

## VILLAGE OF CROSS PLAINS

### ORDINANCE NO. 06-2020

#### AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 2 OF THE VILLAGE CODE OF ORDINANCES CONCERNING MEETINGS

The Village Board of the Village of Cross Plains, Dane County, Wisconsin does hereby ordain as follows:

1. Chapter 2 of the Village Code of Ordinances is repealed and recreated to now read as follows:

##### **SECTION 2.01 Regular Meetings.**

Regular meetings of the Village Board shall be held the fourth Monday of each month, unless otherwise directed by the Village Board.

##### **SECTION 2.02 Special Meetings.**

Special meetings of the Village Board may be called by the Administrator/Clerk or by any two Trustees in writing, filed with the Administrator/Clerk at least 24 hours prior to the time specified for such meeting. The Administrator/Clerk shall immediately notify each Trustee of the time and purpose of such meeting by causing written notice thereof, at least 24 hours prior to the time specified, to be delivered to each Trustee personally if he/she can be found, and if he/she cannot be found, then by leaving a copy of such notice at the home of such Trustee in the presence of an adult member of the family. Public notice of such meeting shall also be given at least 24 hours in advance of the meeting as set forth in Section 2.07 of this chapter. Emergency special meetings may be noticed as set forth in Section 2.07(b) of this Chapter. All special meetings of the Board shall be open to the public. Unless all Trustees are in attendance, no business shall be transacted at a special meeting except for the purpose stated in the notice.

##### **SECTION 2.03 Location.**

All meetings of the Village Board, including special and adjourned meetings, shall be held at the Village Municipal Building, unless due to some emergency a meeting cannot be held there or unless all Trustees and the public are reasonably notified of a change in place of meeting. A notice shall be posted prior to said meeting on the Village Municipal Building posting board and on the Village's website informing the public as to when and where the meeting is being held.

**SECTION 2.04 Quorum.**

One-half or more of the members of the Village Board, shall constitute a quorum for doing business. A lesser number may adjourn a Board meeting to a time certain.

**SECTION 2.05 Open Meetings.**

All regular and special meetings of the Village Board and its boards, commissions and committees shall be open to the public and shall be held in reasonably accessible places.

**SECTION 2.06 Agenda.**

All Village Board, commissions and committee meetings shall have an agenda. The Village Administrator and Village President will develop the Village Board agenda. There will be a standing item on the Board agenda for Trustees to request future agenda items. In addition, if a member of the Board requests an item to be added separate from “future agenda items”, they should give written notice, along with any supporting documents to the President and clerk at least ten days before the meeting for which the agenda item is being requested. The Village President shall have the authority to refer the item to a committee, commission, or a future board meeting. The agenda for commissions and committees will be the responsibility of the respected chair

**SECTION 2.07 Public Notice.**

Public notice of all meetings shall be given by the Village President or her/his designee to all news media which have filed a written request for such notice and to the Village official newspaper, if one exists, or to another medium likely to give notice in the area.

- (a) **Contents of Notice.** Each notice of a public meeting shall set forth the time, place and subject matter of the meeting, including the subject matter intended for any contemplated closed session.
- (b) **Time for Notice.** Public notice of every meeting shall be given at least 24 hours prior to the commencement of such meeting unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no case may the notice be provided less than two hours in advance of the meeting.
- (c) **Separate Notices.** Separate public notice must be given for each meeting, even if regularly scheduled, at a time reasonably proximate to the date and time of the meeting.
- (d) **Notice Exceptions.** Notwithstanding the requirements of Section 19.83, Wis. Stats., and the requirements of this section, a governmental body which is a

formally constituted subunit of the Village Board may conduct a meeting without public notice as required by this section during a lawful meeting of the parent governmental body, during a recess in such meeting or immediately after such meeting for the purpose of discussing or acting upon a matter which was the subject of that meeting of the parent governmental body. The Village President or her/his designee shall publicly announce the time, place and subject matter of the meeting of the subunit in advance at the meeting of the Board.

## **SECTION 2.08 Exemptions to Open Meetings.**

- (a) **Conditions Necessary.** Any meeting of the Village Board, upon motion duly made and carried by a majority vote in such manner that the vote of each member is ascertained and recorded in the minutes, may be convened in closed session under the circumstances set forth in Subsection (3) below.
  - (1) No motion to close meetings may be adopted unless the Village President announces to those present at the meeting at which such motion is made the nature of the business to be considered at such closed session and the specific exemption or exemptions under this chapter and Section 19.85, Wis. Stats., by which such closed session is claimed to be authorized. Such announcement shall become part of the record of the meeting.
  - (2) No business may be taken up at any closed session except that which relates to matters contained in the President's announcement of the closed session.
  - (3) A closed session may be held for any purposes set forth in Section 19.85 of the Wisconsin Statutes (as amended from time to time).
- (b) **Open Sessions Following Closed Sessions.** The Village Board may not commence a meeting, subsequently convene in closed session and thereafter reconvene again in open session within 12 hours after completion of the closed session, unless public notice of such subsequent open session was given at the same time and in the same manner as the public notice of the meeting convened prior to the closed session.

## **SECTION 2.09 Procedure.**

- (a) **Presiding Officer.** The Village President shall act as the Presiding Officer of each meeting of the Village Board. At its annual appointment meeting of each year, the Village Board shall elect a first and second alternate Presiding Officer to act in the capacity of Presiding Officer if the Village President is absent, or unable to participate in any part of a meeting for any reason.

