


# CERTIFICATE

STATE OF WISCONSIN )  
COUNTY OF GRANT ) SS

I, Debi J Heisner, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Fennimore, Grant County, Wisconsin, and that attached hereto is a true, correct and compared copy of Chapter 2-Governing Body of the Municipal Code for the City of Fennimore, Grant County, Wisconsin, amended through Ordinance #2022-02-21, adopted 2/21/2022, effective 3/3/2022.

and that said copy is a true, correct and compared copy of said original ordinance and updates as the same now appear and are recorded in the official minute book of the City of Fennimore in my office as Clerk of the City of Fennimore.

IN WITNESS WHEREOF, I have hereunto set my hand as the City Clerk of the City of Fennimore, Grant County, Wisconsin on this 3rd day of February, 2022 and affixed an impression of the official seal of said City

  
Debi Heisner, City Clerk in and for the City  
Of Fennimore, Grant County, Wisconsin



## CHAPTER 2-GOVERNING BODY

### CITY OF FENNIMORE

*(Repealed and Recreated 8/22/16-Ord #2016-3)  
(Amended through Ord #2016-6 adopted 11/17/2016)  
(Repealed and Recreated 2/21/22-Ord. 2022-02-21)*

- 2.01 COMMON COUNCIL**
- 2.02 WARDS**
- 2.03 POLLING PLACE**
- 2.04 COMMON COUNCIL PROCEDURE**
- 2.05 COMPENSATION**

#### **2.01 COMMON COUNCIL** *(repealed-recreated 7/25/2011 Ord#274)*

The Common Council shall consist of the Mayor and two alderpersons from each of the following-described aldermanic districts:

- (1) **First Aldermanic District:** The boundaries of the first aldermanic district shall be the boundaries of Ward One as defined in s. 2.02(1) of this code.
- (2) **Second Aldermanic District:** The boundaries of the second aldermanic district shall be the boundaries of Wards Two as defined in s. 2.02(2) of this code.
- (3) **Third Aldermanic District:** The boundaries of the third aldermanic district shall be the boundaries of Wards Three as defined in s. 2.02(3) of this code.
- (4) **Fourth Aldermanic District:** The boundaries of the fourth aldermanic district shall be the boundaries of Ward Four as defined in s. 2.02(4) of this code.

#### **2.02 WARDS** *(repealed-recreated 7/25/2011 Ord#274, repealed-recreated 2/21/22 Ord#2022-02-21)*

The following portions of the City of Fennimore shall constitute each of the following wards:

- (1) **Ward One:** All that part of the City of Fennimore located in Section 18, Town 6 North, Range 2 West of the 4<sup>th</sup> P M ; and also that part of the City of Fennimore described as follows: Beginning at the North East Corner of Section 19, Town 6 North, Range 2 West of the 4<sup>th</sup> P.M. ; thence South along the section line between Sections 19 and 20 to 7<sup>th</sup> Street; thence West along 7<sup>th</sup> Street to Jackson Street; thence South along Jackson Street to 8<sup>th</sup> Street; thence West along 8<sup>th</sup> Street to Washington Street; thence North along Washington Street to 4<sup>th</sup> Street; thence East along 4<sup>th</sup> Street to the point of beginning.
- (2) **Ward Two:** That part of the City of Fennimore located in Section 19, Town 6 North, Range 2 West of the 4<sup>th</sup> P.M. described as follows: Beginning at the North West corner of Section 19; thence East along the section line between Sections 18 and 19 to Washington Street; thence South along Washington Street to 8<sup>th</sup> Street; thence East

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along 8<sup>th</sup> Street to Lincoln Avenue; thence South along Lincoln Avenue to 14<sup>th</sup> Street; thence West along 14<sup>th</sup> Street to Roosevelt Street; thence North along Roosevelt Street to 13<sup>th</sup> Street; thence West along 13<sup>th</sup> Street to Wilson Street; thence North along Wilson Street to 12<sup>th</sup> Street; thence West along 12<sup>th</sup> Street to the section line between Section 19 and 24 and then North along said section line to the point of beginning.

