



**City of Neenah
Committee on Rules Agenda
Monday, December 15, 2025 at 5:00 p.m.
City Hall - Hauser Room
211 Walnut Street
Neenah, WI 54956**

- I. Call the meeting to order.
- II. [Approve Minutes of October 13, 2025](#). (Minutes can be found on the City website)
- III. Review and discuss proposed revisions submitted by Alderman Pollnow to the updated Standing Rule of the City of Neenah Common Council. (Attachment)
- IV. Any announcements/questions for the Committee.
- V. Adjournment.

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance, or reasonable accommodation in participating in this meeting or event due to a disability as defined under the ADA, please call the Clerk's Office (920) 886-6100 or the **City's ADA Coordinator at (920) 886-6101 or e-mail clerk@neenahwi.gov** least 48 hours prior to the scheduled meeting or event to request an accommodation.

Page 2 of 13 - Rule 1 - Meetings

2) Special - "Upon Petion of five(5) or more members".

This would encourage a walking quorum/advocating for a position on a specific item. Discussion would be held on the pro's/cons of said item to gain support/sway opinion outside the meetings. Suggest lowering this to (2) members/as had been historically the level of Alderman required.

Page 2 of 13 - Rule 1 Meetings - Organizational meetings - Appointments - Historically some appointments are the Mayor & some are Council President. There is no acknowledgement of the Council President appointments. I have included a link to Council organizational meeting from April 15, 2025 for reference.

[https://www2.ci.neenah.wi.us/committees.nsf/638cebc9ae6dfc22862575ef0068e7f9/eb819f049d93ad7d86258c7e0068145f/\\$FILE/M%202025-04-15%20CC%20Org.pdf](https://www2.ci.neenah.wi.us/committees.nsf/638cebc9ae6dfc22862575ef0068e7f9/eb819f049d93ad7d86258c7e0068145f/$FILE/M%202025-04-15%20CC%20Org.pdf)

Page 3 of 13 - Rule 3 - Meeting Attendance - Council Members - virtual attendance - Why is this at the discretion of the mayor? Suggest remove that verbiage.

Page 4 of 13 - Rule 7 - Order of Business - "The order of business shall be set by the Mayor".

I pulled the below from the League of Municipalities - FAQ - section of their website.

4.4. Who controls the agenda of a governing body meeting?

State law does not require municipal governing bodies to use agendas. However, bodies commonly publish them to satisfy the public notice requirements of the Wisconsin Open Meetings Law. See Wis. Stat. § 19.84. They also serve important practical purposes by providing a structure that facilitates the efficient use of meeting time and curtails unproductive distractions by individual members of a body.

State law does not specifically vest agenda control in city councils and village boards. However, city councils and village boards are generally empowered to establish their

meeting rules. See Wis. Stat. §§ 62.11(3)(e) and 61.34(1). The authority to set meeting rules includes the power to develop and enact agenda rules.

Mayors and village presidents are **not** vested with any unilateral control over the agenda by any state law or Roberts Rules of Order, (12th ed.). However, as the presiding officer, a mayor or president could deny a proposed agenda item for noncompliance with an Open Meetings Law requirement (e.g., timing). See Governing Bodies 391R1. But mayors and village presidents do not have general subject matter control over common council or village board agendas. Nor do they have unilateral authority to make agenda rules under state law or parliamentary procedure rules. A governing body may choose to create agenda rules, but **a rule granting the mayor or village president exclusive control over agenda matters would likely be an unlawful delegation of the body's legislative authority. See Governing Bodies 391R1.**
(rev. 6/24)

Page 6 of 13 - Rule 12 - Standing Committees - Add verbiage that Agendas be delivered (48) hours prior to all committee level meetings. This is the same verbiage as Council meetings(reference Rule 6 - 1 Agendas)

page 6 of 13 - Rule 13 - Special Council Committees - Currently the Legislative Review Committee shows Mayor, Council President & Finance Chair are the members. This verbiage has the mayor appointing all members. Maintaining current structure insures balance.

Page 6 of 13 - Rule 14 - 5) - Liason and Various Special Project Committees and Groups/Ad hoc gatherings or group

Definable members with predetermined/scheduled dates & times are considered a govt body. Subject to open meetings laws per my discussion with Assistant General Counsel for the League of Municipalities.

As we appear to have been using this incorrectly/recommend removing. Note: WE have a structured "Ad hoc committee" process to handle these items.

"Where an already-existing numerically definable group of employees of a governmental entity are assigned by the entity's chief administrative officer to prepare recommendations for the entity's policy-making board, the group's meetings with respect to the subject of the directive are subject to the open meetings law."

