SECTION 4 - City Council

The material in this section attempts to provide City Council members with information to lawfully, ethically, and effectively serve the citizens of Eau Claire as an elected member of the Council. The section provides an overview of the legislative role of City Council, Council meeting protocol, and general information that will improve your service on City Council. If you have any questions or comments regarding any of the matters covered in this section, please contact either the City Manager or City Attorney.

A) CITY COUNCIL RESPONSIBILITIES

Because Local Governance is more effective when Council Members and City staff work together, a good working relationship is of great value. A good working relationship is maintained through mutual respect, which begins with open communication. The Eau Claire City Council accepts the following responsibilities in its relationship with the City Manager and City staff:

1. Engage the Manager – avoid conflicts through early and frequent communication.
    - **a.** Meet with the Manager as soon as practical about concerns and troubling issues
    - **b.** Be forthcoming with concerns
2. Inform the Manager about policy-related contacts with City staff.
    - **a.** Communicate with Manager first, then work closely with the appropriate Department Director
    - **b.** Copy the Manager on email communications with City staff
3. Reflect community concerns to City staff.
    - **a.** Serve as a barometer on community sensitive issues
    - **b.** Raise concerns prior to a public meeting so staff can react and make changes as appropriate
4. Use clear communication techniques.
    - **a.** Be clear about expectations for how and when questions are answered; be reasonable in those expectations
    - **b.** Practice a “no surprises” approach
    - **c.** Notify staff if reports are missing information, or more information is desired, prior to a public meeting

d. Such requests should be made at least 24 hours in advance of a public meeting whenever practical

B) CITY MANAGER RESPONSIBILITIES

The City Manager is in charge of the executive side of City government and is responsible for carrying out Council-approved directives and the efficiency of City operations. Further, the Manager is the chief executive officer of the City and is responsible for the appointment, removal and performance of all department directors and City employees. There is an understanding of the Council's role as policy makers, as well as the Manager's role in operationalizing the Council's policy. Within that context, it is the Manager's role to serve as a policy advisor to the Council, recognizing the Council provides direction and makes policy decisions. The Manager's responsibilities are further detailed in the Manager's job description.

C) CITY MANAGER IS PRIMARY CONTACT

Please direct any questions or requests for additional background information to the City Manager. If email contact is made directly to a department director, please copy the Manager.

Specific requests for City staff work product or meeting time should be made to the Manager (or the City Attorney when appropriate). If you have a question regarding the appropriateness of working with individual staff members, contact the Manager for prior direction. Council members are respectfully asked to refrain from involvement in employee job functions, staff meetings and communications, except through the Manager or, as appropriate, the department director. Management responsibility rests ultimately with the Manager.

Council members may, of course, contact any member of City staff, and staff may contact their Council representative, off-duty. However, while at work, it is the Manager and management staff that allocates available staff resources. Any request for information or work product beyond typical protocol should be directed to the Manager. Except in emergencies, limit calls, contacts or meetings with City staff to the City's normal hours of operation (8 a.m. to 5 p.m., Monday through Friday).

Actions, performance and discipline of police and fire personnel are under the purview of the Police and Fire Commission. Questions about protective service personnel should be referred to the Police Chief, Fire Chief or Director of Human Resources.

It has been and continues to be the policy of the Manager's office that materials related to an active legislative item that are supplied to one Council member in response to a request will be shared with all other members of Council. This is done to provide equal access to information.

D) THE ROLE OF CITY COUNCIL IN A DISASTER OR EMERGENCY

When responding to emergencies, large and small, the City operates under the Incident Command System (ICS). This is a standardized all-hazards incident management concept that allows its users to adopt an integrated organizational structure to match the complexities and

demands of single or multiple incidents. Using ICS helps to ensure the safety of responders and others while achieving tactical objectives and efficiently using resources.

During a significant emergency or disaster situation impacting the City, prompt action may be necessary to protect the health, safety, welfare and good order of the City. If the required response to the emergency exceeds the Manager's authority and the City Council is not available or unable to meet promptly, the Manager or Acting City Manager, by state law and City code, may declare by proclamation a state of emergency. The proclamation would allow the Manager or Acting City Manager to exercise all of the powers conferred upon the Council that the Manager or Acting City Manager believes necessary and expedient until such time as the Council can reasonably convene.

A secondary role of the Council in a larger emergency situation is to receive information and, when appropriate, help provide assurance to the community that the emergency is being addressed. The Council should coordinate any external communication through the ICS designated Public Information Officer (PIO) in order to minimize the dissemination of conflicting information and provide a consistent message to the community.

E) CONSTITUENT CONTACT

Members of the City Council are likely to be contacted by constituents in a variety of forms, including via email, letter, telephone call, or at social events or by chance encounters. These contacts are generally on one of the following topics: (1) a request for a particular service to be performed; (2) an inquiry about a City policy, project or issue; (3) a complaint about a City service, contact or policy; or (4) a desire to obtain or influence a Council member's opinion on an issue under consideration by the Council.

