

## Chapter 21

### Town Board Meeting and Parliamentary Procedure Ordinance

#### Section 21.01

The title of this ordinance is the Town of Howard Town Board Meeting and Parliamentary Procedure Ordinance. The purpose of this ordinance is to establish specific procedures for the actions of the town board in the operation of the town.

#### Section 21.02

The town board has the specific authority to adopt this Town Board Meeting and Parliamentary Procedure Ordinance under the Wisconsin Open Meetings Law, subchapter V of chapter 19, Wis. Stats., ss. 60.20 and 60.22, Wis. Stats., and common law.

#### Section 21.03

##### A. Meetings of the Town Board

1. All meetings of the town board, including any special and adjourned meetings, shall be on proper notice under s. 19.84, Wis. Stats. The notice of any town board meeting shall be given at least 24 hours prior to the meeting of the town board, 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 2 hours in advance of the meeting. The town chair, or his or her designee, shall be responsible for proper posting or publication of the meeting notice and agenda. No members of the town board shall be excluded from a meeting of the town board or any other meeting of any subunit of the town, unless by court order, or unless under s. 19.89, Wis. Stats., and the rules of the town.
2. All meetings of the town board, including any special or adjourned meetings, shall be held at the town hall, except that a different location may be designated by the town chair, or his or her designee, by giving proper written notice of the meeting and agenda, and of the substituted location, in conformance with s. 19.84, Wis. Stats.

- B. **Regular Meetings of the Town Board.** Regular meetings of the town board shall be held on the 1<sup>st</sup> Tuesday of each month at 8:00 p.m. except that in the event of an election or legal holiday occurring on or near the first Tuesday of the month the Town Board shall determine an alternate meeting date to be set at the regular meeting the month before the election or legal holiday.

##### C. Special Meetings of the Town Board

1. A special meeting of the town board may be called by the town chair in writing by email with the written call for the special meeting of the town board filed with the town clerk at least 24 hours prior to the proposed special meeting of the town board, with the time specified in the written call for the special meeting. The town chair, or his or her designee, shall properly and timely give notice of the special meeting, including the meeting agenda. A member of the town board, other than the town chair, may request that a special meeting of the town board be called by

- filing with the town clerk in writing by email a request for the calling of a special meeting of the town board, designating the agenda item or items for the special meeting. Upon receipt of the request, the town clerk shall immediately cause the request for special meeting to be served by email with return receipt upon the other members of the town board, including the town chair, along with a notice to each town board member that if any town board member other than the member requesting the special meeting, including the town chair, filed a written by email authorization for the requested special meeting of the town board with the town clerk not later than 24 hours after receipt of the request for special meeting, a special meeting of the town board will be called. Upon receipt of an email written authorization for a special meeting of the town board, the town clerk shall set a time for the special meeting. The meeting shall be set at the time which allows for a quorum of board members to be present. The clerk shall properly and timely give notice of the special meeting, including the meeting agenda.
2. Any special meeting of the town board shall be in compliance with the notice and agenda requirements of subsection A and ss. 19.82 and 19.84 Wis. Stats.
  3. The town clerk, upon receipt of the written by email call for a special meeting of the town board, shall immediately notify, in writing by email return receipt requested, each member of the town board by delivering the written by email Open Meeting Notice and Agenda to each board member.
  4. Special meetings of the town board may be held without service and notice under paragraph 3 when a quorum of members of the town board are present at a prior town board meeting at which oral notice of the special meeting is given or when a quorum of the town board members consent to the holding of a future special meeting of the town board.
  5. Special meetings of the town board attended by a quorum of the members shall be considered a regular meeting of the town board for the transaction of any town business that may come before the town board if the business considered was so noted in the written meeting notice and agenda.
  6. The town board may, by majority vote, adjourn any special meeting of the town board from time to time to a specific date and hour. The adjournment to the specific time and place shall be in compliance with subchapter V of chapter 19, Wis. Stats., including proper notice and agenda.
- D. The town chair, in consultation with the town clerk, shall establish the specific business items included in the agenda for each meeting and shall post the Open Meeting Agenda Notice for the meeting. Any town board member may contact the town clerk to request a specific item be placed on the agenda and that item shall be placed on the agenda, unless the town board has, at a previous meeting, determined that the item shall not be included. The agenda order for specific issues or items related to any procedural motions, communications, petitions, reports, unfinished business, motions, resolutions, ordinances, and new business shall be established by the town chair after consultation with the town clerk. However, a majority of the town board may at the meeting properly move or remove any matter included on the agenda if the matter is in compliance with the Notice and agenda requirements of subchapter V of chapter 19,

Wis. Stats. No matters may be added to the agenda without proper notice under subchapter V of chapter 19 Wis. Stats.

