council

chamber. When the council is under a call, no business shall be transacted and no other motion shall be in order except a motion to adjourn and a motion to suspend further proceedings under the call. A motion to suspend further proceedings under the call shall not be adopted unless a majority of all the members present vote in favor. Upon the sergeant-at-arms reporting that all who were absent without leave are present, the call shall be at an end, and the business or motion pending at the time the call was made shall be proceeded with.

Section 6. Decorum. Any member who fails to take his or her seat after having been requested by the president to do so, or is guilty of using any profane or unparliamentary language, or is guilty of any unprofessional conduct, shall be seated by the sergeant-at-arms or shall be censured by a standing vote of a majority of the members present. No member of the council shall interfere with the orderly progress of the meeting by leaving his or her seat or engaging in unnecessary conversation.

Section 7. Limitations on Speech. No member shall be recognized by the president unless the member is at his or her own place. No member shall speak more than twice on any question until all members who desire to speak have been heard, and then not without first obtaining recognition from the president. In speaking, members shall confine themselves to the question under consideration and shall avoid all personalities. The president shall not address matters of substance, but shall confine his or her remarks to procedural matters unless he or she relinquishes the chair and takes a seat among the other members.

Section 8. Roll Calls. A roll call shall be ordered upon any question at the request of any member. The clerk shall call the roll of members in numerical order by district, with the exception of the president who shall vote last. The clerk shall enter in the minutes the names of members voting in the affirmative, those voting in the negative, those absent, those abstaining and those excused by the chair. No member shall explain his or her vote during the call of the roll.

Section 9. Recordings. The proceedings of common council and committee meetings shall be recorded. Original recordings shall be preserved in accordance with the city clerk's record retention schedule.

ARTICLE IV COUNCIL FILES

Section 1. Introduction of Files.

1. **Form.** All council files shall be introduced in proper form, as established by the city clerk.

2. **Referrals.**
 - a. The president shall refer new matters to the appropriate standing committees or may order them on file if no further council action is required. The assignment of matters to appropriate committees may be delegated to the city clerk, subject to the president's approval.

 - b. When a matter falls within the assignments of more than one standing committee, the president, or the city clerk if so designated, may direct that the matter be referred directly from one committee to another after the first committee has made a recommendation or has voted to refer the file without recommendation. The matter shall be first referred to the appropriate standing committee that meets earliest in the council meeting cycle. Any standing committee may also elect to refer a matter before it to another standing committee. The last committee holding a hearing on the matter shall report its recommendation to the council.

 - c. Questions of jurisdiction shall be decided by the president.

3. **Files Introduced By "The Chair".**
 - a. Only matters sponsored by a common council member and identified as to sponsorship may be introduced to the common council, except those files submitted by "The Chair". Except as provided in par. b, files submitted by "The Chair" shall be submitted to the city clerk no later than the close of business on the fourth business day before the common council meeting on which they are to be introduced. Files submitted by "The Chair" shall be referred to the president and to the chairs of the committees to which they would be assigned. If both the president and the appropriate chair consent to the introduction of a file, it shall be deemed introduced and referred to committee. If either the president or the appropriate chair does not consent to the introduction of a file, it shall not be introduced.

 - b. The following types of files shall be exempt from the review procedure described in par. a and may be introduced directly to the council.
 - b-1. Alley, sidewalk and street grades and widths.
 - b-2. Appointments.
 - b-3. Blighted property, declaration or acquisition.
 - b-4. Budget files.
 - b-5. Certified survey maps.
 - b-6. Claims and suits, including cancellations and settlements.
 - b-7. Classification study reports.
 - b-8. Commendations and condolences.
 - b-9. Declarations that city-owned property is surplus.
 - b-10. Dedications of city-owned property.
 - b-11. Easements.

- b-12. Licenses and permits.
- b-13. Official map changes.
- b-14. Parking and traffic control ordinances.
- b-15. Property tax cancellations.
- b-16. Reports requested by the common council.
- b-17. Salary and position ordinance changes.
- b-18. Sales of city-owned property.
- b-19. Service of papers and official notices.
- b-20. Special privileges.
- b-21. Vacations or reservations of streets and alleys.
- b-22. Zoning change applications.

4. New Business Report. All matters presented to the city clerk for introduction to the common council shall be printed in the minutes of the common council meeting at which they are introduced with referral to the appropriate committee, when applicable, so noted.

5. Certain Files Prohibited. No member may introduce any matter that specifically applies to a purely internal matter in the district of another member without the approval of the affected member, and the city clerk shall refuse to accept any such files without this approval.

