

TOWN OF BARNES
ORDINANCE NUMBER: CHAPTER 2 SECTION 10-1
AN ORDINANCE FOR TOWN BOARD MEETINGS AND PARLIAMENTARY PROCEDURE
STATE OF WISCONSIN:
Town of Barnes
Bayfield County

SECTION I-TITLE/PURPOSE

The title of this ordinance is the Town of Barnes 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 II-AUTHORITY

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 and ss. 60.20 and 60.22. Wis stats., and the common law.

SECTION III-ADOPTION OF ORDINANCE

The Town Board, by this Ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the Town Board present and voting, provides the authority for the Town to regulate, permit, or limit certain acts of certain Town officials and employees in the Town.

SECTION IV-TOWN BOARD MEETING RULES OF PROCEDURE

A. Meeting of Town Board, Generally:

1. All meetings of the Town Board of the Town, 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 include the Open Meeting Agenda and 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 sub-unit 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 of the Town of Barnes, 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, at 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 third Tuesday of the month at 6:30PM at the Town Hall.

C. Order and Conduct at any Town Board Meeting:

1. Unless a reformed business order agenda is approved by the Town Board and unless the reformed business order agenda is properly noticed in compliance with the State Open Meeting Law and then presented in writing to the Town Clerk prior to the meeting, the regular business order and agenda of meetings of the Town Board shall be as set forth in paragraph 2. 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 to 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 the State Open Meeting Law. No matters may be added to the agenda without proper notice under the Open Meeting Law.

2. The regular business order agenda for the Town shall be:
 - a. Call to Order.
 - b. Roll Call /Quorum Call/ Verification of Public Notice and approval of Agenda of the Town Board meeting.
 - c. Public comments and suggestions from residents of the Town and other persons present. Introduction of guests.
 - d. Reading of minutes prior meeting and approving these minutes after errors in the minutes have been rectified to the satisfaction of the Town Board.
 - e. Procedural motions by members of the Town Board of the Town of Barnes. (List each motion and contents of motion to be discussed and possible Town Board actions to be taken.)
 - f. Communications and petitions by Town Clerk-No discussion or action.
 - g. Reports of specific standing committees. (List reports and content to be discussed by and with the Town Board). No action to be taken.
 - h. Reports of special committees, special commissions and special boards. (List reports and content to be discussed by and with Town Board). No action to be taken.
 - i. Reports of Town officers. (List specific reports and content to be discussed with Town Board).
 - j. Public hearings and advisory votes-(List and describe each individual subject_and content and any possible discussion and possible action to be taken by the Town Board after the hearing.)
 - k. Specific matters for discussion and possible action by Town Board in Open Session:
 - i.
 - ii.
 - iii.(so continue)
 - l. Specific matters intended for discussion and possible action by Town Board for closed session under one or more of the below noted closed session exemptions and reasons that allow for closed session: (Optional)
 - i.
 - ii.
 - iii.(so continue)
 - m. Specific matters intended for discussion and possible action by Town Board for reconvened open session. (Optional) Future meeting agenda/ Discussion and possible action on future Town Board agenda, including specific items for inclusion or exclusion on future Agenda.
 - n. Adjournment.
3. At the meeting of the Town Board, any member of the Town Board may take up any business on the agenda in any other order unless there be objection by any other member of the Town Board.
4. All written petitions, written communications and written reports to the Town Board and all written and oral requests to address the Town Board shall be presented by the Town Clerk to the Town Chair, or to the person presiding at the meeting of the Town Board.