(3) **Ward Three:** All that part of the City of Fennimore located in Section 20, Town 6 North, Range 2 West of the 4<sup>th</sup> P.M.; all that part of the City of Fennimore located in Section 29, Town 6 North, Range 2 West of the 4<sup>th</sup> P.M.; also that part of the City located in Section 19, Town 6 North, Range 2 West of the 4<sup>th</sup> P.M. described as follows: Beginning at the intersection of Lincoln Avenue and 8<sup>th</sup> Street; thence East along 8<sup>th</sup> Street to Jackson Street; thence North along Jackson Street to 7<sup>th</sup> Street; thence East along 7<sup>th</sup> Street to the section line between Sections 19 and 20; thence South along said section line to 12<sup>th</sup> Street; thence west along 12<sup>th</sup> Street to Cleveland Street; thence South along Cleveland Street to 13<sup>th</sup> Street; thence West along 13<sup>th</sup> Street to Lincoln Avenue; thence North along Lincoln Avenue to the point of beginning.

(4) **Ward Four:** All that part of the City of Fennimore located in Section 30, Town 6 North, Range 2 West of the 4<sup>th</sup> P.M.; also that part of the City of Fennimore located in Section 19, Town 6 North, Range 2 West of the 4<sup>th</sup> P.M. described as follows: Beginning at the South West corner of Section 19; thence North along the section line between Sections 19 and 24 to 12<sup>th</sup> Street; thence East along 12<sup>th</sup> Street to Wilson Street; thence South along Wilson Street to 13<sup>th</sup> Street; thence East along 13<sup>th</sup> Street to Roosevelt Street; thence South along Roosevelt Street to 14<sup>th</sup> Street; thence East along 14<sup>th</sup> Street to Lincoln Avenue; thence North along Lincoln Avenue to 13<sup>th</sup> Street; thence East along 13<sup>th</sup> Street to Cleveland Street; thence North along Cleveland Street to 12<sup>th</sup> Street; thence East along 12<sup>th</sup> Street to the section line between Sections 19 and 20; thence South along said section line to the South East corner of Section 19; thence west along the section line between Sections 19 and 30 to the point of beginning.

(5) The population of each ward, at the time of the adoption of this ordinance, is as follows:

- (a) Ward One: 609
- (b) Ward Two: 634
- (c) Ward Three: 631
- (d) Ward Four: 623

### 2.03 POLLING PLACE

The polling place for each ward in the City of Fennimore shall be the City of Fennimore Municipal Building.

### 2.04 COMMON COUNCIL PROCEDURE

#### (1) Meetings

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### (a) Regular Meetings.

1. Following the spring election of each year, the Common Council shall meet on the third Tuesday of April for the purpose of organization. Regular meetings of the Common Council shall be held on the third Monday of every month at 5:30 PM in the council chambers.
2. If any meeting date, as fixed by par. 1., falls on a date when City offices are closed or if it is impossible or impractical to meet on a regular meeting date, the meeting shall instead be held on the first business day succeeding that date at the same hour and place unless the Council selects a different date.

### (b) Special Meetings.

1. The Mayor may call special meetings by written notice to each alderperson. The notice shall be delivered to each alderperson personally or left at their usual abode at least 24 hours before the meeting, unless for good cause a 24-hour notice is impossible or impractical. In that case, a shorter notice may be given, but the notice may not at any time be provided less than 6 hours in advance of the meeting. The notice shall specify the time, place and purpose of the meeting. Attendance by any alderperson is a waiver of any defect of notice.
2. Special meetings shall be deemed regular meetings for the purpose of transacting any business that may be permitted by law.

### (c) Adjournment.

Any council member may move to adjourn a meeting. If any agenda item is not considered before a motion to adjourn is adopted, it shall automatically be referred to the council's next regular meeting, unless the motion provides for a specific date and hour.

## **(2) Quorum Required**

(a) A quorum is necessary for the transaction of any council business. Two-thirds of all members of the council, excluding the mayor or alder acting as mayor, shall constitute a quorum.

(b) Attendance, by an alder or the mayor, from a location other than Council Chambers shall be acceptable, provided all the following requirements are met:

1. The member is available through immediate, verbal communication, such as a phone. Examples of unacceptable communication include but are not limited to

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instant messaging or text messaging.

2. The member is a distance greater than a 30-mile radius from city limits at the time the meeting is called to order.

3. The members' attendance is necessary to meet the quorum requirement.

4. The council is agreeable to the attendance.

5. If background noise or the connection adversely affects the meeting, the meeting will be adjourned.

6. The member appearing remotely shall ensure that he or she is using a device that enables him or her to fully participate in the meeting both in terms of hearing all the proceedings and in terms of being heard.

7. If any portion of the meeting is held in closed session, the board member attending by telephone may be required to verify that he or she is in a private, secure location at which he or she or the persons in physical attendance at the meeting cannot be overheard.

