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### **TOWN OF MENASHA MUNICIPAL CODE**

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**CHAPTER 2**

**TOWN BOARD AND OTHER MEETINGS**

*[Recreated 4/20/09]*

**2.01 ANNUAL MEETING**

- (1) The Annual Town Meeting shall be held on the 2nd Tuesday of April of each year at the Municipal Complex unless changed by the electors pursuant to 60.11 of WI Stats. of 1985 et al. The change of meeting time shall be made by the electors at the previous Annual Meeting and shall not be set later than ten days after the 1st Tuesday in April. If the Town Board changes the meeting location from the year before, a class 2 notice is required per WI Stat. 60.11(3)(b). The order of business and the business to be conducted at the Annual Town Meeting shall be governed by WI Stats. 60.10 and 60.14 (WI Stats. 1973).

**2.02 VILLAGE POWERS; REGULAR MEETINGS; TIME & DATES**

- (1) **Adoption of Village Powers.** The Annual Town Meeting of the Town of Menasha having previously hereto adopted a resolution pursuant to WI Stats. 60.10 (2)(c) allowing the Town Board to exercise Village powers, said resolution remaining unchanged and not rescinded by this Code, now therefore regular Town Meetings shall exercise power as follows:

The Town Board shall exercise all powers relating to Villages and conferred on Village Boards by Chapter 61, except such power, the exercise of which would conflict with the Statutes relating to Towns and Town Boards. *[Annual Town Meeting 4/3/56] [Re-affirmed 11/12/03]*

**(2) Meeting Times and Dates.**

- (a) **Regular Meetings.** Town Board and Utility Commission meetings are usually held on the second and fourth Mondays of each month. At times, meetings, due to official holidays which may fall on or near a regular meeting date, may be subject to change or cancellation.
- (b) **Set Meeting Schedule.** The scheduling, including dates and times for regular meetings of the Town Board and Utility Commission shall be established at the last Town Board meeting of November for the following year.
- (c) **Place of Meetings.** All meetings of the Town Board and Utility Commission, including special and adjourned meetings, shall be held in the Town of Menasha Municipal Complex, unless specified in the notice that another meeting place is to be used.

- (d) **Quorum.** Three Officials, including the Town Chairperson or President, shall constitute a quorum but a lesser number may adjourn from time to time or compel the attendance of absent members. Any Supervisor or Commissioner who shall, without good cause, fail to attend a regular or adjourned meeting or special meeting called in accordance with these rules shall be subject to a fine set forth in Appendix C Fines and Penalties, reference this code section, per meeting, by vote of all members present at such meeting whether or not such members constitute a quorum.

- (e) **Meeting Notice.** Any regular meeting may be rescheduled or changed by action of the Board at the next preceding meeting. The vote shall be by two-thirds members of the Board and the Clerk shall be directed to post a notice at all official posting places ten days before the time when the regular meeting would have been held if not rescheduled. The notice shall include the newly scheduled date.

- (f) **Withdrawal from Meetings.** No member, at any meeting of the Board or Commission, shall withdraw without permission from the presiding Officer and any member so withdrawing without such permission may be compelled to return and may be punished by forfeiture not exceeding an amount in Appendix C Fines and Penalties, reference this code section.

**(3) Posting of Official Public Notice.**

- (a) Except as described in paragraph (b), the following places are designated as locations in the Town of Menasha for the posting of official public notices:
  - (1) On the town bulletin board located in the lobby of the Municipal Complex located at 2000 Municipal Drive; and
  - (2) On the bulletin board in the vestibule of Fire Station #40 located at 1326 Cold Spring Road; and
  - (3) In the front window of the Community Center located at 1000 Valley Road.
- (b) The Town Administrator is authorized to designate temporary alternatives or additional posting locations in the Town as necessary from time to time due to the locations identified in subsection (a) above, being temporarily inaccessible or unavailable, or as required by applicable laws.

