

CHAPTER 3

VILLAGE BOARD

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3.01 VILLAGE BOARD

The Trustees of the Village shall constitute the Village Board. The Village Board shall be vested with all the powers of the Village not specifically given some other officer, as well as those powers set forth elsewhere throughout this Code.

State Law Reference: Sections 61.32 and 61.34, Wis. Stats.

3.02 TRUSTEES

(a) **ELECTION, TERM, NUMBER.** The Village shall have six (6) Trustees in addition to the President, who is a Trustee by virtue of his or her office as

President. The six (6) Trustees shall constitute the Village Board. Three Trustees shall be elected at each annual spring election for a term of two (2) years, commencing on the third Tuesday of April in the year of their election.

- (b) **APPOINTMENT AS PRESIDENT.** A Village Trustee shall be eligible for appointment as Village President to fill an unexpired term.

State Law Reference: Section 61.20 and 61.325, Wis. Stats.

3.03 VILLAGE PRESIDENT

- (a) **ELECTION.** The Village President shall be elected at the annual spring election in odd-numbered years for a term of two years, commencing on the third Tuesday of April in the year of his or her election.
- (b) **DUTIES.** The Village President shall by virtue of his office be a Trustee and preside at all meetings of the Board and have a vote as Trustee, sign all ordinances, rules, bylaws, regulations and commissions adopted or authorized by the Board and all orders drawn on the treasury. He shall maintain peace and good order, see that the Village ordinances are faithfully obeyed, and in case of disturbance, riot or other apparent necessity appoint as many special marshals as he shall deem necessary, who for the time being shall possess all the powers and rights of constables.

State Law Reference: Section 61.24, Wis. Stats.

3.04 COMMITTEES

- (a) **COMMITTEE OF THE WHOLE.**
- (1) The Village President and all Trustees shall constitute a "Committee of the Whole", which shall handle matters of finance, including licenses and permits; personnel and employment relations; public works, including streets, sewers, water, solid waste and recycling, and wastewater treatment; public safety, including police and the police department, the fire department and building safety and inspection; parks, recreation, health and public welfare; and, economic development, including residential, commercial and industrial development and matters related to the acquisition, development and sale of residential, commercial and industrial properties.
- (2) The Committee of the Whole shall meet at least once each month on such date and time as shall be set by the Village Board. The agenda of such meetings shall, unless otherwise amended by majority vote of the Committee of the Whole, be as follows:

- "1. Call to order.
2. Roll call.
3. Approve agenda.
4. Public appearances.
5. Old business.
6. New business.
7. Report of Village officials.
 - a. Department heads.
 - b. Administrator
 - c. Village President.
8. Future agenda items
9. Open session.
10. Adjourn."

- (3) The Village President may, from time to time, appoint such temporary Ad Hoc study committees of the Committee of the Whole for such special purposes as the Village President may determine. The appointment of Trustee and, where authorized, citizen members of a temporary Ad Hoc study committee, except for the designation of the chairperson, shall be subject to confirmation by majority vote of the Committee of the Whole. Such temporary Ad Hoc study committees shall report their findings back to the Committee of the Whole.
- (4) Trustees, chairpersons appointed pursuant to Section 3.04(a)(3) and Village employees summoned or required to attend committee meetings, shall receive such compensation for attendance at such meetings as shall be prescribed under Section 3.22.

(b) **COMMITTEE APPOINTMENTS.**

- (1) Standing Committees. At the annual organizational meeting, the Village President shall appoint the following standing Committees:
 - a. Labor Negotiations Committee. The Labor Negotiations Committee shall be a standing committee of the Village Board consisting of three (3) Trustees, one of whom shall be designated as chairperson thereof, for the purposes of negotiating and addressing matters regarding employment relations with employee members of collective bargaining units. The standing committee appointments, except for designation of the chairperson, shall be subject to confirmation by majority vote of the Village Board.
 - b. Sewer and Water Committee. The Sewer and Water Committee shall be a standing committee of the Village Board consisting of three (3) Trustees, one of whom shall be designated as the chairperson thereof, and two (2) citizen members. The purpose of the Committee shall be to oversee the operation and management of the Sewer Utility and the

Water Utility, including, but not limited to, establishing and overseeing the budgets of the Sewer and Water Utilities.