Staff welcomes the opportunity to work with Council to address constituent issues and concerns. When a Council member receives a contact from a constituent for a specific problem, the Council member should notify the City Manager. The Manager will then direct staff to contact the constituent for follow up. The appropriate staff member will typically meet with the person, call the person, or respond by email or in writing. The Manager's office will in turn respond to the Council member who received the constituent contact, so that he/she knows how the matter was handled or resolved.

The City occasionally receives anonymous letters. These letters are not distributed nor, obviously, responded to by staff.

1. Email.

   The use of email to provide information quickly and to a large audience is commonplace. Council members are encouraged to remember the following regarding email communication:

a. All email should be treated as potentially "public" communication, as all emails sent in official capacity as a Council member are subject to the Public Records Law and may be requested by the public.

b. Avoid violating the Open Meetings Law by not discussing matters before the Council or likely to come before the Council with other members outside of public meetings. Remember that Council members may only discuss such matters of public interest with two or more fellow members (three total) in a properly noticed public meeting. Even if Council members only send an email to another member, there is the potential of forwarding that message to additional Council members, thereby violating the Open Meetings Law through what is called a "traveling quorum." Predetermination of voting blocs via email outside of a noticed meeting is illegal. (As is doing so in person, by telephone, by text message or any other form of communication).

c. Be cautious with humor, sarcasm, or word play, as they do not always translate as intended in written communications.

2. Avoiding Duplicate and/or Conflicting Responses.

Sometimes, it is not evident that a constituent request, question, concern, or complaint was sent to other members of Council, to the public or to City staff. To avoid duplicate or conflicting responses, before answering a specific constituent request, Council members should contact the Manager's office to see if a response has already been provided or is in the process of being prepared.

3. Representing City or Personal Interests.

If a Council member appears before another government agency or organization to give a statement on an issue, that Council member should clearly indicate whether his or her statement reflects personal opinion or is the official position of the City. If the Council member represents another organization, business or individual, the member should be clear about whom they represent with their statement.

If an opinion is expressed in a written letter, including on City letterhead that is provided for their use, Council members are encouraged to clearly state the official City position so that the reader can readily understand the difference between the official City position and the viewpoint being expressed by the individual Council member. The Manager appreciates receiving copies of written correspondence in order to be aware of issues that may come to the attention of administration.

4. Respect for Diverse Opinions.

A primary role of most boards, commissions and committees is to represent many points of view in the community and to provide the Council with advice based upon a full range of concerns and perspectives. Council members should encourage,

promote and facilitate citizen participation on boards, commissions and committees by being courteous, fair, respectful and appreciative of all citizens providing this important community service, regardless of their point of view on a particular matter.

5. Ceremonial Events – Ribbon Cuttings.

The City receives numerous requests to participate in and provide a designated City representative at ceremonial and community events. Coordination of Council member attendance at these events is handled through the Manager's office.

Ribbon cuttings for new area businesses are often celebrated by the Eau Claire Area Chamber of Commerce. The Chamber has traditionally invited the Council President to the ceremony when the new business is in the City. The Council President may, on occasion, ask another member to attend in her/his place. The Council President, or her/his designee, is expected to make a few remarks at the ribbon cutting. Ribbon cuttings are open to the public and anyone is welcome to attend. Please inform the Manager's office if you plan to attend one of these events.

F) CITY COUNCIL MEETINGS

The City Council Legislative Session is set by City Ordinance at 4 p.m. on the second and fourth Tuesdays of the month. A Public Hearing and Discussion Session is held at 7 p.m. on the Monday night preceding the Tuesday meeting.

Special meetings may be held when required. All meetings are open to the public, although Council may occasionally go into closed session to discuss matters as specifically outlined in the Wisconsin Open Meetings Law (such as negotiations, personnel evaluations or sale or acquisition of property).

Public notice of all Council and board, committee and commission meetings is sent to area news media. The notice states the time, date, location and items to be considered. All meeting notices are also posted on the bulletin board on the first floor of City Hall near the Customer Service entrance, at L. E. Phillips Memorial Library and at Hobbs Ice Center.

Minutes of all meetings of the Council, as well as minutes of all City boards, committees and commissions, are maintained in the City Clerk's Office and are available for public review during regular office hours. Minutes of City Council meetings are often available and the City's web site and are published in the "Legal Section" of the newspaper on a "space available" basis, so there may often be a delay of two or more weeks before minutes appear in print. Minutes are available after they are approved, at the following Council meeting.

Council agendas, as well as the entire City Council packet, are posted on the City's web site (www.eauclairewi.gov) on the Thursday before regular Council meetings. The City Clerk also maintains a copy of all agenda materials for public information purposes.