<https://storage.googleapis.com/juniper-media-library/225/2025/09/Wisconsin%20Open%20Meeting%20Laws.pdf>

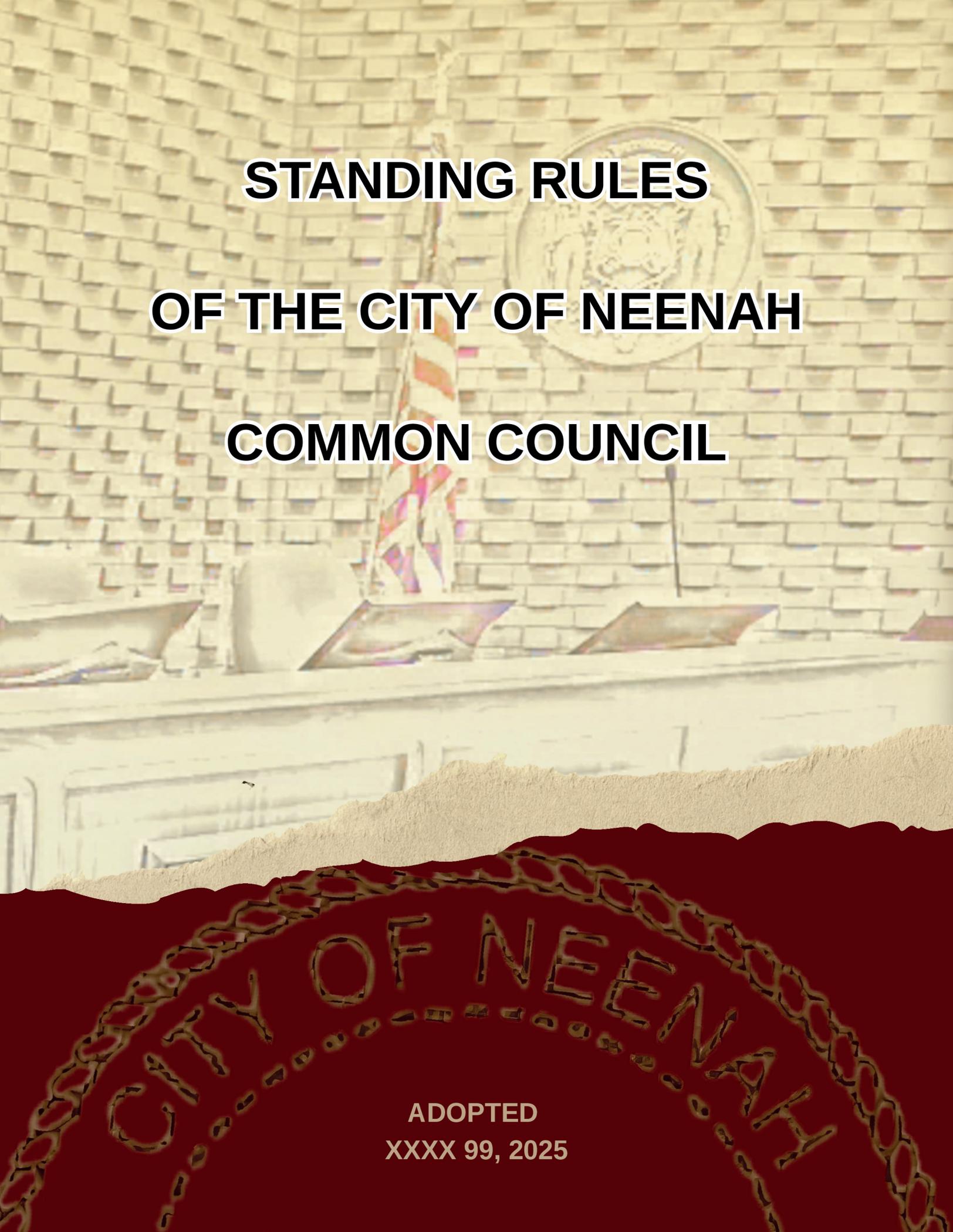
page 7 of 13 - Rule 16 - Motions - The Amending a motion language reads as a "Friendly" amendment/which doesn't exist in Roberts Rules and is frowned upon. Recommend deleting the verbiage "that is proposed and accepted by the original mover and seconder, requiring a discussion".

Page 9 of 13 - Rule 18 - Vote - 2)Conflict of Interest

Roberts rules 45:4 states "no member should vote on a question in which he has a personal or pecuniary interest not common to other members of the organization".

"However, no member can be compelled to refrain from voting in such circumstances.

Allowing any Chair/one person/to ask an Alderman to leave a meeting is troublesome. This is a very subjective and large item with many facets. While a Chair may feel this is a conflict/this doesn't make it one.