- c. Meetings. Standing committees shall meet on an as needed basis at such times as shall be determined by the Village President or committee chairperson.
 - d. Compensation. Committee members shall receive such compensation for attendance at such standing committee meetings as shall be prescribed under Section 3.22.
- (2) Special Committees. At the annual organizational meeting, the Village President shall appoint a three (3) member Police Work Rules Committee consisting of a Trustee, an officer designated by the Pulaski Police Association and the Chief of Police; which committee shall be responsible for formulating police rules, policies and procedures. Committee members shall receive such compensation for attendance at such special committee meetings as shall be prescribed under Section 3.22.
- (c) **COMMITTEE REPORTS**. All committees, including the Committee of the Whole, designated temporary Ad Hoc study committees, standing committees and special committees, shall, at the next subsequent regular Village Board meeting, submit a report on all matters referred to it. Such reports shall make and include such recommendations to the Village Board on action to be taken on each matter referred to it on the basis of approval therefore by a majority of such committee. Any committee may require any Village officer, agent or employee to confer with it and supply information in connection with any matter pending before it. All proceedings of committees established pursuant to this Section shall be reported to the Village Board by the Village President or the designated committee chairperson. (Ord. 514-12)

3.05 GENERAL POWERS OF THE VILLAGE BOARD

- (a) **GENERAL**. The Village Board shall be vested with all the powers of the Village not specifically given some other officer. Except as otherwise provided by law, the Village Board shall have the management and control of the Village property, finances, highways, streets, navigable waters and the public service, and shall have the power to act for the government and good order of the Village, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, fine, imprisonment and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.
- (b) **ACQUISITION AND DISPOSAL OF PROPERTY**. The Village Board may ac-

quire property, real or personal, within or without the Village, for parks, libraries, historic places, recreation, beautification, streets, waterworks, sewage or waste disposal, harbors, improvement of watercourses, public grounds, vehicle parking areas and for any other public purpose; may acquire real property within or contiguous to the Village, by means other than condemnation, for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and may sell and convey such property. Condemnation shall be as provided by the Wisconsin Statutes.

- (c) **ACQUISITION OF EASEMENTS AND PROPERTY RIGHTS.** Confirming all powers granted to the Village Board and in furtherance thereof, the Board is expressly authorized to acquire by gift, purchase or condemnation under the Wisconsin Statutes, any and all property rights in lands or water, including rights of access and use, negative or positive easements, restrictive covenants, covenants running with land, scenic easements and any rights for use of property of any nature whatsoever, however denominated, which may be lawfully acquired for the benefit of the public or for any public purpose, including the exercise of powers granted under Sections 61.35 and 62.23, Wis. Stats.; and may sell and convey such easements or property rights when no longer needed for public use or protection.
- (d) **VILLAGE FINANCES.** The Village Board may levy and provide for the collection of taxes and special assessments; may refund any tax or special assessment paid, or any part thereof, when satisfied that the same was unjust or illegal; and generally may manage the Village finances. The Village Board may loan money to any school district located within the Village or within which the Village is wholly or partially located in such sums as are needed by such district to meet the immediate expenses of operating the schools thereof, and the Board of the district may borrow money from such Village accordingly and give its note therefore. No such loan shall be made to extend beyond August 30 next following the making thereof or in an amount exceeding one-half (1/2) of the estimated receipts for such district as certified by the State Superintendent of Public Instruction and the local School Clerk. The rate of interest on any such loan shall be determined by the Village Board.
- (e) **CONSTRUCTION OF POWERS.** Consistent with the purpose of giving to villages the largest measure of self-government in accordance with the spirit of the home rule amendment to the Constitution, the grants of power to the Village Board in this Section and throughout this Code of Ordinances shall be liberally construed in favor of the rights, powers and privileges of villages to promote the general welfare, peace, good order and prosperity of the Village and its inhabitants.

State Law Reference: Art. XI, Sec. 3, Wis. Const.; Sec. 61.34, Wis. Stats.

3.06 COOPERATION WITH OTHER MUNICIPALITIES

The Village Board, on behalf of the Village, may join with other villages or cities in a cooperative arrangement for executing any power or duty in order to attain greater economy or efficiency, including joint employment of appointive officers and employees.