1. Types of Council Action.

The City Council enacts legislation and takes official action in various ways, operating under Robert's Rules of Order.

a. Motions

Motions are used to approve, reject or table procedural matters. Sometimes motions are used to take legislative action. Having the motion in writing assures that a motion is accurately voted upon and recorded.

b. Resolutions

Resolutions are used to establish policy, express the opinion of the Council in a formal manner, and direct or authorize administrative action. Resolutions, although legislative action, are not officially published. They are frequently used for matters not requiring permanency.

c. Proclamations

Proclamations are primarily issued to recognize individuals, civic functions or special events. Proclamation requests are organized by the City Manager's office in consultation with the Council President.

d. Ordinances

Ordinances are the most formal legislative actions taken by the Council and are local laws. They are used for matters requiring a degree of permanency. Ordinances deal with matters such as traffic, zoning, health and safety regulations, governmental organization, annexation, building and construction codes, licenses and so forth. An ordinance is distinguished from a resolution in that it must be published in order to be effective. Most ordinances are compiled in a volume entitled, "Code of Ordinances". Violation of an ordinance usually involves a financial penalty.

e. Charter Ordinances

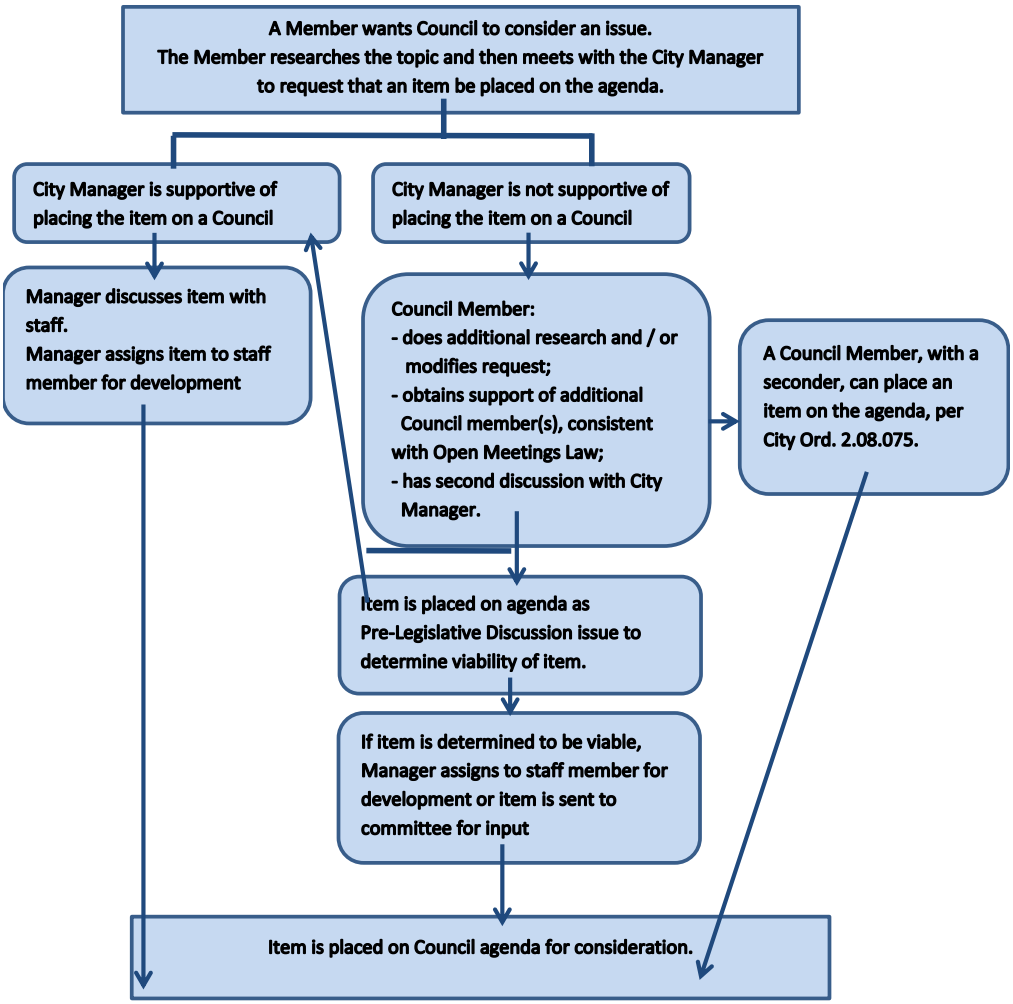
Charter Ordinances are sometimes required by law to enact certain types of legislation. They constitute the most-permanent type of legislative action that can be enacted by the Council. Charter ordinances must be adopted by a ¾ vote (9

votes) of the City Council and do not take effect for a period of 60 days. During the 60-day period, a petition can be filed calling for a referendum (public vote) on the matter. A charter ordinance can only be amended or repealed by another charter ordinance.

