

CHAPTER 3 COMMON COUNCIL

3.01 COMMON COUNCIL. (1) The Mayor and Alderpersons shall constitute the Common Council. (AMENDED 5/9/95--ORDINANCE NO. E-290)

(2) The Mayor shall not be counted in determining whether a quorum is present at a meeting, but may vote in case of a tie.

(3) When the Mayor does vote in case of a tie, his vote shall be counted in determining whether a sufficient number of the Council has voted favorably or unfavorably on any measure.

(4) The Council shall be the judge of the election and qualification of its members, may compel their attendance, and may fine or expel for neglect of duty.

(5) A majority of all the members shall be necessary to a confirmation. In case of a tie, the Mayor shall have a casting vote as in other cases.

3.02 COUNCIL MEETINGS. (1) First Meeting. Following a regular City election, the new Council shall first meet on the fourth Tuesday of April in each election year. (AMENDED 2/9/93--ORDINANCE NO. E-232)

(2) Regular Meeting. The regular meetings of the Common Council shall be held at the Council Chambers of the City Hall on the second and fourth Tuesdays of each month at 7:00 p.m., except that when the day for holding any regular meeting shall be a legal holiday, the regular meeting shall be held at the same time and place on the following day. By motion of the Council, alternative Council meeting times, dates and/or locations in the City of Hartford may be established by the Common Council. The Mayor may cancel meetings when deemed appropriate. (AMENDED 2/9/93--ORDINANCE NO. E-232)

(3) Special Meetings. (a) Special meetings of the Common Council may be called by the Mayor (or in his absence by the President of the Council) at such time as he may appoint, by written notice of the purpose and time thereof to each member delivered to him personally or left at his usual place of abode, at least six hours before the meeting.

(b) Upon petition of five or more members of the Council, the Mayor (or in his absence the President of the Council) shall call a special meeting of the Council.

(c) No other business shall be considered or transacted at any special meeting other than that for which the special meeting was called.

(d) A fee as determined in Chapter 42 of the Municipal Code shall be charged for each special meeting of the Common Council called for the purpose of considering a request from a petitioner. The fee shall be paid to the City Treasurer before the special meeting is called. The Common Council may waive the fee upon an affirmative vote of two-thirds of the members present and voting. (AMENDED 6/23/86--ORDINANCE NO. E-59; AMENDED 6/11/96--ORDINANCE NO. E-335)

(4) Adjournment. Any regular or special meeting may be adjourned by a majority of the members present, but no adjournments shall be made to a time later than the next regular meeting.

(5) Meetings Shall be Public. All meetings of the Council shall be recorded by the City Clerk or under his authorization in record books kept for that purpose. (AMENDED 1/27/86--ORDINANCE NO. E-38)

(6) Call to Order. The Mayor or President of the Council (as the case may be) shall promptly call each meeting of the Council to order at the hour fixed for the holding of such meeting. In case of the absence of the Mayor and President, the Chairman of the Finance Committee or the Chairman of the Public Works Committee (in that order) shall call the meeting to order. (AMENDED 1/27/86--ORDINANCE NO. E-38)

(7) Quorum. Two-thirds of the members of the Council shall constitute a quorum for transaction of business; but a lesser number can have the power to compel the attendance of absent members and adjourn.

(8) Any Common Council member may appear remotely by audio and/or video conferencing devices when unable to be physically present at a meeting. Any member of a committee or commission may appear remotely by audio and/or video conferencing devices, provided such appearance is supported at the time and location of the meeting. Such request shall be made at least two days prior to the meeting, except in an emergency. Provided that the remote appearance is able to be heard and viewed by the general public in attendance at the meeting and on any live broadcast, the member appearing remotely may participate fully in the meeting and shall be counted in determining if a quorum is present. In the event that the remote appearance is not able to be heard and viewed by the general public at the meeting or on any live broadcast, the member may participate in the meeting, but shall not be entitled to vote and shall not be counted in determining quorum.

No member appearing remotely shall preside over a meeting. In the event of the Mayor appearing remotely, the Council President shall preside over the meeting, except that the Mayor may continue to participate fully and shall exercise tie breaking authority.