State Law Reference: Sections 61.34(2) and 66.30, Wis. Stats.

3.07 INTERNAL POWERS OF THE BOARD

The Village Board has the power to preserve order at its meetings, compel attendance of Trustees and punish nonattendance. The Village Board shall be judge of the election and qualification of its members.

State Law Reference: Section 61.32, Wis. Stats.

3.08 SALARIES

The President and other Trustees who make up the Village Board, whether operating under general or special law, may by majority vote of all the members of the Village Board determine that an annual salary be paid the President and Trustees. Salaries heretofore established shall so remain until changed by ordinance and shall not be increased or diminished during their terms of office.

State Law Reference: Section 61.32, Wis. Stats.

3.09 MEETINGS

- (a) **REGULAR MEETINGS.** Regular meetings of the Village Board shall be held on the first Monday of each calendar month at 7:30 p.m. local time, or at such other times as the Board may direct. Any regular meeting falling on a legal holiday shall be held the next following secular day at the same time and place. All meetings of the Board shall be held at the Village Hall, Pulaski, unless specified otherwise in the minutes of the preceding meetings or by written notice posted at the regular meeting place at least three (3) hours prior to any meeting. In any event, all Board meetings shall be held

within the boundaries of the Village of Pulaski. All seven (7) Trustees must consent to any change in the place of any meeting of the Board.

- (b) **ANNUAL ORGANIZATIONAL MEETING.** The Village Board shall hold an annual meeting on the third Tuesday of April for the purpose of organization.

State Law Reference: Section 61.32, Wis. Stats.

3.10 SPECIAL MEETINGS

The President may recess any regular meeting until further notice. Notice to the Trustees of the time and place of the recessed meeting shall be given by the Clerk-Treasurer in writing, in person or by telephone. Notice to the public of special meetings shall conform to the open meeting requirements of Section 61.32 and Ch. 19, Subch. IV, Wis. Stats.

State Law Reference: Sections 61.32 and 985.02(2)(a), Wis. Stats.

3.11 OPEN MEETINGS

All meetings shall be open to the public unless otherwise closed in the manner provided by law.

State Law Reference: Section 61.32 and Ch. 19, Subch. IV, Wis. Stats.

3.12 QUORUM

Four Trustees shall constitute a quorum, but a lesser number may adjourn or compel attendance of absent members if a majority is not present. The President shall be counted in computing a quorum.

State Law Reference: Section 61.32, Wis. Stats.

3.13 PRESIDING OFFICERS

- (a) **PRESIDENT TO PRESIDE.** The Village President shall preside at Village Board and Committee of the Whole meetings. In the absence of the President, the Clerk shall call the meeting to order and preside until the Trustees present select, by majority vote, a Trustee to preside temporarily as the presiding officer.

- (b) **DUTIES.** The presiding officer shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, unless otherwise provided by statute or by these rules. Any member shall have the right to appeal from a decision of the presiding officer. Such appeal is not debatable and must be sustained by a majority vote of the members present excluding the presiding officer.
- (c) **PARTICIPATION IN DEBATE.** The presiding officer may speak upon any question or make any motion if he vacates the chair and designates the Village Clerk to preside temporarily.

State Law Reference: Section 61.32, Wis. Stats.

3.14 **ORDER OF BUSINESS**

- (a) **ORDER OF BUSINESS.** At all meetings, the following order may be observed in conducting the business of the Village Board:
 - (1) Call to Order by presiding officer;
 - (2) Roll call;
 - (3) Reading and correcting the minutes of the last preceding meeting or meetings;
 - (4) Reports of Committees;
 - (5) Unfinished business from previous meeting;
 - (6) New business, including introduction of Ordinances;
 - (7) Miscellaneous business and communications.
- (b) **ORDER TO BE FOLLOWED.** No business shall be taken up out of order unless by unanimous consent of all Trustees and in the absence of any debate whatsoever.
- (c) **ROLL CALL; PROCEDURE WHEN QUORUM NOT IN ATTENDANCE.**

As soon as the Board shall be called to order, the Clerk shall proceed to call the names of the members in alphabetical order, noting who are present and who are absent and record the same in the proceedings of the Board. If it shall appear that there is not a quorum present the fact shall be entered on the journal and the Board may adjourn, or the presiding officer or, in case of his absence, the Clerk may issue a process to any policeman commanding him forthwith to summon the absentees.