8. The mayor or council president may determine that the nature of the business to be considered at any meeting makes participation in the meeting by telephone impossible or impractical and may adjourn the meeting. Examples of such business include, but are not limited to:

i. Large numbers of handouts or documents are being provided to the council at the meeting by a presenter at the meeting.

ii. The meeting includes an evidentiary or other hearing and due process for any individual would be compromised by remote attendance.

iii. The Council will be meeting at a number of sites and maintaining communication would be impractical.

iv. Other persons will be attending the meeting remotely (telephone, skype, etc...).

### **(3) Call to Order**

The presiding officer shall at the hour appointed call the members to order. If both the Mayor and the Council President are absent from the meeting, the Clerk shall call the council to order and preside until the council selects a member to preside at the meeting.

### **(4) Absence of Members**

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If an alderperson for any reason cannot attend a regularly scheduled meeting, he or she shall notify the City Clerk as soon as is possible before the meeting in question.

### **(5) Order of Business**

The business of the council shall generally be conducted in the following order:

- (a) Call to order by the presiding officer.
- (b) Roll call. If a quorum is not present, the meeting shall automatically adjourn to the next regular meeting.
- (c) Consent agenda.
- (d) Minutes of the preceding meeting. Approval of the minutes if correct, and correction of mistakes, if any.
- (e) Comments for pre-registered citizens.
- (f) Reports of City officers.
  - 1. Clerk-Treasurer
  - 2. Director of Public Works
  - 3. Chief of Police
  - 4. Promotions Coordinator
  - 5. Any other City Officer
- (g) Presentation of accounts and other claims against the City.
- (h) Committee reports.
- (i) Unfinished business from previous meetings.
- (j) New business.
- (k) Miscellaneous business.
- (l) Comments and suggestions from citizens present.
- (m) Communications and recommendations of the mayor.
- (n) Adjournment.

### **(6) Introduction of Business**

- (a) Introduction Requirements.

All ordinances, resolutions, memorials or other communications shall be in writing, contain a brief statement of the content, and, prior to their consideration by the council, be delivered to the clerk. At the first permitted opportunity, the clerk shall record each by title at a meeting of the council.
- (b) Filing.

Each proposed ordinance or resolution shall be filed in the office of the clerk at least 5 days prior to that scheduled council meeting at which the measure is to be introduced. If for good cause this pre-filing is impossible or impractical, the council may waive this requirement.

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### **(7) Presiding Officer**

**(a) Designation of.**

The Mayor shall be the presiding officer. In the absence of the Mayor, the president of the council shall preside at the meetings of the council and be styled "Acting Mayor". If both the Mayor and Council President are absent, the clerk shall call the council to order and preside until the council selects a member to preside at the meeting.

**(b) Function.**

The presiding officer shall preserve order, conduct the proceedings of the council, and be its parliamentarian. If a member does not follow the council's rules, the presiding officer may, on his or her own motion, or shall, at any member's request, call the offending member to order. The council, if appealed to, shall decide the matter.

**(c) Questions of Order.**

Any alderperson may raise a point or question of order. The question of order must be raised at the time the alleged breach of order occurs. The presiding officer shall, in turn, immediately rule on the question of order, subject to an appeal by a member to the council. The appeal may be sustained by a majority vote of the members present, exclusive of the presiding officer.

**(d) Motion.**

The Mayor may speak on any question.

**(e) Veto.**

The Mayor may veto acts of the council as permitted by law. The council may override the Mayor's veto by a two-thirds vote of all its members.

### **(8) President of the Council**

**(a) Selection.**

The Council President shall be selected by a majority vote of all alderpersons present at the annual organizational meeting conducted on the third Tuesday of April.

**(b) Absence of Mayor.**

During the Mayor's absence or inability to serve, the Council President shall be Acting Mayor and shall be vested with the powers and duties of the Mayor, except the Council President may not approve a council act that the Mayor has vetoed. When presiding, the Council President retains his or her right to vote as alderperson and if he or she exercises that right, may not vote in case of a tie.



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### **(9) Voting**

#### **(a) Mode of Voting.**

1. Any alderperson may demand a yes or no vote on any matter. However, the vote shall be by yes and noes if the council is: (a) confirming appointments; (b) adopting any measure that assesses or levies; (c) appropriating or disbursing money; or (d) creating any liability or charge against the City or any fund of the City.
2. No member may explain his or her vote during the calling of the ayes and noes.
3. All yes and no votes shall be recorded in the minutes by the clerk.