- E. **Quorum at Roll Call of Meeting.** If no legal quorum is present at the time of the initial roll call, the meeting of the town board shall be immediately adjourned to a specific date and hour by the members of the town board then present. At any time during a meeting when a legal quorum is not present, a motion to adjourn to a specific date and hour is proper.
- F. **Absence of Town Clerk at Meeting.** If the town clerk is not present at the time of the initial roll call of a meeting of the town board, the town chair shall appoint any other person present at the meeting to be the town clerk pro tem. The town clerk pro tem shall prepare and maintain minutes of the meeting of the town board. The town clerk pro tem shall deliver these minutes to the town clerk after the end of the meeting of the town board or when the town clerk pro tem is replaced during the meeting by the town clerk.
- G. **Absence of Town Chair at Call to Order of Meeting.** The presiding officer at the meeting of the town board is the town chair. If the town chair is not present at the time for the call to order, the senior member of the town board present, based on date of original election as a member of the town board, shall call the meeting of the town board to order, call the initial roll call, and preside as town chair until the town chair is able to preside at the meeting. If after the initial roll call the town board determines that the town chair will not be able to at any time preside at the meeting, the town board shall by motion elect an acting town chair for the meeting.
- H. **Meeting in Open Session.** Any meeting of the town board to exercise its responsibilities, authority, power, or duties shall be in open session and accessible to the public, except as provided in ss. 19.82, 19.83, and 19.85, Wis. Stats. All discussion shall be held and all action of any kind, formal or informal, shall be initiated, deliberated upon, and acted upon only in open session except as provided in s. 19.85, Wis. Stats.
- I. **Audit of Accounts.** The town board shall at each regular meeting be presented by the town clerk with the financial accounts of the town for auditing and possible action by the town board. The town treasurer shall present a report of fund balances in each of the town bank accounts.
- J. **Specific Rules of Conduct at Town Board Meetings.**
  - 1. Unless other rules of conduct are specifically adopted and codified by ordinance by the town board, all meetings of the town board and of the town meeting shall be governed by Roberts Rules of Order, newly revised.
  - 2. **Members to be Recognized.** The presiding officer of the meeting of the town board shall recognize any member of the town board prior to that town board member addressing the town board. At any town meeting the presiding officer shall recognize any person at the town meeting prior to that person addressing the town meeting.
  - 3. **Remarks to Presiding Officer.** All members of the town board shall address all remarks to the presiding officer at any meeting of the town board. All persons addressing the town meeting shall address all remarks to the presiding officer of the town meeting.

4. **Speaking Before Town Board.** No person at a meeting of the town board being conducted in open session, other than the member of the town board, shall address the town board or any member of the town board, except when public comments are authorized on the meeting agenda, and then only with approval of the town chair or by majority vote of the town board. This provision shall not apply under the specific items of business listed on the meeting agenda to recognize members of any town office, town committee, town agency, town commission, or a special board or other town officers in an open meeting if the subject and content for discussion has been noted specifically on the meeting agenda.
5. **Order and Decorum.** The presiding officer at any town board meeting or town meeting shall maintain order and decorum. Any person who conducts himself or herself in a disorderly manner as determined by the presiding officer may be removed from the town board or town meeting by order of the presiding officer. The presiding officer may seek law enforcement assistance of the constable or other law enforcement officer for such removal until the meeting is adjourned.

**Section 21.04 Applicability of Rules of Conduct to Town Subunits**

The rules of conduct state in this ordinance shall control the conduct of all meetings of subunits of the town to the extent applicable.

**Section 21.05 Severability**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**Section 21.06 Effective Date**

This ordinance is effective on publication or posting.

Passed the            of            2014 by a vote of    yes    no

Vernon J. Schindler, Town Chair

Attested

Susan Haake, Clerk