3.15 **INTRODUCTION OF BUSINESS**

- (a) **ORDINANCES TO BE IN WRITING.** All ordinances, resolutions or other communications submitted to the Board shall be in writing and shall include at the outset a brief statement of the subject matter, a title and the name of the Trustee introducing same and shall be referred to the appropriate

committee by the President, unless requested by a Trustee, before a final vote is taken, no ordinance, resolution or bylaw need be read in full.

3.16 **CONDUCT OF DELIBERATIONS**

- (a) **PROCEDURE.** The deliberations of the Board shall be conducted in the following manner:
- (1) When a motion is made and seconded, it shall be stated by the President or read by the Clerk previous to debate.
 - (2) When the question is under discussion no action shall be in order, except:
 - a. to adjourn;
 - b. to lay on the table;
 - c. to previous question;
 - d. to postpone to a certain day;
 - e. to refer to a committee;
 - f. to amend; or
 - g. to postpone indefinitely.These motions shall have precedence in the order listed.
 - (3) Any member desirous of terminating the debate may move the previous question, in which event the presiding officer shall announce the question as "Shall the main question now be put?" If a majority of the members present vote in the affirmative, the main question shall be taken without further debate and to bring the Board to a direct vote, first upon any pending amendments and then upon the main question.
 - (4) A motion to adjourn shall always be in order, and a motion to adjourn, to lay on the table, and a call for the previous question shall be decided without a debate.
 - (5) A roll call shall not be necessary on any questions or motions except as follows:
 - a. When the ayes and nays are requested by any member.
 - b. On confirmation and on the adoption of any measure assessing or levying taxes, appropriations or disbursing money, or creating any liability or charge against the Village or any fund thereof.
 - c. When required by the state statutes of Wisconsin.
 - (6) All aye and nay votes shall be recorded in the official minutes.
- (b) **RULES OF ORDER.** The Board shall in all other respects determine the rules of its procedure, which shall be governed by Robert's Rules of Order Revised, which is hereby incorporated by reference, unless otherwise provided by ordinance or statute.

3.17 RECONSIDERATION OF QUESTIONS

When a question has been once decided, any member of the majority, or in case of a tie, any member voting in the affirmative, may move for a reconsideration of the vote during the same meeting at which the vote was first taken or, with proper notice, at the next succeeding regular meeting thereof; but if a motion to reconsider be made on a day subsequent to that on which the ordinance question was decided, a vote of the majority of the entire Board shall be required to sustain it. If a motion to reconsider is defeated, it may not again be presented.

3.18 CALL OF THE BOARD

A call of the Board shall be ordered at any time by the request of two (2) or more members and absent members shall be sent for, but a call cannot be made after voting has commenced. Any Trustee who shall without good cause fail to attend a regular or adjourned meeting or special meeting shall be subject to a fine of \$5.00 by vote of all members present at such meeting whether or not such members constitute a quorum.

3.19 DISTURBANCES AND DISORDERLY CONDUCT

Whenever any disturbance or disorderly conduct shall occur in any of the meetings of the Board, the President may cause the room to be cleared of all persons guilty of such disorderly conduct except the Trustees.

3.20 AMENDMENT OF RULES

The rules of this Chapter shall not be rescinded or amended unless the proposed amendment or motion to rescind has laid over from a regular meeting, and then it shall require a vote of two-thirds of all the members of the Board.

3.21 SUSPENSION OF RULES

These rules shall not be suspended except by a two-thirds vote of all the members of the Board.

3.22 MEETING COMPENSATION

Trustees, chairpersons appointed pursuant to Sec. 3.04(a)(3), and Village employees summoned or required to appear at meetings of the Village Board, the Committee of the Whole, the temporary Ad Hoc study committee of the Committee of the Whole and standing committees; and, appointed and designated members of the special committees shall receive such compensation for meeting attendance as shall, from time to time, be determined and prescribed by the Village Board, or be included as duties required of the position.