#### **(b) Majority Vote Required.**

A majority vote in favor of any proposed ordinance, resolution or appointment shall be necessary for passage or approval, unless a larger number is required by law. In all other cases, a majority of the votes cast shall be necessary for council action, provided a quorum has voted.

#### **(c) Tie Vote.**

The Mayor shall not vote except in the case of a tie. When the Mayor does vote in the case of a tie, his or her vote shall be counted in determining whether a sufficient number of the council has voted favorably or unfavorably on any measure.

#### **(d) Abstentions.**

1. An alderperson shall not vote on any proposed ordinance, order, resolution or proposition in which he or she has a direct pecuniary interest not common to other members of the council.
2. An alderperson who is required by law to abstain from voting on any particular matter shall not be counted for determining (a) the number of "members present" if passage of that measure requires a favorable vote by a majority or other functional vote (i.e. 2/3 or 3/4) of the alderperson's "present", or the presence of a quorum for purposes of that particular vote.

#### **(e) Vote Change.**

An alderperson may change his or her vote on a matter up to the time the result of the vote is announced.

### **(10) Reconsideration of Question**

Any alderperson or the Mayor, if the Mayor voted on a matter, who voted with the prevailing side on any question may move for a reconsideration of the vote immediately after the vote or at the next succeeding regular meeting of the council. If a motion to reconsider is defeated, it may not again be presented to the council.

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### **(11) Committees**

#### **(a) Appointments.**

The Mayor shall appoint a chairperson and other members to each of the standing committees at the organizational meeting of the newly elected council conducted on the third Tuesday of April.

#### **(b) Standing Committees. The standing committees of the council shall be:**

1. **Personnel & Administrative.** It shall be the duty of this committee to: study and investigate any issues of work performance of any city employee as assigned; interview applicants for position vacancies; audit claims or actions against the city; review employee insurance policies and provide cost engineering of such policies; review and negotiate employee contracts; provide an evaluation of contracted employees at least annually; review codes, ordinances and policies of the city and provide updating as needed as assigned; from time to time may hire part-time, limited term or seasonal employees; and any other matters assigned by the Mayor or council.
2. **Finance & Progress.** It shall be the duty of this committee to: provide budgetary review of all city controlled budgets; study and investigate any potential land acquisition; assist with location of any potential new business; study and investigate potential development of residential or commercial sites; work with other entities to promote the prosperity of the city; any tasks that are mandated by State Statute or Municipal Code; and any other matters assigned by the Mayor or council.
3. **Infrastructure & Property.** It shall be the duty of this committee to: assist the Director of Public Works in the betterment of all city streets, utilities, cemetery, swimming pool, recycling, sanitation, parks, all city owned buildings along with its grounds; and any other matters assigned by the Mayor or council.

#### **(c) Committee of the Whole.**

The Mayor may declare at any meeting the entire council a committee of the whole for informal discussion on any matter.

#### **(d) Special Committees.**

The council may provide for special committees as it may from time to time deem necessary. Appointments to these special committees shall be made by the Mayor. Unless otherwise provided by law, the mayor's appointments shall be subject to confirmation by the council.

#### **(e) Notice of Committee Meetings.**

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The committee chairperson may file notice of each committee meeting with the clerk, if such duty is not requested of the clerk. The notice shall comply with the notice requirements or sec. 19.84, Stats.

(f) **Committee Referrals.**

The presiding officer shall make all committee referrals.

(g) **Other Council Representation.**

The Common Council may have representation by at least one member on each of the following: Library Board [Wis. Stat. sec. 43.54(1)(a)], Plan Commission [Wis. Stat. sec. 62.23(1)(a)], Public Relations Board, Rural Fire Board, Grant County Taxi Board, Recreation Board and the Fennimore Industrial & Economic Development Corporation.

**(12) Financial Matters**

All bills and other financial claims against the City shall be itemized and presented to the Treasurer for examination. The clerk shall then refer the bills and claims to the council. Payment of regular wages and salaries of officers and employees according to schedules adopted by the council may be made by the clerk without submission to the council after ratification by the department head submitting them and approval by the Treasurer.

**(13) Citizen's Right to Address Council**

(a) **Right Declared.**

A citizen may address the council under either or both:

1. Section (5)(l);
2. Section (5)(e), provided the following conditions are met:
  - a. The citizen registers with the clerk before the meeting is called to order, and indicates his or her interest to address the council; and
  - b. The citizen's comments relate to a matter on the agenda for that meeting.