2. Placing an Item on the Council Agenda.

An agenda shall be prepared for all meetings of the City Council by the City Manager. The City Manager shall advise the Council President, or other Council member presiding over the meeting, of the items included on the agenda. An item may be placed on the agenda by the City Manager, Council President, or any other Council member. An item recommended for placement on an agenda may be removed from the agenda by the City Manager or Council president. If the City Manager or Council President removes an item from the agenda, the item shall be restored to the agenda upon the request of two or more Council members. City Ordinance 2.08.075. In practice, Council members should have the support of a second Council member when approaching the City Manager with a request to put an item on an agenda. If the City Manager is not supportive of placing an item on an agenda, a Council Member may use a Pre-Legislative Discussion to gauge Council's interest in advancing their idea. This process allows staff to determine broad Council interest before expending staff resources, and Council Members to discuss ideas in an open forum. The process is diagramed below. If an item has been postponed at a previous meeting to a date certain, the item will appear on the agenda of the meeting to which that item was postponed. The motion to postpone cannot be overridden by a request from two or more Council members to set the item for a different meeting date.

Process for Bringing an Item to a Council Agenda



3. Voting Rules.

The City Clerk calls the roll. Council members should indicate their vote as either “aye" (yes) or “no” or abstain by stepping down from the Council platform if they have a conflict of interest in the matter under consideration. No other response during voting is permitted.

All balloting shall be open, except that a secret ballot may be used to elect officers of the governing body (in the City’s case, with a Council President elected by the public, only the office of Vice-President can be filled by secret ballot).

i. <u>Definition of Quorum</u>

The majority of the members of the Council shall constitute a quorum. Wis. Stat. § 64.07(3).

ii. Votes Necessary to Pass an Ordinance or Resolution

A majority vote of all the members of the Council shall be necessary to adopt any ordinance or resolution. Wis. Stat. §64.07(3).

iii. Statutory Exceptions Exist that Require a Super Majority Vote

- Annexation ordinances require a 2/3 vote (8 votes) of the elected members. Wis. Stat. § 66.0217(8)(a).
- Zoning amendments with valid protest petitions require a 3/4 vote of the members voting on the proposed change. Wis. Stat. § 62.23(7)(d)2m.a.

iv. Votes Necessary to Pass a Motion or Procedural Matter

A motion or procedural matter generally requires one more than half of all members voting on the item for passage. Some motions, such as a motion to suspend the rules, require a 2/3 vote of those voting. *Robert's Rules of Order.*

v. Votes Necessary to Pass a Charter Ordinance

A charter ordinance requires a 2/3 vote (8 votes) of the members-elect to the City Council. Wis. Stat. § 66.0101(2)(a).

vi. Votes Necessary for Reconsideration

Any member who voted with the prevailing side on any question may move for reconsideration of the vote immediately following the vote or at the next succeeding regular meeting of the council. If a motion to reconsider is defeated, it may not again be presented to the council. Any member may second the motion to reconsider. A simple majority vote is required. City Ordinance §2.08.095.

vii. Abstentions

Abstentions are non-votes when a board member is required by law to abstain from voting and the abstaining member is considered not present or not voting for calculating the number of votes required for the passage of the item. *Ballenger v. Door County*, 131 Wis. 2d 422, 388 N.W.2d 624 (Ct. App. 1986).

Abstentions for other reasons shall also be considered non-votes; however, members should be aware that some jurisdictions consider a voluntary abstention an acquiescence with the majority and therefore members should only use abstentions when they feel compelled to do so by a conflict of interest or other legal

requirement. League of Wisconsin Municipalities Opinion: Governing Bodies #346 (1995).

4. Monday Evening Hearings and Public Discussions.

On the Monday evening preceding the regular Council meeting, the City Council meets at 7 p.m. to listen to citizen comments and hear presentations from the public and City staff.

Agendas are available at the table at the back of the room for all attendees, along with names of all Council Members and a description of meeting procedures. In addition to the agendas, forms are available to be filled out by attendees who may wish to express their opinions in writing, rather than speak. These forms are copied and provided to the Council prior to the legislative meeting on Tuesday.

The Council President calls for a presentation on the agenda item. The Council then has an opportunity to ask questions of the presenter related to the item. The Council President will then recognize individuals who wish to speak regarding the item. As specified in the Open Meeting Law, items not appearing on the agenda cannot be discussed and discussion must relate to the item specifically listed on the agenda.

The City Council will at times convene in closed session after the public hearings and discussions. At this time the public is asked to leave the Council Chamber. The Council considers confidential information during the closed session and matters considered in closed session should not be discussed outside the meeting room. The confidentiality of closed session is lost and information may have to be disclosed if those participating in the closed session choose to speak about the matters outside of the closed session.

5. Public Comment Period

On Monday evenings following any public hearing and public discussion items a Public Comment Period agenda item will appear as a regular agenda item. A Public Comment Period is a new concept initiated by City Council in late 2018 as an additional means to gather public input from constituents on matters of local public policy. The City Council desires to hear the viewpoints of residents of the City on ideas or issues of citywide concern and application. The Public Comment Period will be for up to 20 minutes, which may be extended by the Council President with 2/3 concurrence of the City Council members present. Each speaker shall be permitted no more than three minutes to speak and shall speak only once per session.