**STANDING RULES
OF THE CITY OF NEENAH
COMMON COUNCIL**

**ADOPTED
XXXX 99, 2025**

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RULE 1 – MEETINGS

- 1) **Regular:** The regular meetings of the Common Council shall be held in the Council Chamber on the first and third Wednesdays of each month at 6:00 o'clock p.m., except Council for the second regular April Council meeting, which shall meet after the Organizational Meeting. Therefore, the regular Council meetings in April are held on the first Wednesday and the third Tuesday. If any first or third Wednesday falls on a recognized city holiday, the regular Council meeting shall be rescheduled as needed.
- 2) **Special:** Special meetings of the Common Council, including as a Committee of the Whole, may be called by the Mayor (or in his/her absence by the Council President) at such time as he/she may appoint, by written notice, indicating the purpose and time thereof to each Council member. The Clerk shall electronically deliver to each member at least (24) hours in advance or twelve (12) hours in advance in case of an emergency, before the start of the meeting. Upon petition of at least two ~~five (5) or more~~ members of the Council, the Mayor (or Council President) shall call a Special Meeting of the Council.
- 3) **Committee of the Whole:** The Common Council is empowered to act as a Committee of the Whole for any Standing Committee, Commission, or Board over which it has jurisdiction, except as restricted by State law.
 - a) May be called for as per a Council Directive, according to the applicable rule therefor.
 - b) May allow more informal discussion than allowed at a regular Council Meeting.
 - c) Is advisory to the Council.
 - d) Shall have action items placed on the next Council Agenda.
- 4) **Organizational Meeting:** The Organizational Meeting shall be held annually on the third Tuesday in April at 6:00 o'clock p.m. immediately followed by the second regular April Council meeting.
 - a) Election of the President of the Council shall occur at the Organizational Meeting, and he/she shall be a member of the Standing Committees.
 - b) Mayoral appointments to the Standing Committees and Special Council Committees shall be made and confirmed by a simple majority of the Council.
 - c) There shall be a short recess allowing Standing and Special Committees to hold their own independent organizational meeting for the elections of Chair and Vice-Chair, and to determine meeting days and times, all of which shall be publicly announced after the recess.
 - d) Mayoral appointments to any other committees requiring a mayoral appointment shall be made by the Mayor and confirmed by a simple majority of the Council.
 - e) Members appointed to regional committees (non-city committees) such as the Fox Cities Chamber of Commerce shall be appointed by and confirmed by a simple majority of the Council.

RULE 2 – PRESIDING OFFICER

- 1) The Mayor shall be the Presiding Officer of Council Meetings.
- 2) In the absence of the Mayor, the Council President shall be the Presiding Officer.
- 3) In the absence of both the Mayor and the Council President, the Chair of the Finance and Personnel Committee shall be the Presiding Officer.

RULE 3 – MEETING ATTENDANCE

- 1) **Quorum:** Six (6) Council members shall constitute a quorum of the Council in which the Council may lawfully transact business. Should a quorum not be present, it is at the discretion of the Presiding Officer to request the attendance of absent members or to adjourn the meeting. This rule shall not be suspended, rescinded, or amended.
- 2) **Council Members:** Council members shall make every attempt to be at all Council meetings. Council members shall notify the Mayor and the City Clerk at least 24 hours prior to the start of the meeting if they are unable to attend. In the event of absence, a Council member may attend virtually, by any means available, at the discretion of the Mayor.
 - a) A Council member is allowed to excuse themselves in cases of emergency. Except for in the case of the use of a restroom, no member present at any meeting of the Council shall withdraw from the Council Chamber without permission from the Chair, and any member doing so may be reprimanded by the Chair.
- 3) **Staff:** The Directors of Finance, Public Works, Community Development & Assessment, the City Attorney, and the City Clerk or their respective designees shall attend all Council meetings. All department heads, excluding the aforementioned, that do not have action items on the agenda are not required to attend Common Council meetings. All other department heads shall attend if requested in advance by the Mayor. In the event of absence, staff may attend virtually or via telephone when available.

RULE 4 – SEATING CHART

- 1) **Staff:** The Mayor shall be seated in the center position at the dais. The City Attorney shall occupy the seat to the Mayor's left. The City Clerk shall occupy the seat to the Mayor's right. The Director of Finance shall occupy the seat immediately to the right of the City Clerk and to their right the Council President shall be seated. The Director of Community Development & Assessment shall occupy the seat immediately to the left of the City Attorney and to their left the Director of Public Works shall be seated.
- 2) **Council Members:** Beginning with the seat immediately to the left of the Director of Public Works, the Council shall be seated sequentially in Aldermanic District order (1-2-3, 1-2-3, etc.) alphabetically within each district. Accommodation for ADA requirements shall be met and approved by the City's ADA Coordinator and the Mayor.

RULE 5 – ELECTRONIC VOTING EQUIPMENT

- 1) **Council Members:** Council members shall cast their vote via electronic voting device for public display. Should a Council member be attending the meeting virtually, the vote shall be cast with the Clerk or other computer operator who will cast said vote via electronic device for public display. Council members attending the Council meeting via telephone shall cast their vote orally with the Clerk casting said vote via electronic device for public display.
- 2) **Electronic Voting System Non-Operational:** Should the electronic voting system become non-operational, the Clerk shall call each vote orally by roll call vote of each Council member, and record each vote on paper. Immediately upon completion of the vote, the Clerk shall announce the result of the vote.