- D. 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.
- E. 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 the Deputy Clerk of the Town or 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.
- F. 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 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.
- G. Vacation of Town Chair or Presiding Officer at Meeting: If the Town Chair or any other presiding officer of the Town Board desires to speak on any question or to make any motion, the Town Chair or the presiding officer may speak or make a motion without vacating the chair or without designating a member of the Town Board to preside at the meeting as Town Chair pro tem.
- 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 the State Open Meeting Law, ss. 19.82, 19.83, 19.85 and 19.85 (1) 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.
- 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. All accounts shall be filed with the Town Clerk at least ____ days prior to the next meeting of the Town Board in order for the account to be presented by the Town Board Clerk at the upcoming meeting of the Town Board.
- J. Receipts of Funds: Any Town officer, Town employee or agent of the Town in possession of funds or receipts or earnings of the Town shall deposit any such funds, receipts or earnings with the Town Treasurer on at least a weekly basis unless approved otherwise by the Town Board. The Town Board shall be advised by the Town Treasurer on a monthly basis of any funds outstanding that have not been properly deposited with the Town Treasurer. All elected and non-elected Town officers and Town employees, within ____ days of taking office, hiring or rehiring, shall be informed of the requirements of this provision by the Town Treasurer.
- K. Specific Rules of Conduct at Town Board Meetings:
1. Roberts Rules of Conduct. 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 meetings 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. All persons addressing the Town meeting shall address all remarks to the presiding officer of the Town meeting.
 4. Speaking Before the Town Board. No person at a meeting of the Town Board being conducted in open session, other than the members of its own 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.
6. Town Meeting Procedure.
7. A Town meeting, annual or special, shall follow the procedure noted in s. 60.14, Wis. Stats. All votes taken shall be voice vote or by open ballot. All reconsideration of actions at the Town meeting shall follow the procedure noted in sec. 60.14 (4) Wis. Stats. All of the following apply to the conduct of a Town meeting:
 - a. The current Town Chair, if present shall be the presiding officer of a Town meeting. If the Town Chair is not present, another Town Supervisor shall preside at the meeting upon the vote of the meeting. If no Town Supervisor is present, the meeting shall nominate and elect the presiding officer of the meeting.
 - b. The Town Clerk, Deputy Clerk or an appointed clerk shall perform the duties of clerk for the Town meeting under s. 60.15, Wis. Stats.
 - c. The Town meeting may require the Clerk to keep a poll list with the name and address of each elector voting at the meeting.

L. Excused Voting: For voting upon orders, motions, resolutions, ordinances, action items, business items or any other question, all members of the Town Board present at the Town Board meeting, shall vote when that individual Town Board member's name is called, unless for special cause a Town Board member has been excused prior to the vote by an affirmative roll call vote of the remaining members or if the Town Board member states that he or she refuses to vote. No reason need be stated for such refusal to vote.

Any member of the Town Board of the Town voting in the majority on any matter may move for reconsideration of the vote at the meeting which the vote was taken. A motion to reconsider being proposed and then defeated shall not be renewed. No vote for rescission of any action shall be taken without majority vote of Town Board and then only if rescission of the action is an agenda item.

M. Motions Stated: Prior to any debate on any matter, the members of the Town Board shall be entitled to a clear understanding of the motion before the Town Board. The person making the motion shall clearly state the motion. There shall be requested a second to any motion prior to any debate or discussion of the motion by the Town Board. Motions made in writing by a member of the Town Board and provided to the Town Clerk prior to the meeting shall be provided priority in the appropriate order of business. The Town Chair shall restate the motion prior to any debate and discussion. Any member of the Town Board, prior to vote on the motion, may request that the motion and any amendments adopted to the motion be reduced to writing and submitted in writing to the members of the Town Board prior to the final vote on the matter. All votes on motions, resolutions, orders and ordinances shall be recorded by Town Clerk or other agent of the Town Board.

N. Change of Vote: No member of the Town Board may change his or her vote on any action item, business item, motion or question after the final result has been announced by the presiding officer.

O. Priority Matters: When any action item, business item, motion or question is before the Town Board of the Town, no other action item, business item, motion or question shall be in order except a motion for any of the following:

1. To adjourn or recess the meeting.
2. To lay the question on the table.
3. To call the question.
4. To postpone the question to a date certain.
5. To refer the question to a standing committee or other committee.
6. To amend or divide the questions.
7. To postpone the question indefinitely.
8. To introduce a matter related to the question.

P. Motions with Preferences: During any meeting of the Town Board certain motions will have preference. In order of preference the items to be given preference are:

1. Motion to adjourn. A motion to adjourn can be made at any time and has first precedence.

This is

an non-debatable motion.

2. Motion to lay on the table. A motion to lay on the table may be made when the subject matter appropriate for tabling is to be debated or discussed. This motion is a non-debatable motion.

3. Motion to call previous question. A motion to call the previous question may be made at

anytime

after the debate or discussion commences related to action item, business item, motion or

question

that is properly before the Town Board. This motion is a non-debatable motion. This motion,

if

adopted, ends the debate and discussion at the meeting on the action item, business item,

motion

or question. The motion, if adopted, bring the Town Board to a direct vote with the first vote on any amendments, if any, and then to the main action item, business item, motion or question.

4. Motion to postpone to a certain date. A motion to postpone to a certain date may be made at

any

time after the debate or discussion commences on an action item, business item, motion or question that is properly before the Town Board. This motion is debatable. This motion, if adopted, ends the debate and discussion at the meeting on the action item, business item,

motion

or question. This motion must establish a date and time when the debate and discussion before

the

Town Board will continue. The date and time established must be on a date and time for a regularly scheduled or special meeting of the Town Board.