The Open Meetings Law allows for public comment to be received, but, since advance public notice of the issues raised by residents cannot be provided, action, discussion or questioning the speaker beyond matters of clarification are not permitted. Future

agenda items may be scheduled and noticed to discuss and potentially take action regarding issues raised by comments during the Public Comment Period consistent with state law, City Code, and this Handbook.

Speakers during the Public Comment Period shall follow all rules of the City Council and rulings of the chair, including a decision to terminate the remarks if the speaker does not adhere to rules of the Public Comment Period, which is addition to those stated above, are as follows:

- Public comment shall be limited to ideas or concerns of citywide application amenable to City Council legislative action. City Council shall not hear personal complaints of City personnel or any person, including elected public officials, affiliated with the City or any matter of only personal application including claims, citations, appeals, or lawsuits.
- Those wishing to comment during the Public Comment Period may sign up prior to the session with name, address and confirmation of residency, and shall either in the sign-up sheet or at the podium prior to speaking identify themselves, state their residence, and confirm that they either live or have a place of business within the City of Eau Claire. Your District City Council Member will be your follow-up contact regarding any concerns, comments or ideas that you wish to express during this session. Please check the **Yes or No** box on the sign-up sheet if you **Do or Do Not** request a follow-up response.
- Comments shall not be on items listed for public hearing or discussion earlier in the meeting. Input on those items shall be during their noticed hearing or discussion item only. The Public Comment Period is for new ideas, concerns or comments of residents.
- Profane, disruptive, threatening, or conduct that otherwise impedes the safe, orderly, and effective conduct of the City Council Meeting is equally unacceptable during the Public Comment Period as it is during all other portions of City meetings.

The Public Comment Period is an additional means, but direct phone or email contact to a City Council Member or City Manager is welcomed and encouraged.

6. Study Issue.

Generally, study issues are brought forward by the City Manager or staff in order to inform Council about a specific project, initiative, or future legislation proposed and to gauge Council response and general feedback to a staff proposal.

A Study Issue will be placed on the Council Agenda at the end of a Monday night meeting. A Study Issue Summary Sheet and other materials will be included as part of the Council agenda packet. The staff presentation will be brief so that the majority of the time is available for Council discussion.

The time limit for any Study Issue is 20 minutes. The City Clerk will set the timer for 20 minutes and discussion will end at that time. The Council President may ask if Council members wish to extend the discussion at the end of 20 minutes. Council members can identify what additional information or research may be needed for further consideration of the issue. If more work or discussion on a particular issue is needed, the issue can be placed on future Monday night agendas for further discussion.

If necessary, the Council can decide to postpone the scheduled Study Issue to a future meeting. Because the issue is long range and will not typically require a vote the following Tuesday, postponement or deferral of a Study Issue is not normally a problem.

It is intended that the public be invited to attend and listen to the discussion during the Study Issue portion of the agenda. The Council does not take public testimony or input during the Study Issue. In many cases, the study issues would ultimately result in a Public Hearing or Public Discussion at a future Council meeting, when a matter is ultimately brought forward for consideration and a decision.

7. Work Session.

Work sessions are a staff-driven, less formal means for staff to obtain Council input and feedback to a variety of projects and issues before the City. At a work session, City staff gives a presentation on the work session topic and Council members work as a committee of the whole to provide feedback and dialogue with staff regarding the issue presented. Work sessions are an integral part of the Council's annual policy work calendar for goal setting and strategic planning. Common work sessions include the traditional 1 ½- to 2-hour policy work sessions, priority-setting planning sessions and fall budget work sessions.

Work sessions are not called to order and do not require a quorum because no decisions are made and no votes are taken at a work session. Work sessions are open to the public, but no public input is permitted. Work sessions are often held following a Tuesday afternoon Council meeting, but may be scheduled at any time.

8. Pre-legislative Discussion.

A pre-legislative discussion occurs at a regularly scheduled Council meeting. A pre-legislative discussion is a means to bring preliminary ideas to the Council and allow the Council to express dis/interest on the project and give parameters that may need to

exist if Council were to support the project prior to staff expending resources developing legislation that is not consistent with the City Manager's work plans.

No vote is taken on a pre-legislative discussion item and no public input is permitted. It is intended that most pre-legislative discussion items, if sufficient Council support is expressed to merit further work on the item, will ultimately result in a Public Hearing or Public Discussion at a future Council meeting.