RULE 6 – AGENDAS AND MINUTES

- 1) **Agendas:** The agenda for all matters to be considered in regular session of the Council shall be delivered to all Council members, staff, and interested parties per Wisconsin Statute § 19.84(3), twenty-four (24) hours prior to the start of the meeting via electronic posting on the city website.
- 2) **Minutes:** The minutes of the meeting shall be delivered to all Council members, staff, and interested parties within five working days following the meeting via electronic posting on the city website.
- 3) **Closed Session:** Minutes of closed sessions need only record motions made, seconds received, and votes taken, and are to be placed on file within seven working days following the closed session.

RULE 7 – ORDER OF BUSINESS

- 1) The order of business shall be set by the Mayor and posted per Wisconsin Statute § 19.84(3), 24 hours prior to the start of the regular or special Council meeting. Except in the case of Special Meetings, where such shall be determined by the Mayor, the order of business shall include:
 - I. Roll Call and Pledge of Allegiance
 - II. Introduction and Confirmation of Mayor's Appointments
 - III. Approval of Council Proceedings
 - IV. Public Hearings
 - V. Plan Commission, Public Services & Safety Committee or Finance & Personnel Committee report pertaining to the Public Hearings
 - VI. Public Forum
 - VII. Mayor/Council consideration of Public Forum issues
 - VIII. Consent Agenda
 - IX. Reports of standing committees
 - X. Reports of special committees and liaisons and various special project committees
 - XI. Presentation of Petitions
 - XII. Council Directives
 - XIII. Unfinished Business
 - XIV. New Business
 - XV. Closed Session (if necessary)
 - XVI. Adjournment

RULE 8 – CALL TO ORDER

- 1) The Presiding Officer shall, at the hour appointed, call the Council meeting to order.
- 2) When the Presiding Officer calls the Council to order, attendance shall be recorded by each Alderman present responding to a voice roll call by the Clerk while simultaneously selecting “present” on their electronic voting device, after which the public display will indicate those present and those absent.

RULE 9 – PLEDGE OF ALLEGIANCE

- 1) At the beginning of every Council meeting, after the meeting has been called to order and after Roll Call, the Presiding Officer of the meeting will call for the Pledge of Allegiance to be led by an Alderman of his/her choosing, and recited collectively before moving onto any other business.

RULE 10 – PUBLIC FORUM

- 1) Unless dispensed with by the Mayor and confirmed by simple majority vote of the Council, there will be a public forum at each Council meeting.
- 2) Upon opening the Public Forum and prior to recognizing the first speaker, the Mayor shall announce the forum procedures.
 - a) Those wishing to speak must state their name and residential address for the record.
 - b) There will be a five-minute time limit per speaker on any topic. The Clerk shall keep time.
 - c) The Mayor has the discretion to extend the time limit for any speaker and to respond to any speaker’s question or comment immediately following each speaker.
 - d) While the forum is in session the Mayor, Council, and all those in attendance shall refrain from conversing, whispering, commenting, texting, or moving about the Council Chamber while the speaker holds the floor.
- 3) After all speakers have been heard, the Mayor shall declare the Public Forum closed.
- 4) Mayor/Council Consideration of Public Forum issues: At the conclusion of the Public Forum, the Mayor shall call for Mayor/Council consideration of Public Forum issues. Before responding or recognizing an Alderman wishing to speak, the Mayor shall announce the procedures governing this portion of the agenda. The Mayor and Council may answer questions, refer consideration to appropriate committees, and upon majority vote to a staff member, or comment on Public Forum issues but shall refrain from discussion. Speakers will not be permitted to engage in dialogue but rather will be asked to call their Alderman, the Mayor, or the appropriate Department Head after the conclusion of the meeting, and/or to attend the appropriate committee meeting.

RULE 11 – CONSENT AGENDA

- 1) The Consent Agenda shall consist of items that are routine in nature (such as licenses and certified survey maps) that usually do not result in discussion by the Common Council.
- 2) Any member may request an item in the Consent Agenda be removed and reported out immediately following the ~~under the appropriate committee reports prior to the~~ final vote on the Consent Agenda.

RULE 12 – STANDING COMMITTEES

- 1) The Standing Committees shall be appointed by the Mayor and confirmed by the Council. The Standing Committees shall include:
 - a) Finance & Personnel
 - b) Public Services & Safety
 - c) Neenah-Menasha Fire Rescue Joint Finance & Personnel
- 2) Committee chairs may make a brief report to the Council on any matters pertaining to their committees they feel pertinent to Council business as long as the item has been noticed on the agenda.
- 3) Standing Committees agendas, meeting minutes, and packets shall be available on the city website for inclusion on the Council agenda.

RULE 13 – SPECIAL COUNCIL COMMITTEES

- 1) The Special Council Committees shall be appointed by the Mayor and confirmed by the Council. The Special Committees shall include:
 - a) Legislative Review Committee
 - b) Committee on Rules
- 2) Committee chairs may make a brief report to the Council on any matters pertaining to their committees they feel pertinent to Council business as long as the item has been noticed on the agenda.
- 3) Special Committees agendas, meeting minutes, and packets shall be available on the city website for inclusion on the Council agenda.