It is the intent of this ordinance to allow for remote appearances due to extraordinary circumstances including occasional vacations, employment obligations, or illness. All members of the Common Council or other committee or commission shall strive to appear at meetings in person whenever reasonably possible. (AMENDED 5/11/21—ORDINANCE NO. 1434)

(9) Disturbance; How Suppressed. (a) Whenever any disturbance or disorderly conduct shall occur in the Council Chambers or rooms or halls adjacent thereto, the Mayor or other presiding officer of the Council shall have power and authority to cause the same to be cleared of all persons except members and officers of the Council. If necessary, assistance shall be requested from the Police Department.

(b) The Council may punish by fine members or other persons present for disorderly behavior.

3.03 DUTIES OF PRESIDING OFFICER. It shall be the general duty of the Mayor, President of the Council, or the presiding member of it:

(a) To announce, at the conclusion of the roll call, the fact of the presence of a quorum, or not, as the case may be.

(b) To announce the business before the Council in the order in which it is to be acted upon.

(c) To receive and submit, in proper manner, all motions and propositions presented by members.

(d) To put to vote the questions which are regularly moved or which necessarily arise in the course of the proceedings, and to announce the result.

(e) To restrain the members while engaged in debate within the rules of order.

(f) To enforce on all occasions the observance of order and decorum among the members.

(g) To inform the Council, when necessary, or when referred to for that purpose, on any point of order or practice.

(h) To authenticate, by his signature, when necessary, all ordinances, resolutions, orders and proceedings of the meetings of the Council over which he presides.

(i) To name the members who are to serve on committees when directed to do so in a particular case, or when it is a part of his general duty by these rules, or on any other occasion when it becomes necessary to do so.

(j) The Mayor or other presiding officer of the Council shall preserve order and decorum; may speak to points of order in preference to others; and shall decide questions of order, subject to an appeal by any members. (AMENDED 1/27/86--ORDINANCE NO. E-38)

(k) The Mayor or other presiding officer of the Council may call a member to the chair, but such substitution shall not extend beyond an adjournment.

(l) In the absence of the Mayor and President of the Council one of its members shall be elected or preside temporarily until the return of the Mayor or President.

(m) The Mayor shall not vote on the call of ayes and nays except in the case of a tie vote among the Alderpersons, when he shall cast the deciding vote. (AMENDED 5/9/95--ORDINANCE NO. E-290)

(n) The Mayor shall have the authority to exercise the general veto powers and the veto powers in regard to the budget as are prescribed in Sections 62.09 (8)(c) and 65.05 (6) of the Wisconsin Statutes.

3.04 DUTIES OF THE CLERK. (1) Keeping Journal. The City Clerk shall attend the meetings of the Council and keep a full record of its proceedings. He shall superintend the recording of the journal of the proceedings of each meeting of the Common Council which shall be verified by the signature of the Mayor or other presiding officer of the Council, and attested by the signature of the City Clerk. He shall also record at length in the journal all reports of committees, officers, and commissioners, and such ordinances, resolutions and memorials as shall be passed and adopted by the Council, and such other matters as he may be directed by the Council to record at length in the journal.

(2) Correction of Clerical Errors. The City Clerk shall correct all minor clerical errors in any ordinance, memorial or resolution such as errors in orthograph or grammar.

(3) Other Duties. The City Clerk shall perform such other duties as prescribed by state statutes and by order of the Common Council. He shall be responsible for all the official acts of his assistants.

(4) Deputy City Clerk. In the absence of the City Clerk, the Deputy City Clerk or other staff person so designated by the Council shall perform the duties of the Clerk.

3.05 ORDER OF BUSINESS. The order of business of Council meetings, unless temporarily suspended by unanimous vote, shall be determined from time to time by the Common Council. (AMENDED 1/27/86--ORDINANCE NO. E-38)

3.06 STANDING COMMITTEES. (1) Standing Committees. The following standing committees of the Common Council consisting of less than half of the alderpersons, with one of their members designated as chairman, shall be appointed by the Mayor, subject to confirmation by the Council, on the first Common Council meeting on or after the third Tuesday of April after each municipal election or as soon thereafter as may be, viz: (AMENDED 5/9/95--ORDINANCE NO. E-290)

FINANCE AND PERSONNEL COMMITTEE--(Finance, Personnel, Licenses, Insurance, Policy, Ordinances, or other issues not specifically consistent with the subject area of another committee)

PUBLIC UTILITIES COMMITTEE--(Light, Water, Sewerage)

PUBLIC WORKS COMMITTEE--(Streets, Alleys, Parks, Cemeteries, Buildings, Airport)

(2) Special Committees. Special committees may be established on motion or by resolution, designating the number of members and committee objectives, and unless otherwise ordered, be appointed by the Mayor.