9. Tuesday Legislative Session.

a. Legislative Consent Agenda

Routine business matters are included on the Consent Agenda. All items are listed individually and may be acted upon by utilizing a single vote. Individual items, which any member wishes to address in greater detail or as a separate item on the regular agenda, may be removed from the Consent Agenda upon the request of any Council Member. Consent Agenda items may include:

- Commendations and Proclamations
- Minutes
- Licenses
- Items received and referred
- Claims
- Bids

b. Legislative Business Agenda

Items on the Business Agenda are voted on individually. Sample items from the Business Agenda might include the following:

- Resolutions
- Ordinances
- Motions
- Charter Ordinances
- Announcements by the City Manager and City Council

G) CITY COUNCIL PROTOCOLS

As a representative of the City's legislative body, City Council members deal with heavy workloads, consider many different issues, and are at times subjected to tremendous pressure to make decisions that can impact the lives of all Eau Claire residents. Demonstrating respect for each individual through courteous words and actions is a standard that can help guide

Council members through proceedings, despite these pressures and even in the most difficult of situations. Stated in another way, allow the common values of courtesy, respect for differing opinions, belief in the democratic process and a deep interest in the welfare of the people of Eau Claire to bind Council members together, even as differences of opinion exist on specific issues. Doing so will maintain and strengthen the citizen's trust in Council members, the institution of the Council and the future of the City of Eau Claire.

1. The Role of Council President as Chair.

   The Council President or, in her or his absence, the Vice-President, serves as the Chair of Council meetings. In the unlikely event neither is present; the Council selects a chair for that meeting as an initial matter. As Chair, a primary duty of the Council President is to announce the order of business and keep the public and members to the topic noticed, both to further meeting efficiency under parliamentary procedure and to comply with the Open Meetings Law. Other duties of the Chair include recognizing members prior to speaking for orderly and expeditious discussion, calling for the clerk to call the roll, announcing the result of the vote, enforcing the rules of debate and deciding issues of parliamentary procedure with the assistance of the City Attorney. *See Robert's Rules of Order Newly Revised*, 9th Ed., pp. 440-41.

2. Fair and Equitable Treatment of Speakers.

   The Chair will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allotted five (5) minutes. Applicants and appellants, or their designated representatives, may be allowed more time, with the approval of the Chair. If many speakers are anticipated, the Chair may shorten the time allotment per speaker (typically three (3) minutes) or ask speakers to limit themselves to new information or points of view not covered by previous speakers.

   It is the intent and desire of the Council that all who wish to speak be given an opportunity. Generally, each speaker will only be permitted to speak once during the public hearing, unless the Council requests additional clarification or information later in the process. The Chair reserves the right to allow members of the public to speak more than once, but only after all members of the public have been allowed an opportunity to address the Council on the issue before it.

3. Limiting Questions of Staff Before the Public Speaks.

   Council members should limit their questions to staff at public hearings when the public is waiting to speak. The Council President will typically allow each member up to two (2) questions of staff after they give their initial presentation. Once the public has had a chance to speak, the Chair may allow Council members to ask further questions of staff.

4. Avoiding Debate - Asking for Clarification.

   Questions by Council members directed at members of the public who are testifying should seek to clarify or expand information. Council members are expected to refrain from engaging speakers in argument, debate or interrogation. Council members should not engage in public debate with City staff during staff presentations. It is the responsibility of City staff to inform Council about specific details or projects, reasons for recommendations, etc. It is improper for Council members to debate with staff at either public hearings or legislative sessions. Comments, even if framed as a question, expressing personal opinions of the Council member should be withheld until after the public hearing is closed and the matter is properly before the body for deliberation and vote.

5. Interrupting a Speaker.

   Only the Council President should interrupt a speaker during a presentation, unless the format is specifically stated as intended for spontaneous questions and answers. During a public hearing or public discussion, a Council member may ask the Council President for a point of order if the speaker is deviating from the agenda topic or exhibiting behavior and language that a Council member finds unacceptable.

6. Attendance of Members.

   No member of a governmental body may be excluded from any meeting of the body. Council members who are unable to attend a meeting should notify the Council President and/or the City Manager prior to the meeting.

   In the event of a longer-term absence, State law provides that if a Council member is "temporarily incapacitated because of physical or mental disability," the Council may appoint a person to fulfill the Council member's duties until the disability is removed. Wis. Stat. § 62.09(5)(d).

   Council members are not allowed to make their vote by proxy. Meetings may not be held telephonically or electronically unless it is a special or emergency meeting.
   Eau Claire Ordinance 2.08.065-A

7. Meeting Decorum.

   i. A Council member should not address the Council until she/he has been recognized by the Council President.

   ii. When two or more members simultaneously seek recognition, the Council President will name the member who will speak first.

iii. After being recognized, members should address the Council President. Comments should not be directed to a particular Council member.

iv. Remarks must be confined to the current agenda item under discussion.

v. Discussion should be made through the member's microphone and directed to the entire Council. Side discussions, phone conversations or text messages should be avoided during the meetings as all could constitute violations or the appearance of a violation of the Open Meetings Law. Such communications, if reduced to a record, may also be subject to production under the Public Record Law even if produced on a private phone or device.