RULE 14 – LIAISON AND VARIOUS SPECIAL PROJECT COMMITTEES AND GROUPS

- 1) Liaison and Various Special Project Committees shall be appointed by the Mayor and confirmed by the Council.
- 2) Appointed Council Members may make a brief report to the Council on any matters pertaining to the committee which they feel are pertinent to Council business as long as the item has been noticed on the agenda.
- 3) Liaison and Various Special Project Committee agendas, meeting minutes, and packets shall be available on the city website for inclusion on the Council agenda.
- 4) **Ad Hoc Committees:** Ad Hoc committees may be appointed whenever the Council shall so order and shall be selected by the Mayor or presiding officer, unless otherwise specifically ordered. The three (3) Council standing committees have the authority to establish ad hoc subcommittees and to have ad hoc committee members who may be citizen members. Ad hoc committees may also be established by the Council and/or Mayor with membership confirmed by the Council that may report directly to the Council. All ad hoc recommendations or actions must be brought back to the appropriate standing committee before being brought to the Council for approval. All referrals to standing committees by the Council shall be reported back to the Council on a timely basis with committee recommendations. All ad hoc committees established by the Council or established by the standing committees shall comply with OPEN MEETINGS LAW, Wis. Stats. Subch. V (§19.81 et seq.) Ad hoc committees shall cease to exist upon completion of the assigned task that led to the ad hoc committee's creation.
- 5) **Ad Hoc gatherings or groups:** The Mayor may from time-to-time institute a loosely constituted group of citizens, staff and local officials to discuss and advise on various

issues related to any proper subject. As so instituted, such do not constitute a governmental body or subunit of government and the proceedings of which are not subject to open meetings laws of the state.

RULE 15 – PARLIAMENTARY PROCEDURES

- 1) **Robert's Rules of Order:** Council meetings shall be conducted according to Robert's Rules of Order, on Parliamentary Procedure, current edition, except as specifically amended or altered by the presiding Rules of Common Council or State Statutes. The City Attorney or designee shall serve as parliamentarian and legal advisor.
- 2) **Suspension of Rules:** No rule shall be suspended, rescinded or amended without the vote of two-thirds of the Common Council members present. An Alderman requesting a suspension of the Rules will state the reason for the suspension in their motion and the vote will reflect the suspension only for said purpose. Note: A suspension of the rules is not debatable per Robert's Rules of Order.
- 3) **Call the Question:** The motion to Call the Question cannot be used when the speaker yields to another and then regains the floor. No member can Call the Question while speaking to the issue. Note: The motion to Call the Question is not debatable per Robert's Rules of Order. The motion to Call the Question will be allowed during deliberations. At the time the question is called, the Mayor will announce how many Aldermen are in line to speak. When a motion to Call to Question is made, the previous question may only be voted upon if the motion to Call to Question passes by majority vote. Debate continues should a motion to Call the Question fails.
- 4) **Point of Order:** A Point of Order may be raised at any time for the purpose of clarifying a particular point or item. To raise a Point of Order, obtain the floor and clearly state your point. If you are not satisfied with the explanation, you may request additional information. If your point of order deals with procedure and you are not satisfied, you can appeal the decision of the Chair.

RULE 16 – MOTIONS

- 1) **General:** Any motion that receives a second shall be presented to the Council with the recommendation made by the committee of jurisdiction.
- 2) **Lack of a Second:** A motion that fails to receive a second is considered dead.
- 3) **Amending a Motion:** In parliamentary procedure, an amendment to a motion refers to a change to a motion that is proposed and accepted by the original mover and seconder, requiring a discussion. An amendment adjusts the meaning of the original motion requiring discussion and formal vote passed by the majority of the Council.
- 4) **Withdraw a Motion:** There is no such action as to withdraw a motion. Once the motion is seconded, it belongs to the body and must be dealt with on the floor. If the intention is to withdraw the motion, the motion should be voted down. Once the motion is voted down, another motion may be made.
- 5) **Unanimous Consent:** For motions that are noncontroversial, and when law does not require a roll call vote, the Mayor may request Unanimous Consent to approve a motion. The Mayor may state "If there is no objection (insert action to be taken)." If any Council member objects, the normal approval procedure for approval shall take place, (i.e. a motion, second, debate, and vote). If there is no objection, the action is approved without a motion, second, debate, or vote. Such approval shall be reflected in the minutes as "approved unanimously" or "approved without objection" or "seeing no objections, the item was ordered approved as written."