5. Motion to a committee. A motion to refer to a committee may be made at any time after the debate and discussion commences on an action item, business item, motion or question that is properly before the Town Board. The motion is debatable. This motion, if adopted, forwards

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action item, business item, motion or question to a committee for further review and

discussion.

The committee must be a committee of the Town Board.

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6. Motion to amend or divide the question. A motion to amend or divide the question may be made at any time after the debate and discussion commences on the action item, business item, or question properly before the Town Board. The motion is debatable. This motion, if adopted, divides the main action, main business item, main motion or main question pursuant to the method described and adopted in the motion to divide.
7. Motion to postpone indefinitely. A motion to postpone indefinitely may be made at any time after debate and discussion commences on the action item, business item, motion or question properly before the Town Board. This motion is debatable. This motion, if adopted, ends the action item, business item, motion or question.
8. Motion to introduce a matter related to the action item, business item, motion or question. A motion to introduce a matter related to the action item, business item, motion or question may be made at any time after the debate and discussion commences on the action item, business item, motion or question properly before the Town Board. This motion is debatable. This motion, if adopted, expands or adds to the debate and discussion new items related to the main item, business item, main motion or main question pursuant to the method described and approved in the motion to introduce a matter related.
9. Motion to reconsider. A motion to reconsider may be made by a member who casts a vote on the prevailing side of the question proposed to be reconsidered if the motion is made at the same meeting at which the decision was made or at the next meeting of the Town Board. A motion to reconsider being made and the vote lost shall not be renewed nor shall the subject be considered a second time. The Town Board shall not act upon the motion to reconsider if vested rights of the Town or any person will be violated by the reconsideration action of the Town Board.
10. Motion to rescind. A motion to rescind may be made by any member of the Town Board at any time to rescind a decision made at a prior Town Board meeting, but shall require a majority vote of the Town Board. The Town Board shall not act upon the motion if vested rights of the Town or any person will be violated by the rescission action.
11. Action Items, Business Items, Motions or Questions: No action item, business item, motion question at a public meeting shall be included, or even considered, by the Town Board on its business order agenda unless the action item, business item, motion or question was initially presented to the Town Board and included on the meeting agenda by a Town Board member the Town Clerk. No member of the Town Board shall request, at a meeting of the Town Board, a vote from the general public unless the proposed vote of the general public is so noted by the Town Chair or the presiding officer of the meeting as strictly an advisory vote to the Town Board and the vote was specifically included as a possible action item before the Town Board on the meeting agenda. Any vote taken by the general public at a meeting of the Town Board shall be considered by the Town Board only as an advisory vote and shall not be considered as a

Board
annual

directory vote. Specific directory votes to require certain actions to be taken by the Town
may only occur at an annual or special Town meeting if the action by the Electors at the
or special Town meeting is provided for by State Law. No directory vote will be taken at an
annual or Special Town meeting if the action cannot demonstrate as a statutory power of the
Annual or Special Town meeting.

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Q. Suspension of Rules: The rules of conduct under this Ordinance or any part of these rules of conduct
the Town Board may be temporarily suspended at any meeting of the Town Board, including any
meeting of the Town Board, in connection with any matter under consideration by the Town Board.
rules of conduct may be suspended by a recorded affirmative roll call vote of two-thirds or more of the
members of the Town Board present at the meeting, unless the suspension would violate Federal or
laws and regulations.

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R. Amendment of Rules: The rules of conduct stated in this Ordinance or any part of these rules or any
rules of the Town Board may be altered or amended at any meeting if the Town Board on proper notice
and inclusion in the meeting agenda, including any special meeting of the Town Board. Any rules stated
this Ordinance may be altered or amended by a recorded affirmative roll call vote of two-thirds or more
the members of the Town Board present at the meeting of the Town Board.

SECTION V-APPLICABILITY OF RULES OF CONDUCT TO TOWN SUB-UNITS

The rules of conduct stated in this Ordinance shall control the conduct all meetings sub-units of the
town to
the extent applicable.

SECTION VI-SEVERABILITY CLAUSE

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 VII-EFFECTIVE DATE

This Ordinance is effective on publication.

The Town Clerk shall properly publish this ordinance as required under s. 60.80, Wis.stats.

Adopted this 21st day of June, 2005

Richard D. Collyard-Town Chairman

Dixie Lea Chermack-Town Supervisor

Christine M. Webb- Town Supervisor

Donna S. Porter-Town Supervisor

Jack Meinke-Town Supervisor

Attest: Elaine J. Brustad Town Clerk/Treasurer

Posted: _____

Published: _____