vi. No member should be interrupted except by a call for a point of order.

vii. The Council President will typically permit the member moving the question to speak first on the motion.

viii. The Council President, out of local standing practice, will often assign a mover and second to the motion on a revolving basis. This is done for efficiency in running the meeting. The motion and second only signify a willingness to place the item before the Council for consideration. The mover and second are not required to ultimately vote in favor of the item proposed. Members can decline the invitation to move or second an item.

ix. Out of courtesy to their fellow members, the person having received the floor should endeavor to limit the number of times they request recognition to speak on a particular question. "Unless the assembly has a special rule providing otherwise, no member can speak more than twice to the same question on the same day." *Robert's Rules of Order Newly Revised*, 9th Ed., pp. 383-384. Consequently, Council members should limit the number of times they address an issue to two.

x. Council members will not be allowed to read or refer to any anonymously sourced correspondence, nor read any correspondence aloud, during any meeting of the Council.

8. Voting.

   a. The City Clerk calls the roll. Council members should indicate their vote as either "aye" (yes) or "no" or abstain if they have a conflict of interest in the matter under consideration. No other response during voting is permitted.

   b. All balloting shall be open. Wis. Stat. § 19.88(1).

c. Any member may require that the vote of each member be ascertainable (except for election of officers). Wis. Stat. § 19.88(2).

d. Roll call votes shall be called and recorded on every ordinance and resolution and may be taken for any matter upon request of a Council member. Eau Claire Ordinance 2.08.070

e. Motions and roll call votes are to be recorded, preserved, and open to the public. Wis. Stat. § 19.88(3).

9. City Manager and Council Announcements.

   Tuesday Legislative Business Agendas include an opportunity for the City Manager to make announcements to Council regarding any number of topics, including upcoming events and changes in staff. Council members may also make announcements at this time.

10. Press Releases.

    Press releases, social media posts, media interviews and other forms of public communication produced by Council members cannot express the opinion of the Council as a whole and cannot represent opinions expressed by City staff; neither can they contain confidential information. City staff will not issue press releases on behalf of any Council member.

11. Technology.

    The City may issue technology, such as iPads or tablets, to Council members to access City Council materials. If access to the Internet is needed for City Council duties, a personal network device can be provided during your service on the City Council. Use of a personal network device or any city-issued technology is subject to the City's Electronic Communication Policy and to open records laws. If Council members require assistance with City technologies, Council members may contact the IT Helpdesk at (715) 839-3891 or the City Manager's office.

12. Use of City Equipment and Access to City Facilities.

    With the exception of technology specifically issued to Council members, use of City equipment by Council members is not permitted. If a Council member wishes to learn about various pieces of City equipment, the Council member may contact the Manager's Office to set-up a "job shadow" or tour of City facilities.

Access to and use of City buildings outside of ordinary business hours is not permitted. When public meetings are held outside of normal staff hours, the building will be open. City buildings are not available for personal use.

H) CITY COUNCIL SALARY, REIMBURSEMENT INFORMATION, TRAINING & TRAVEL PROTOCOLS

1. Salary.

   a. City Council President: $3,600 Annually; $300 per Month
   b. City Council Member: $3,000 Annual; $250 per Month

2. Expense Reimbursement.

   a. Council Members are reimbursed on a monthly basis for the following expenses:

      i. Telephone. Council members receive reimbursement for the use of their phones for City business.

      ii. Meals. For most Council-related meetings, call the City Manager's Office with your reservation. The Office will respond to the organization and the City will be billed directly for all Council members attending. Occasionally, Council members will be required to attend a meeting where payment is made personally. To be reimbursed for a meeting where you were required to purchase your own meal, please list the date, purpose of the meeting, location where meeting was held and the cost of the meeting and/or meal and give this to the Manager's Office. Reimbursement will be made in accordance with IRS regulations. Reimbursement cannot be paid for alcoholic beverages.

      iii. Transportation Allowance.

      Council members receive a base payment for transportation. This is considered taxable income.

      Council members also have the option to report actual mileage on the "City Council Monthly Expense Report" form. Council members will be reimbursed at the current IRS rate. If Council members report actual mileage, reimbursement is not taxable income.

   b. Attendance at Conferences.

The City Council Budget includes funds for City Council attendance at meetings and conferences. For Council-related meetings and conferences, call the Manager's Office (839-4903) to indicate your interest. The Manager's Office will coordinate the registrations and the City will be billed directly for all Council members attending.

c. City Council Travel & Training.

Training and professional development is an essential part of the City's commitment to excellence. This development may occur through local seminars, state and national conferences, and meetings of professional organizations. Officials are encouraged to remain current in local governance, to enhance their skills, and to exchange ideas through training programs. In addition, participation in these activities by Council members and Commission Chairs (or their designee) enhances the image of the City and serves the interests of Eau Claire residents. Officials are encouraged to seek opportunities to support their understanding of government functions, improve services, and develop relevant governing skills.