- 6) **Multiple Committees:** When multiple committees take up the same issue, the Council will not take final action until all committee recommendations have been reported to the Council.
- 7) **Reconsider:** A motion to reconsider must be made by an Alderman who voted with the prevailing side at the present or immediately succeeding meeting or by one who was excused from the preceding meeting. Such a motion requires a majority vote of the total members of the Council. No item can be reconsidered twice unless a suspension of the rules is called for.
- 8) **Table:** This motion takes a second and takes precedence over another motion, is not debatable, and cannot be amended. It removes the subject from consideration until the Council or Committee votes to take it from the table for further action.
- 9) **Postpone to a Certain Day:** The effect of this motion is to postpone the entire question to a specified time. Until that time it cannot be taken up except by a two-thirds vote of those present. When that time arrives, it is entitled to be taken up in preference to other motions.
- 10) **Close Debate:** In order to close debate on a subject one would say, "I Call the Question," "I move to close debate," or "I call the previous question." If the call is seconded, the presiding officer must immediately call for a vote on the motion. A two-thirds vote is required.
- 11) **Refer Back:** To refer an item back to the committee of jurisdiction for a second time, requires a regular motion and requires a majority vote of the Council. A second request for a refer back is debatable.
- 12) **Adjourn:** A motion to adjourn is always in order, and always requires a second and a simple majority vote.

RULE 17 – DISCUSSION AND DEBATE

- 1) When any Council member wishes to speak in discussion, debate or deliver any matter to the Council they shall first obtain recognition from the Mayor and then respectfully address themselves to the question under consideration. Non-speaking Council members should avoid making comments, and should not interrupt the member who has the floor, except by appropriate action according to rule.
- 2) When any Council member is called to a Point of Order they shall cease speaking until it is determined by either the Chair or parliamentarian whether they may be out of order or not, with the notable exception of being permitted by the Chair to explain.
- 3) All requests for extensive research to a Department Head by a Council member shall be directed first to the Mayor and if not approved thereby, only then may be made the subject of a Council Directive pursuant to Rule 22 hereof. The request for the drafting of any resolution or ordinance must be approved by the committee of jurisdiction prior to City staff proceeding with the actual drafting of the document. All drafts of resolutions or ordinances must be reviewed and approved by the City Attorney before presentation for Committee and Council consideration.
- 4) Department Heads or their designees present at Council meetings shall be permitted to address the Council upon request by any individual Alderman or the Mayor without need for a vote of the entire Council. Except as and when directed to do so by the Mayor, any Department Head or designee present may decline to address the Council.
- 5) Before the Common Council takes action on an annexation petition, applicable impact reports and a recommendation of the Finance and Personnel Committee shall be submitted to Council in accordance with Section 26-29 of the Municipal Code of Ordinances.

RULE 18 – VOTING

- 1) **Every Member to Vote:** Every Council member present, when the question is put to the body, ~~shall may~~ vote “aye”, “nay”, or “abstain” ~~unless recused~~.
- 2) **Majority Vote of All Members Required:** All laws, ordinances, rules, and resolutions shall be passed by an affirmative vote of a simple majority of all the members of the Common Council, except as and where otherwise required.
- 3) **Conflict of Interest:** An Alderman who either has a conflict of interest that plans to abstain from a vote, or plans to abstain for any other reason, shall refrain from debating such issue. At the request of the Chair, any abstaining Alderman shall ~~excuse-recuse~~ themselves from the dais during discussion, debate and voting on the subject at hand. Aldermen who may have a conflict of interest may seek an advisory opinion from the City Attorney. When the City Attorney determines that an Alderman has a conflict of interest that requires abstention on the part of such member, he or she shall so inform the body on the record of the proceedings and accordingly instruct the Council member to refrain from participation and voting in the circumstance.
- 4) **Tie Vote:** A tie vote is when members present vote equally “aye” or “nay”. An abstention does not count as a “no” for the purpose of a tie vote, but rather as though the member were not present for the vote. The Mayor may only vote in the event of a tie vote of the Aldermen, but may in such case elect not to vote. If the Mayor elects not to register a tie-breaking vote, the motion or other matter under consideration will fail for lack of a majority of votes cast.

RULE 19 – PETITIONS

- 1) All petitions, or other communications shall be in writing with a brief statement of their contents endorsed thereon, together with the name of the author presenting the petition. The committee or staff member to whom any matter is referred shall report thereon in writing at the first stated meeting after such reference, unless there is no objection by the Council for a later time.
- 1)2) Any member of the Common Council may request that an item of business be placed on an agenda for the appropriate Standing Committee or placed on the agenda for the Common Council. Such requests shall be delivered to the City Clerk, who shall coordinate with the appropriate Committee Chair, Mayor, and affected City Staff members to place the item on the identified agendas. The person or persons responsible for issuing such agendas shall place the item upon the appropriate agenda in a manner which satisfies the requirements of Chapter 19, Wisconsin Statutes, as determined by the City Attorney.

RULE 20 – RESOLUTIONS

- 1) All resolutions under consideration shall have first been considered by the appropriate committee of jurisdiction which shall make any action recommendations on the matter to Council.
- 2) **Committee of Jurisdiction:** The committee of jurisdiction may request or instruct staff to prepare a resolution on topics under their jurisdiction.
- 3) **Legal Review:** The Council may not vote on any resolution unless the resolution language has first been reviewed and its enforceability attested to by the City Attorney.