**2.03 ORDER OF BUSINESS**

(1) **Town Board.** At all regular meetings, the general order of business of the Town Board shall be conducted in the following order however circumstances may warrant a deviation from time to time:

1. Call to Order, Pledge of Allegiance and Roll Call.
2. Awards/Presentations.
3. Minutes to Approve.
4. Minutes and Correspondence to Receive.
5. Public forum on any matters of concern to the Town. The public may comment however, no action can be taken. Five minute time limit per person on non-repetitive matters.
6. Discussion Items.
7. Unfinished Business.
8. New Business-Resolutions/Ordinances/Policies.
9. Reports.
10. Motions by Supervisors.
11. Adjourn.

(2) **Utility Commission.** The general order of business of the regular Utility Commission meeting shall be conducted in the following order however, circumstances may warrant a deviation from time to time:

1. Call to Order, Pledge of Allegiance and Roll Call.
2. Awards/Presentations.
3. Minutes to Approve.
4. Minutes and Correspondence to Receive.
5. Public forum on any matters of concern to the Town. The public may comment however, no action can be taken. Five minute time limit per person on non-repetitive matters.
6. Discussion Items.
7. Unfinished Business.
8. New Business-Resolutions/Ordinances/Policies.
9. Reports.
10. Motions by Commissioners.
11. Adjourn.

**2.04 PRESIDING OFFICER**

(1) **Control of Meeting.** The Town Chairperson (Utility Commission President) shall preserve order and conduct the proceedings of the meeting. A member may appeal the decision of the presiding officer. Such appeal is not debatable and must be sustained by a majority of the members present, excluding the presiding officer.

(2) **Absence of Town Chairperson/Utility Commission President.** The Town Board (Utility Commission) shall, if necessary, at the second meeting of April, appoint a Town Board Supervisor (Utility Commissioner) to act as Vice-Chairperson (Vice-

President). In the event the Chair (President) is absent, the Vice Chair (President) shall preside over the meeting. The Town Board Supervisor (Utility Commissioner) appointed shall hold this position until such time he/she leaves office or completes his/her official term of office.

(3) **Participation in Debate.** The presiding officer may speak in discussion without rising or leaving the chair, can make motions, and vote on all questions.

**2.05 SPECIAL BOARD (COMMISSION) MEETINGS**

Special Town Board (Utility Commission) meetings may be called by the Town Chairperson (President), or by two Supervisors (Commissioners), by filing a written request with the Clerk at least twenty-four hours prior to the time specified for such meeting. The Clerk shall immediately notify each Supervisor (Commissioner) of the time and purpose of such meeting. The Clerk shall prepare an affidavit of service of such notice to be filed in his/her office prior to the time set for the special meeting. Special meetings may be held when all members of the Board (Commission) are present, or consent in writing to the holding of said meeting, provided the provisions of Wisconsin's Open Meeting Law are complied with. If written consent is obtained, it shall be filed with the Town Clerk prior to the beginning of the meeting. Unless all Supervisors (Commissioners) are in attendance, no business shall be transacted at a special meeting except for the purpose stated in the notice. The order of business shall be as the presiding officer directs. Any special meeting attended by all Supervisors (Commissioners) shall be a regular meeting for the transaction of any business on the agenda that may come before such meeting.

**2.06 SPECIAL TOWN MEETING OF THE ELECTORS**

(1) Special town meeting of the electors may be convened if:

- (a) Called by a town meeting.
- (b) Called, pursuant to WI Stats. 60.12, by filing with the Clerk a written request signed by a number of electors equal to not less than 10% of the votes cast in the town for governor at the last general election.
- (c) Called by the town board.

(2) If a special town meeting is requested or called under sub. (1), the time, date, and purpose of the meeting shall be stated in the request or as part of the call.

(3) The Town Clerk shall, not more than 20 nor less than 15 days before the date of a special town meeting, publish a class 2 notice of the meeting stating the

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purpose, date, time and location of the meeting.

- (4) A special town meeting shall be held where the preceding annual town meeting was held, unless the location is changed by the town board.
- (5) A special town meeting may be recessed to a time and date certain if the resumed meeting is held within 30 days after the date of the originally scheduled meeting.
- (6) Any business which may be transacted at an annual town meeting may be transacted at a special town meeting.