The Council Member Travel and Training Policy has six goals:

- To determine what activities qualify as authorized travel and training for officials.
- To establish guidelines for travel and training.
- To identify the funding source for travel and training.
- To establish guidelines before, during, and after approved travel.
- To maintain the status of an "accountable plan" under IRS regulations in order to minimize the tax impact for Council members.
- To define standards for reimbursement of eligible expenses.

i. Authorization. Authorized travel and training includes opportunities that Council members can engage in to advocate, present and learn. These activities include, but are not limited to, conferences such as the National League of Cities, League of Wisconsin Municipalities or local meetings with the Chamber of Commerce and other elected officials. Travel shall be authorized for (1) training and meetings inside or outside of the city limits and (2) events that allow officials to promote or enhance the image of the City of Eau Claire.

Training opportunities for City Council members will be classified as any opportunity that allows Council members to learn or gain skills in areas that will enhance their knowledge about issues relevant to the happenings of the City of Eau Claire, trends in local government or programs and activities that allow Council members to gain skills for better governance.

A maximum of five (5) Council members, (including the council president) will be eligible to travel to the National League of Cities Conference each year. Preference will be given to new Council members to attend the NLC Conference for the first time. This will allow a City Council member to attend a national conference at least once every three years.

The Council President will be eligible to attend one additional out-of-state conference every year. Any other out-of-state travel to another national conference requires authorization by the City Council.

The Manager or his/her designee may review all travel requests for Council members to determine if their requests can be authorized and if their expenses can be reimbursed.

ii. Source of Funding. The travel and training accounts for Council members is budgeted in the General Fund in the City Council Program and are reviewed annually as part of the budget process.

iii. Preparation. Officials should request authorization for travel and/or training to the Manager's office a minimum of one week before their intended travel plans. For overnight travel accommodations, officials should make their request a minimum of one week prior to the early registration discount or deadline. For out-of-state travel accommodations, officials should make their request at least one month prior to early registration deadlines and airfare price adjustments.

iv. Travel Guidelines. All Council members are subject to the provisions of the City's Travel and Training Policy, available in the Manager's office. The travel and training policy describes in detail transportation options, lodging availability, meal allowance and reimbursement for miscellaneous expenses.

v. Reporting. Upon return from official city travel/training lasting more than one day, each official should submit to the Manager's office eligible expenses within 10 days after the trip. Council members are required to make an oral or written report to the Council regarding their experiences. If more than one Council member attended, one report may be made on behalf of all participating Council members.

I) INTERGOVERNMENTAL ORGANIZATIONS AND MEETINGS

1. Joint Meeting of Chippewa Valley Cities.

The City Councils or Village Boards of Altoona, Augusta, Bloomer, Cadott, Chippewa Falls, Cornell, Durand, Elk Mound, Fall Creek, Menomonie, Mondovi, Osseo and Eau Claire have met for the last several years to get to know each other and discuss matters of mutual interest. The cities take turns hosting these meetings, usually held in months with a fifth Thursday. The group meets three to four times per year.

2. Metropolitan Planning Organization.

   The City Council President serves on this Board as a representative of the Eau Claire City Council. The Board is comprised of chief elected officials from all local units of government in Eau Claire and Chippewa Counties. The purpose of the Metropolitan Planning Organization is to carry out a continuing cooperative urban transportation planning process.

3. Joint Commission on Shared Services Initiatives.

   Three Council Members serve on this Commission, along with three County Board Members and three School Board Members. The purpose of the Joint Commission is to identify and examine potential City/County/School District shared services opportunities and to make recommendations to the City Council, County Board, and School Board for approval of concepts and strategies for implementing those shared services that increase efficiency, improve quality, or reduce costs in the delivery of public services, without sacrificing public accountability.

4. The League of Wisconsin Municipalities.

   The League of Wisconsin Municipalities is a non-profit organization governed by Wisconsin's city and village officials. Jerry Deschane is the Executive Director and his office is in Madison. The League sponsors "Workshops for New Officials", hosts an annual conference, provides various directories, including the Directory of Wisconsin City and Village Officials, and produces a weekly "Legislative Bulletin". The League's Urban Alliance is an offshoot of the Wisconsin Alliance of Cities, which ceased operations on January 1, 2011. The League's Board of Directors created the Urban Alliance to ensure that chief executives and finance directors from larger municipalities continue to have a forum to discuss and advocate on issues of concern to urban areas. The Urban Alliance focuses on public policy evaluation and development; public education; and legislative advocacy. The Urban Alliance is a component of the League and operates under the oversight and direction of the League's Board of Directors.

5. City Council President Serves on Boards.

   The City Council President, by virtue of the office, serves as a board or committee member or City representative to several organizations:

- City Council Advisory Committee on Appointments
- Downtown Eau Claire, Inc. Board
- Economic Development Corporation Board
- Joint Commission on Shared Services Initiatives
- Metropolitan Planning Organization