- 4) **Affirmative Rule:** All resolutions under consideration shall be written in the affirmative whereby the Council votes upon the measure by voting either “aye” for approval, or by voting “nay” for non-approval.

RULE 21 – ORDINANCES

- 1) All ordinances under consideration shall have been first considered by the committee of jurisdiction who shall make an action recommendation on the matter to Council.
- 2) **Committee of Jurisdiction:** The committee of jurisdiction may request or instruct staff to prepare an ordinance on topics under its jurisdiction.
- 3) **Legal Review:** The Council may not vote on any ordinance unless the ordinance language has first been reviewed and its enforceability attested to by the City Attorney.
- 4) **Affirmative Rule:** All ordinances under consideration shall be written in the affirmative whereby the Council votes upon the measure by voting either “aye” for approval, or by voting “nay” for non-approval.

RULE 22 – COUNCIL DIRECTIVES

- 1) Potential Council Directives shall be addressed with the Mayor prior to formal presentation to Council for consideration.
- 2) **Definition:** Council Directives are instructions issued by the Council directing a specific task such as developing plans for the city, establishing and/or modifying municipal programs, the development and/or the changing of policies of the city, or the undertaking by Department Heads or other staff of significant research on a topic or matter.
- 3) Council directives may be issued to the following:
 - a) Department Heads
 - b) Committees, Boards, or Commission of Jurisdiction
 - c) Staff Members
 - d) Other sections of the City’s Government
- 4) Establishment of Directives
 - a) Council Directives must be specific as to the topic of research, the desired outcome, and timeframe for any expected progress report, and target date for completion.
 - b) Any Alderman may propose a Directive during the Council Directives portion of the meeting.
 - c) Directives shall be proposed in the form of a motion and shall require a second.
 - d) Any discussion, debate and the vote by the Council shall take place at the next meeting following its initial proposal. This delay is for two purposes:
 1. To allow other Aldermen to familiarize themselves with the issues involved
 2. To allow the Aldermen proposing the Directive and the Department Head (or others) to develop target dates and a reporting schedule.
 - e) Upon receiving a simple majority affirmative vote of the Council, the Directive is established, assigned the specific Department Head or others as aforementioned in paragraph 3, and shall be monitored by the Clerk.
 - f) Periodic progress reports are expected from the party responsible for working on the Directive, and shall be given upon the request of a Council member.
- 5) **Removal of Directives:** Council Directives may be removed from the current listing by the majority vote of the Council that the Directive has been satisfactorily completed and/or is deemed no longer necessary.

RULE 23 – REQUEST FOR INFORMATION

- 1) Requests for information from Department Heads (and others in city government) may be granted for the following:
 - a) The study of issues of general interest
 - b) The review of existing ordinances, statutes, regulations, or policies
 - c) The monitoring of progress on city topicsNo second or Council action is required for such requests even if made from the Council floor. All requests for extensive research made to a Department Head by an individual Council member shall be made according to Rule 22 hereof.

RULE 24 – OPEN MEETINGS LAW AND QUORUMS

- 1) **Definition:** Members of a governmental body can violate the open meeting law by communicating regarding city business if there is communication amongst a sufficient number of the members. The Wisconsin Supreme Court has held that the open meeting law applies whenever members of a governmental body “meet” to engage in government business, whether for purposes of discussion, decision or information gathering, if the number of members present are sufficient to positively determine or negate the parent body's course of action regarding the proposal discussed at the meeting.
- 2) **Walking Quorum:** In the *Showers* case, the Supreme Court of Wisconsin recognized that members of a governmental body can violate the open meeting law by participating in what is called a "walking quorum." A walking quorum is a series of gatherings among separate groups of members, each less than quorum size, who agree, tacitly or explicitly, to act and vote in a certain manner in numbers sufficient to reach a quorum. *State ex rel. Newspapers, Inc. v. Showers*, 135 Wis.2d 77, 398 N.W.2d 154 (1987) And see 69 Op. Attorney Gen. 143 (1980); and League opinion Governing Bodies 339. walking quorum can also result from the use of e-mail or other electronic communication applications.
- 3) **Negative Quorum:** A gathering of less than one-half of the members of a governmental body with sufficient numbers to negate action on a particular matter.
- 4) **Quorum by Electronic Communication:** Electronic communications to the entire Council constitutes a quorum and a walking quorum. According to the League of Wisconsin Municipalities there are only two recommended options for dissemination of information through electronic communications:
 - a) The information should be emailed only to the Clerk and the Clerk, as a third-party neutral, may in turn forward the email to the entire Council; or
 - b) A Council member should email themselves using the “To” address field and include the other Council members using the “BCC” (blind carbon copy) address field, so as to avoid violating open meetings laws by giving Council members the possibility of responding to the entire group.
- 5) **Post Council/Committee Meetings:** Due to quorum concerns, there shall be no loitering of Council/Committee members in the meeting room or in/around City Hall upon and after the adjournment of the meeting.