### 2.07 OPEN MEETINGS

- (1) Except as provided in Sec. 19.85, WI Stats., all meetings of the Town Board of Supervisors, committees thereof, and boards and commissions, shall be open to the public.
- (2) Notice requirements; Per state stat. 19.84(3), public notice of every meeting of a governmental body shall be given at least 24 hours prior to the commencement of such meeting 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.
- (3) Public Forum; the public may comment however, no action may be taken. Five minute time limit per person on non-repetitive matters however, the Chair/President may use discretion as to comments to be heard and time limitations during the public forum.
- (4) Order to be followed; Citizen Comments. No business shall be taken up out of order unless by unanimous consent of all members and in the absence of any debate whatsoever. The Town Administrator shall enforce the time limit on the length of time citizens may address the Commission/Board.
- (5) Roll Call; Procedure when quorum lacking. As soon as the Commission/Board is called to order, the Town Clerk shall proceed to call the names of the members, noting who are present and who are excused, and record the same in the proceedings. If it shall appear that there is not a quorum present, the fact shall be entered in the minutes and the Commission/Board shall adjourn.
- (6) Creation of the Agenda for Town Meetings and Committee Meetings.
  - (a) All meetings of a governmental body are required to post an agenda announcing the topic of the meeting, date, time and where such meeting is held.
  - (b) Members of the Commission, Board and Town Officers desiring a matter to be placed on the agenda shall submit the same to the Town Clerk,

who shall be responsible for agenda preparation and distribution, not later than noon on the Wednesday preceding the regular meetings. Items not received by the Town Clerk prior to the Wednesday deadline shall require the approval of the Town Administrator or Town Chair (President) for placement on the agenda.

### 2.08 ORDINANCES AND RESOLUTIONS

Ordinances, resolutions, bylaws, communications and other matters submitted to the Board (Commission) shall be read by title and author and referred to the appropriate committee by the Chairperson (President). No ordinance or bylaw shall be considered unless presented in writing by a Supervisor (Commissioner) and/or the Chairperson (President) before final vote is taken, no ordinance, resolution or bylaw need be read in full.

### 2.09 GENERAL RULES

The deliberations of the Board shall be conducted in accordance with the parliamentary rules contained in Robert's Rules of Order Revised (1951), which is incorporated in this section by reference. No person, other than a member, shall address the Board or Commission without permission of the presiding officer. No ordinance, resolution or other motion shall be discussed or acted upon unless it has been seconded. No motion shall be withdrawn or amended without the consent of the person making the motion and the person seconding it.

### 2.10 SUSPENSION OF RULES

These rules or any part thereof may be temporarily suspended in connection with any matter under consideration by a recorded vote of two-thirds of the members present, but in no event shall the rules be suspended when there are less than three Board or Commission members present.

**2.11 MEETINGS OF COMMISSIONS, BOARDS  
AND COMMITTEES AS APPOINTED BY  
THE TOWN BOARD**

(1) **Plan Commission**

- (a) Plan Commission shall hold one regular meeting each month at the Municipal Complex. At times, meetings, due to official holidays which may fall on or near a regular meeting date, may be subject to change or cancellation. The meeting schedule shall be established at the December meeting for the following year.
- (b) Additional Commission meetings may be held at any time upon the call of the Chairperson, or by a majority vote of the members of the Commission, or upon the request of the Town Board, following at least twenty-four hour notice to each member of the Commission and the Official Newspaper. Meeting agendas shall be posted at all town official posting sites.
- (c) Special Commission meetings requested by any individual(s) for special consideration of an item shall be requested in writing, and filed with the Community Development Director at least 72 working hours prior to the desired meeting date. If a special meeting is approved, the individual(s) requesting the special meeting shall pay all costs associated with the holding of such meeting at the time the written request is filed.
- (d) At their first regular meeting in May of each year, the Commissioners shall elect a Vice-Chairperson.

(2) **Park Commission**

- (a) Park Commission meetings are held once a month. However, during the months of May, June, July, August, and September, the Park Commission will have an additional meeting. The meeting schedule shall be established at the December meeting for the following year.
- (b) Meetings are held either at the Town of Menasha Community Center, 1000 Valley Road, or the Municipal Complex, 2000 Municipal Drive. At times, in the event the meeting location is changed, public notice shall be given in accordance with WI Stat. 19.84.
- (c) Meeting agendas shall be posted at all town official posting sites.