(b) **Time Limited.**

In general, except for informational and public hearings, speakers will be limited to three minute addresses. Furthermore, the overall time allotment for all addresses generally will be limited to fifteen minutes.

(c) **Other Restrictions.**

If the presiding officer decides that the comments are not relevant or are abusive, the presiding officer may:

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1. Order the citizen to modify his or her comments;
2. Order the citizen to refrain from speaking;
3. Order the citizen to leave the council chambers; or
4. Take such other steps as may be necessary to ensure the efficient conduct of the council's business.

### **(14) Manner of Deliberation**

#### **(a) Manner of.**

No alderperson shall address the council until recognized by the presiding officer. The alderperson shall then address the presiding officer and keep all remarks to the question under discussion. The alderperson shall also avoid personal confrontations when speaking.

#### **(b) Recognition.**

When two or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.

#### **(c) Motions.**

No motion shall be discussed or acted upon until it has been seconded. No motion shall be withdrawn without the consent of those alderpersons making and seconding the motion. When making a motion, the motion shall be clearly stated in full.

#### **(d) Motions: Precedence of.**

When a question is under consideration, no motion shall be entertained except a motion to:

1. Adjourn. (To bring the meeting to a close.)
2. Recess. (To take a temporary break in activities.)
3. Lay on the table. (To put aside the pending question temporarily.)
4. Move the previous question. (To act on the motion.)
5. Postpone to a certain day. (To delay further discussion until said day.)
6. Refer to a committee. (Assign to a certain committee.)
7. Amend. (To alter or change.)
8. Postpone indefinitely. (A motion to suppress, eliminate or "kill" the main motion)

NOTE: These motions shall take precedence in the order listed.

### **(15) Consent Agenda**

#### **(a) Clerk's Responsibilities.**

The City Clerk may create a subsection on any council agenda entitled "consent agenda". In a consent agenda, the clerk shall place matters that, in the clerk's

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judgment, are routine and noncontroversial and do not require a special vote or specific action by the council.

(b) Procedure for Adoption.

The following procedure shall apply when a consent agenda is used:

1. No separate discussion or debate may be permitted on any matter listed on the consent agenda.
2. A single motion, seconded and adopted by a majority vote of all members of the council, shall be required to approve, adopt, enact or otherwise favorably resolve all matters listed on the consent agenda.
3. Any alderperson may request removal of any item or part of an item included in the consent agenda. At the time the consent agenda is considered, that item, as requested by the alderman, shall be approved without debate or vote.
4. If an item or any part of the item has been removed from the consent agenda in accordance with this rule, the council shall consider that item at an appropriate time during the council's regular order of business.

**(16) General Rules of Order**

The deliberations of the Common Council shall generally be conducted in accordance with the parliamentary rules contained in the most recent version of *The Conduct of Common Council Meetings*, provided by the Wisconsin League of Municipalities.

**(17) Suspension of Rules**

These rules or any part of them may be suspended in connection with any matter under consideration by a recorded vote of two-thirds (2/3) of the members present.

**(18) Open Meeting Law**

Meetings of the Common Council and all committees shall comply with the requirements of Wisconsin's open meeting law.

### **2.05 COMPENSATION** *(created 12/27/1995-Ord#147)*

- (1) Mayor. The Mayor shall receive a salary of \$500 per month to be paid monthly.
- (2) Alderpersons. Each alderperson shall receive a salary of \$166.66 to be paid monthly. In addition to the salary, each Alderperson will be paid the sum of \$30 for each Standing Committee or Ad Hoc Committee meeting he or she attends as a member of such committee.
- (3) Out of Pocket Expenses. The Mayor and each Alderperson shall be reimbursed for out of pocket expenditures in accordance with State Statutes or procedures established by the Council.

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- (4) Joint Meetings. In the event two or more Standing Committees or Ad Hoc Committees meet simultaneously, compensation may only be claimed for one meeting by any alderperson in attendance as a member of one committee or more. Meetings taking place one after the other are not considered simultaneous.
- (5) Refusal of Compensation. The Mayor or any Alderperson may refuse the salary or committee meeting compensation to which he or she is otherwise entitled as provided under Wis. Stat. sec 66.0505(3).
- (6) Date of Applicability. Compensation provided under this ordinance shall be applicable only to elected officials whose term of office begins after the effective date hereof.