RULE 25 – DECORUM AND ORDER IN COUNCIL CHAMBERS

- 1) Know and comply with the Council Rules of the City of Neenah as approved by the Council.
- 2) Meetings should be as efficient as possible; Aldermen should come prepared to have meaningful discussion and take action.
- 3) Be respectful by giving the meeting your undivided attention and listen intently.
- 4) Silence cell phones or other electronic devices before meetings.
- 5) Agree to disagree in a civil manner, refraining from personal attacks.
- 6) Keep an open mind to all viewpoints.
- 7) Meet with staff to understand the items on the agenda, when possible, prior to the meeting.
- 8) Treat everyone with respect and dignity.
- 9) Any person in the Chambers engaging in disruptive behavior, unreasonably loud noises, or otherwise failing to abide the orders of the Presiding Officer, may be expelled from the meeting and meeting chambers, or arrested by a city police officer acting in the capacity of the Sergeant-at-Arms under direction of the Presiding Officer or majority of the Common Council.

RULE 26 – STANDARDS OF CONDUCT.

- 1) No official shall use his or her public position, office, or title to obtain financial gain, unlawful benefits, or any other thing of value for the private benefit of himself or herself or his or her immediate family, or for an organization with which the official is associated.
- 2) No official shall solicit or accept from any person, directly or indirectly, anything of value, if it could reasonably be expected to influence the official's vote, official actions or judgments, or could reasonably be considered as reward for any official action or inaction on the part of the official. This subsection does not prohibit an official from engaging in outside employment or his or her normal course of business.
- 3) No official shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the City. This includes information protected by attorney-client privilege or discussed in closed session. No official may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family or for any other person, if the information has not been communicated to the public or is not public information.
- 4) No official and no organization in which an official or a member of his or her immediate family is associated shall enter into a contract with the City, without first disclosing it at a public meeting of the appropriate governmental body and entering it into the minutes of said meeting of body. Any contract or lease entered into in violation of this subsection may be voided by the City in an action commenced within three years of the date on which the board or the department or official acting for the City, in regard to the allocation of City funds from which payment is derived, knew or should have known that a violation of this subsection occurred. This subsection does not affect the application of Wis. Stats. § 946.13, Private interest in public contract prohibited.
- 5) An official may appear on behalf of and may make inquiries for information for a person before any city employee, department, board, commission or other agency, only if the official receives no compensation, therefor beyond the salary and other compensation or other reimbursement due to which the official is entitled by law.

- 6) No official shall engage in or accept private employment or act in regard to any financial interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties, if it could reasonably be expected to influence the official's vote, official actions or judgment or could reasonably be expected to influence the official's vote, official actions or judgment or could reasonably be considered as a reward for any official action or inaction on the part of the official, unless otherwise permitted by law and unless disclosure is made, as hereinafter provided.
- 7) No official shall, for compensation, act on behalf of any person other than the City, in connection with any judicial or quasi-judicial proceeding or matter which might give rise to a judicial or quasi-judicial proceeding in which the official has at any time participated personally in his official capacity.
- 8) No official shall vote on any matter when the official or the official's immediate family has a personal financial interest.
- 9) No official shall in his or her official capacity do any act or use his or her official title in performing any act, which he or she knows is in excess of his or her lawful authority or which he or she knows he or she is forbidden by law to do in his or her official capacity.
- 10) No official, without Common Council authorization, shall use or permit the use of any City property for personal convenience, use or profit.
- 11) No former official shall, for compensation, for 12 months following the date on which he or she ceases to be an official, act on behalf of any person other than the City in connection with any judicial or quasi-judicial proceeding or matter which might give rise to a judicial or quasi-judicial proceeding in which the former official participated personally and substantially as a City official.
- 12) No official shall grant special consideration, treatment or advantage to any person, beyond that which is available to every other person.
- 13) This section does not prohibit an official of the City from taking any action concerning the lawful payment of salaries or reimbursement of actual necessary expenses, or prohibit an official from taking official action with respect to any proposal to modify City ordinances or resolutions.

RULE 27 – FILLING VACANCIES OF THE COMMON COUNCIL

- 1) When vacancies on the Common Council occur, the Mayor shall inform the public and all Council members of the open seat.
- 2) Applications for Appointment as Alderman to a vacant seat shall be available at the City Clerk's Office and on the city website.
- 3) Aldermanic Applications shall be filed with the City Clerk.
- 4) The City Clerk shall make available to the Mayor and the Council the names of those who applied for the appointment as Alderman for the vacancy.
- 5) Applicants for the appointment to the vacant seat shall have an opportunity to present to the Council at a Common Council meeting why they are qualified for appointment to fill the aldermanic vacancy.
- 6) Once all applicants have had an opportunity to present their candidacy to the Council, final selection shall be made upon motion and affirmative vote of a simple majority of the Common Council.