(3) Absenteeism. Committee, Board and Commission members shall be terminated upon missing three consecutive unexcused meetings, or five unexcused meetings in a twelve consecutive month period. A member may be excused from a meeting only by the respective Committee, Board, or Commission. The Clerk shall send a notice when one additional absence

shall result in termination, and shall notify appointees of this section when they complete the oath-of-office. (AMENDED 4/28/86--ORDINANCE NO. E-53)

(4) Meeting Days and Times. In order to encourage elected official and citizen input in the affairs of the City, the Mayor, subject to Council confirmation, shall designate the regular monthly meeting day(s) of all boards, commissions, and committees to which the Mayor shall have appointive authority. The day(s), and starting hours of meetings held the same day, shall be scheduled so no two bodies meet simultaneously, as much as is practical. Except as authorized by the Mayor, or where impractical, all meetings shall be held in facilities which permit televising, and all business not scheduled in closed session televised. Mayoral designations of the meeting day(s) of standing committees shall take effect immediately, but for all other bodies shall take effect in one year. Bodies may alter the mayorally designated regular meeting day(s) for a given meeting upon occasion for cause, or may cancel a meeting if a quorum cannot be obtained or if there is a lack of business. Special meetings may be called by the chairperson or a majority of the members of a body. (AMENDED 8/24/93-- ORDINANCE NO. E-245)

3.07 RULES OF PROCEDURE OF THE COMMON COUNCIL. (1) Introduction of Business. All items to be presented to the Council shall be placed on an agenda prepared by the City Administrator with input from the entire Common Council prior to the Council meeting and shall provide as much supportive material necessary to understand the matter to be considered. (AMENDED 5/24/2016—ORDINANCE NO. 1353)

All agendas of the Common Council, Council Committees, Boards and Commissions shall have an agenda item for "public comment" in order to allow members of the public to address the body about any matter under their jurisdiction, whether it appears on the agenda or not. The purpose of this agenda item shall be to hear the concerns raised by the public only and shall not permit discussion of the body or action on any item. (SECTION (1) AMENDED 11/22/11—ORDINANCE NO. 1275)

(2) Reference and Reading of Ordinances. All general ordinances may be referred to an appropriate committee for review and recommendation prior to Council action.

(3) Vote. The ayes and noes may be required by any member. On confirmation and on the adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the City or any fund thereof, the vote shall be by ayes and noes. All aye and nay votes shall be recorded in the journal.

(4) Veto by Mayor. All acts subject to the veto power of the Mayor shall be submitted to him by the Clerk and shall be in force upon his approval evidenced by his signature, or upon his failing to approve or disapprove within 5 days, which fact shall be certified thereon by the Clerk. If the Mayor disapproves, he shall file his objections with the Clerk, who shall present them to the Council at its next meeting. Two-thirds vote of all members of the Council shall then make the act effective notwithstanding the objections of the Mayor.

(5) Suspension of Rules. Any procedural rules may be suspended by a two-thirds vote of the Alderpersons present. (AMENDED 5/9/95-- ORDINANCE NO. E-290)

(6) Amendment of Rules. These procedural rules may be amended or changed at any time by a three-quarters vote of all members present.

(7) Robert's Rules of Order. The rules of parliamentary practice set forth in Robert's Rules of Order shall be the standard in all cases to which they are applicable.

(8) Parliamentary Procedure. Questions of parliamentary procedure will be referred to legal counsel.

3.08 TRICK-OR-TREATING. Trick-or-treating within the City of Hartford shall occur annually between the hours of 4:00 PM and 6:00 PM on the Sunday prior to Halloween or, if Halloween falls on a Saturday or a Sunday, then trick-or-treating shall occur on Halloween. (CREATED 11/12/19--ORDINANCE NO. 1413)

(CHAPTER 3 AMENDED 7/25/88--ORDINANCE NO. E-116)