- (b) **No Exclusion.** No duly elected or appointed member of the Village Board or its commissions or committees or subunits may be excluded from any meeting of such body.
- (c) **Order of Business.**
  - (1) Call to Order
  - (2) Roll Call
  - (3) Pledge of Allegiance
  - (4) Presentations, Ceremonies, and Proclamations
  - (5) Public Comment of items on and not on the agenda
  - (6) Consent Agenda
  - (7) Report of Village Officers and Staff
  - (8) General Business
  - (9) Future Agenda Items
  - (10) Closed Session
  - (11) Adjournment
- (d) **Public Comment.** Except for informational and public hearings, speakers shall be limited to three-minute addresses unless shortened or waived by the Presiding Officer.
- (e) **Handling of a Motion.**
  - (1) **Presentation of materials.** Staff and/or the presenter shall make a presentation of the materials that is on the agenda for discussion or request for action.
  - (2) **Making a motion.** Any Village Board members may make a motion by stating “I move that ... (announcing what she/he proposes in a wording intended to become the official statement of the action taken.) The presiding officer acknowledges the motion by repeating the motion. No discussion shall be made on the motion until the motion has been seconded by any other board member. The discussion shall be held only amongst the Village Board members unless the Village President calls upon discussion from a separate person.
  - (3) **Seconding a motion.** Any Board member, other than the Board member that made the motion, may second a motion by stating “I second the motion”
  - (4) **Stating the Question.** The presiding officer states the motion and indicates that it is open to discussion.
  - (5) **Consideration of motion.**
    - (i) members discuss motion per policy
    - (ii) presiding officer “puts the question” (puts it to a vote), and
    - (iii) presiding officer announces the results.
  - (6) **Amend the motion.** Motion to amend is a motion to modify the wording of pending motion. Adoption of a motion to Amend does **not** adopt the motion thereby amended; that motion remains pending

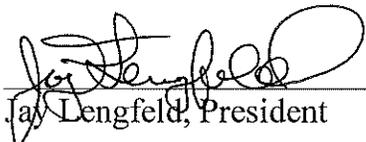
in its modified form. Amending a motion follows steps 2-5 above and there are no “friendly amendments.”

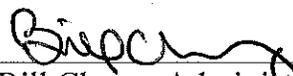
- (f) **Motions to Reconsider.** Motions to reconsider may be made by any member of the Village Board, regardless of how the member voted originally, and may be made during the current meeting or at the next meeting of the Village Board duly called and held.
- (g) **Conduct.** No person shall address the Village Board until he has been recognized by the presiding officer. He/she shall thereupon address himself/herself to the Board and confine his/her remarks to the question under discussion and avoid all personalities.
- (h) **Voting.**
  - (1) Votes may be taken by voice vote, except for an election of officers of the Village Board. Upon demand of any Trustee, a roll call vote shall be taken in such manner that the vote of each member is ascertained and recorded. Absentee votes shall not be allowed.
  - (2) No secret ballot may be utilized to determine any election or other decision of the Village Board, except the election or removal of Trustees or officers of the Village Board.
- (i) **Robert’s Rules of Order Recognized.** Except as otherwise provided in this Code, the deliberations of the Village Board shall be conducted in accordance with the parliamentary rules contained in Robert's Rules of Order, the most recent edition. The Village President may announce a suspension of Robert’s Rules for any meeting or portion of any meeting.
- (j) **Ordinances.** Ordinances shall be adopted by majority vote of a quorum at an open meeting of the Village Board.
  - (1) **Publication of Ordinances.** All ordinances and bylaws shall be signed by the President and countersigned by the Administrator/Clerk and, if any penalty or forfeiture is thereby imposed, shall be published as a Class 1 notice under Ch. 985, Wis. Stats., and shall take effect on the day after their publication or a later date if expressly prescribed. If there is no newspaper published in the Village, the Village Board may in lieu of newspaper publication have copies of said ordinances and bylaws posted in at least 3 public places within the Village or must be posted at Village Hall and placed electronically on the Village’s website and proof thereof filed and recorded by the Administrator/Clerk, and the same shall take effect the day after the proof of posting has been filed and recorded or at a later date if expressly provided in the ordinance or bylaw.
  - (2) **Indeterminate Publication.** When any Village ordinance is required by law to be published without express designation therein as to class of notice, it shall be published as a Class 1 notice under Ch. 985, Wis. Stats.

- (3) **Title of Ordinance.** All ordinances shall be suitably titled and in this style: "The Village Board of Cross Plains does ordain as follows." All authorized ordinances and bylaws shall have the force of law and remain in force until repealed.
- (k) **Records.** The Administrator/Clerk shall record, preserve and make open to public inspection all motions and roll call votes of each meeting of the Village Board and its standing committees, boards and commissions.
- (l) **Execution of Official Documents.** Every contract, conveyance, commission, license or other written instrument shall be executed on the part of the Village by the President and Administrator/Clerk and sealed with the Corporate Seal.
2. **Severability.** If any portion of this Ordinance or its application on any person or circumstances is held invalid, the validity of this Ordinance as a whole or any other provision herein or its application shall not be affected.
3. **Effective Date.** This Ordinance shall take effect immediately upon its passage and publication.

Adopted this 30<sup>th</sup> day of June, 2020.

**VILLAGE OF CROSS PLAINS**

By:   
Jay Lengfeld, President

By:   
Bill Chang, Administrator/Clerk