

Ordinance 0011-19 – Ch.2 Common Council Procedure

An ordinance to amend Chapter 2, Article II of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Amend Chapter 2, Article II, Section 2-64 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Insert the following words as subsections (a) and (b) to 2-64(6):

(a) Persons desiring to address the common council shall be limited to three minutes. The public comment period shall be limited to a total of thirty minutes, unless extended by the mayor with the concurrence of two-thirds of the common council members present. Priority for those desiring to address the common council shall first be given to residents of the City of Racine, next to non-residents who own or operate a business within the City of Racine, and finally to all other persons, time permitting. The clerk shall provide a sign-in sheet, which shall include an indication whether the speaker resides or owns or operates a business within the City of Racine

(b) Prior to the public comment period, the clerk shall read substantially the following language:

The public comment segment is an opportunity for citizens to speak directly to the common council. Speakers will limit their remarks to three minutes.

There shall be no dialogue or interaction between the speaker and elected officials or staff. This time is not intended to be a debate or discussion.

The common council shall not hear personal complaints or attacks against any city employee or elected official or any matter related to an individual claim, citation, appeal, or lawsuit. Profane, disruptive, threatening, or conduct that otherwise impedes the safe, orderly, and effective conduct of the common council meeting is equally unacceptable during the public comment period as it is during all other portions of city meetings. When a group of people representing one viewpoint wishes to address the council, one person should be appointed the designated speaker for the group. Candidates for public office may not use this opportunity to campaign for office.

Speakers during the public comment period shall follow all rules of the common council and rulings of the chair, including a decision to terminate

the remarks if the speaker does not adhere to these rules. Public comment shall be limited to ideas or concerns regarding the City of Racine.

Delete subsections (7) and (10).

Renumber subsections (8), (9), and (11) as (7), (8), and (9), respectively.

Part 2: Amend Chapter 2, Article II, Section 2-80 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Delete the words: Each alderman shall be an ex officio member of all standing committees, except the one to which she or he has been appointed, and shall have all of the privileges of membership except the right to vote.

Part 3: Amend Chapter 2, Article II, Section 2-81 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Redesignate the existing paragraph as subsection (a).

Insert the following words as subsection (b):

All persons, including aldermen, interested in committee agenda items shall be permitted to provide input. Immediately after calling each agenda item, the chair shall permit input from any person, including aldermen, which input shall be limited to such agenda item. The chair may limit each person providing input to a reasonable time, based upon the circumstances.

Part 4: Amend Chapter 2, Article II, Section 2-108 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Repeal and recreate subsection (a) as follows:

All ordinances, resolutions, and other communications of the common council shall be in writing, with the name of the mayor or of the alderman presenting the same endorsed thereon, and shall be delivered to the clerk.

Repeal and recreate subsection (b) as follows:

Ordinances and resolutions, when being presented by the clerk, shall be presented by the name of the sponsor or sponsors and number unless requested to be read in full or required by law to be read in their entirety.

Repeal and recreate subsection (c) as follows:

Communications shall be presented by the clerk in summary form and include a designation of the mayor or of the alderman presenting or sponsoring the same.

Part 5: Repeal and recreate Chapter 2, Article II, Section 2-117 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Sec. 2-117. - Action on petitions and communications.

- (a) All communications shall be in writing, with the name of the mayor or of the alderman presenting the same endorsed thereon, and shall be delivered to the clerk.
- (b) Based upon the guidance provided in section 2-77 and elsewhere within this code of ordinances, within 14 days of receipt by the clerk, the clerk, in consultation with the mayor, shall determine the most-appropriate standing committee to which the communication should be directed and shall make each communication available to the chair of such committee. The chair shall, thereafter, determine which communications shall be placed on the committee's agenda and shall so notify the clerk.
- (c) If more than 90 days have passed from the date a communication was made available to a standing committee chair, if the communication has not been placed on a standing committee agenda or no committee action has been taken on a communication placed on a standing committee agenda, any alderperson may request the common council direct a standing committee consider such communication as follows:
 - (1) The clerk shall directly refer any request to the next common council meeting, consistent with the requirements of the Wisconsin open meetings law.
 - (2) Upon the affirmative vote of ten of the aldermanic members of the common council members, the communication shall be placed on the agenda of the next meeting of the standing committee for consideration.
- (d) Notwithstanding anything else herein, upon the petition of no fewer than 250 qualified electors of the City of Racine, a communication shall be referred to a standing committee. Based upon the guidance provided in section 2-77 and elsewhere within this code of ordinances, within 14 days of receipt and verification by the clerk, the clerk shall determine the most-appropriate standing committee to which the communication should be directed and shall cause such communication to be placed on the next committee agenda, consistent with the requirements of the Wisconsin open meetings law.
- (e) Notwithstanding anything else herein, any communication received by the clerk by December 31 that has not been acted upon by the common council by the third Monday in April of the subsequent year, shall be deemed to have expired, and no further action shall be taken.

Part 6: Repeal and recreate Chapter 2, Article II, Section 2-118 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Sec. 2-118. - Action on resolutions.

Each approved communication determined by the clerk to require a resolution, shall be presented to the common council for action together with such communication. Preliminary resolutions required by Wis. Stats. § 66.0703 shall be considered by the common council as required by state law.

Part 7: Repeal and recreate Chapter 2, Article II, Section 2-119 of the Municipal Code of the City of Racine, Wisconsin, as follows:
Sec. 2-119. - Action on ordinances.

- (a) All requests for amendments to the code of ordinances, including new ordinances, shall be in writing, made by the mayor or of the alderman, and shall be delivered to the clerk. The clerk forthwith shall direct such request to the city attorney.
- (b) The city attorney shall draft proposed amendments to the code of ordinances, in consultation with the requesting official. When the requesting official is satisfied with the proposed amendments to the code of ordinances as drafted, the city attorney forthwith shall so notify the clerk.
- (c) Based upon the guidance provided in section 2-77 and elsewhere within this code of ordinances, within 14 days of notification by the city attorney to the clerk, the clerk, in consultation with the mayor, shall determine the most-appropriate standing committee to which such proposed amendment to the code of ordinances should be directed and shall place the proposed ordinance amendment on such committee agenda.
- (d) The standing committee shall consider such proposed ordinance amendment and report its recommendation to the common council for final action.

Part 8: Amend Chapter 2, Article II, Section 2-122(a) of the Municipal Code of the City of Racine, Wisconsin, as follows:

The words, “There shall be no suspension of the rules on matters brought before the common council for the first time under section 2-119,” shall be deleted.

Part 9: Amend Chapter 2, Article II, Section 2-128 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Add the words, “Only communications and ordinances approved by a standing committee shall be reported to the common council. Unless otherwise required by state law or ordinance, action taken by a standing committee to disapprove or to receive and file a communication or ordinance shall be the final action and shall not be reported to the common council.”

Part 10: Create Chapter 2, Article II, Section 2-129 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Sec. 2-129. – Action by mayor.

The clerk shall present all acts of the common council to the mayor within five days. All acts shall thereafter be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove, within five days. Objections of the mayor shall be presented to the common council pursuant to Wis. Stat. § 62.09(8)(c).

Part 11: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: N/A