Section 2. Germaneness. Whenever a majority of the members present question whether a matter before the common council is germane to the proper activities of the council, they may by vote direct that the matter be referred to the steering and rules committee for a determination as to its germaneness.

Upon a determination that the matter is germane, the steering and rules committee shall forward the file to the appropriate standing committee for a hearing. Furthermore, any standing committee may, by a majority vote, refer any matter before it to the steering and rules committee for a determination as to its germaneness in the same manner.

Section 3. Adoption of Resolution on Day of Introduction. Whenever a resolution is requested to be adopted on the same day it is introduced, the city clerk shall furnish each council member with a copy of the resolution and shall, upon request, read the resolution in its entirety. Resolutions to be adopted under this rule shall require a 2/3 vote of the members of the council at the time of the vote.

Section 4. Committee Reports. A roll call vote shall be taken on the entire report of each committee. If action on any matter is deferred pursuant to section 4-21 of the city charter, a second or succeeding request for deferment shall require a majority of the members present.

Section 5. Substitutes. 1. A file having been introduced by title shall be deemed to have been substituted when the completed measure is presented to the council for action. A file being reported to the council in substitute form will not require acceptance of the substitute by the council prior to a vote.

2. After introduction of a file, other members may be added as sponsors of the file. The addition of sponsors shall not constitute a substitute to the file. The city clerk shall note additional sponsors on the official copies of the appropriate versions of the file and on all council records.

Section 6. Amendments. Any amendment to be introduced on the floor of the council shall be presented in writing to the clerk, and a copy of the amendment shall be given to each member present at the meeting.

Section 7. Budget Amendments. 1. When the proposed city budget is reported to the council by the finance and personnel committee, the council shall first consider any amendments recommended for adoption by the committee, in order by budget item affected.

2. The common council shall next consider any amendments which were submitted for consideration to the finance and personnel committee but which were not recommended for adoption by the committee, provided they were submitted to the city clerk at least 24 hours prior to the council meeting, in order by budget item affected.

3. The common council may next, by a non-debatable two-thirds vote of the members of the council in office at the time of the vote, accept for consideration any budget amendment which was not submitted under either sub. 1 or 2. The two-thirds vote requirement shall not apply to any amendment related to a budget item on which the finance and personnel committee has met and recommended action within 24 hours prior to the council meeting.

4. All budget amendments shall specify the changes in amounts and positions or units for each line of the budget to be amended as well as the net budget, tax levy and tax rate effect.

5. This section shall not limit amendments to budget amendments, provided they are germane. All amendments to budget amendments shall be prepared in the form of a substitute to the original. Such substitute amendments shall not require a separate motion to accept the amendment for consideration in lieu of the original. If a motion to adopt such a substitute amendment fails, the question before the council shall be the adoption of the original amendment.

6. This section does not apply to common council consideration of substitute amendments for budget items vetoed by the mayor and sustained by the council.

Section 8. Matters Placed on File. A matter placed on file can, by motion adopted by majority vote at a regular or special meeting of the council, be taken from file and will follow the same procedure as if it were being originally introduced. All matters on file at the end of each current term of office of the members of the common council shall be deemed to have been indefinitely postponed as of the date that the matter was placed on file.

Section 9. Seconds. A motion shall not need a second.

Section 10. Clerical Corrections. The clerk shall correct any mere clerical error in any council file, such as errors in spelling, or the use of one word for another, as "affect" for "effect", plural for singular, and the like, and also all mistakes in numbering the sections or references thereto, whether such errors occur in the original or are caused by amendments. The clerk at any time before the passage of any

ordinance may insert an ordaining clause when such clause has evidently been omitted through mistake or inadvertence. But no correction, other than such as is authorized by this rule, shall be made at any time by the clerk, unless upon order of the council. On questions of spelling, Webster's Unabridged Dictionary shall be taken as standard.

ARTICLE V SPECIAL PROCEDURES

Section 1. Appointments. All appointments or reappointments requiring confirmation by the council shall be introduced and referred to an appropriate committee unless otherwise directed by state law or city ordinance. If immediate action is desired on an appointment at the meeting in which it is received, this rule may be suspended by a 3/4 vote of the members of the council at the time of the vote and the appointment confirmed on the date of its submission to the council.

Section 2. Licenses. A 3/4 vote of those members present shall be required to adopt any amendment which would reverse any recommendation of the utilities and licenses committee as to whether an alcohol beverage-related license should be issued, denied, renewed, nonrenewed, suspended or revoked where at least 4 members of the committee voted in favor of the recommendation.

Section 3. Reintroduction. Whenever any measure has been introduced for the consideration of the council and failed of adoption or passage, such measure, unless substantially changed, shall not be introduced again until at least 3 months from the date of the council meeting at which it failed of adoption or passage. This section does not apply to files vetoed by the mayor.

Section 4. Reconsideration. 1. When a question has been determined in the affirmative or negative, any member of the majority or, if the council was evenly divided, any member who voted in the negative may move to reconsider. This motion can take the simple form of "I move to reconsider" or the longer form "I move to reconsider and have entered in the journal". Either form of the motion can be made while another member has the floor but cannot be acted upon until there is no question before the council.

2. In its simple form, the motion calls for a reconsideration immediately, or at least at the same meeting of the council. The motion to reconsider requires only a majority vote regardless of the vote necessary to adopt the measure that is being reconsidered.

3. The motion to reconsider and have entered in the journal requires the concurrence of 1/5 of the members present. It outranks the simple form of the motion to reconsider and may be made even after the vote has been taken on the motion to reconsider, provided the result of the vote has not been announced. If made after the simple form of the motion to reconsider, it supersedes the latter, which is thereafter ignored. The motion to reconsider and have entered in the journal cannot be called up until the next meeting, at which time any member may call it up. If the next meeting is a special meeting, the vote shall not be reconsidered unless as many members are present as were present at the time the vote was taken.

4. A motion to reconsider having been put and lost shall not be renewed.

Section 5. Overriding Veto. A measure which has been vetoed and returned to the council shall be read by the clerk along with the mayor's message, after which it shall be presented by the chair as

follows: "Shall the foregoing measure be adopted notwithstanding the objection of the mayor? If you wish to override the veto you vote 'Aye'; if you wish to sustain the veto you vote 'No'."

Section 6. Suspension of Rules. No rules may be suspended, rescinded or amended without the concurrence of 2/3 of the members of the council at the time of the vote.

Section 7. Parliamentary Authority. *Robert's Rules of Order* shall govern the proceedings of the council in all cases to which they are applicable, and in which they are not inconsistent with these rules, the city code, the city charter or the laws of the state of Wisconsin.

Section 8. Assignment of Council Member Offices and Other Spaces. The following policy is established for assigning common council member offices in the city clerk's office, common council member parking spaces, seats on the council floor and space for legislative assistants:

1. Assignment of Offices Following the Common Council Organizational Meeting.

a. The president and committee chairs shall be assigned the following offices in the city clerk's office (current room numbers):

a-1. President - Room 8.

a-2. Chair of the finance and personnel committee - Room 13.

a-3. Chairs of the remaining standing committees shall be assigned rooms of their preference by the president, on the basis of seniority, that is, the length of service in the office of common council member. In the event of a tie, preference shall be given on the basis of lot.

b. All other members shall be assigned rooms of their preference by the president, on the basis of seniority. In the event of a tie, preference shall be given on the basis of lot.

2. Assignment of Offices Following Appointment of New Chairs in Midterm. A member who is newly appointed as a chair of a standing committee shall be assigned an office of his or her preference by the president, from among those offices occupied by non-chair members, and the two members will simply exchange offices with no other members involved.

3. Assignment of Offices Following Occurrence of a Vacant Office. If a member's office becomes vacant, the president shall assign the office on the basis of the guidelines listed under assignment of offices following the common council organizational meeting, if any member expresses a preference for the office.

4. Assignment of Common Council Member Parking Spaces, Seats on the Council Floor and Space for Legislative Assistants. Parking spaces for members, seats on the council floor and office space for legislative assistants shall be assigned following the same priority established for assignment of member offices, except that office space shall be reserved in the general legislative

assistants work area for the legislative assistants assigned to members in the two smallest offices.

ARTICLE VI
CAMPAIGN FINANCIAL DOCUMENTATION

Section 1. Definitions.

- 1 “Campaign finance report” means a report as defined in s. 11.12, Wis. Stats., as amended.
- 2 “Financial documentation” means a statement or report from a bank or credit union.

Section 2. Financial Documentation. All members shall provide financial documentation with a copy of their campaign finance reports each year to the city clerk no earlier than January 1 and no later than January 31; and no earlier than July 1 and no later than July 20. If any report is required to be filed under this section on a non-business day, it may be filed on the next business day thereafter.

