

Each such committee report is deemed to be the product of the entire committee, whether any item therein is approved unanimously or not. Each such report should provide all necessary historical background to familiarize the Board with the issue.

- (3) If a committee member in a particular committee disagrees with the position taken by the committee on an issue, such member may address the Board with the minority position. The Board shall permit one (1) committee member supporting the majority position equal time to address the Board on such issue.
- (d) **Ambiguity of Committee Authority.** In case of ambiguity or apparent conflict between the preceding definition of committee authority and a definition, in these ordinances, of the authority of a Village officer, employee, board, or association, the latter shall prevail.
- (e) **Cooperation of Village Officers.** All Village officers shall, upon request of the chairperson of any committee, confer with the committee and supply such information as the committee may request upon any pending matter. A committee shall not assume responsibility for the administration of any Village Department.

#### **SEC. 2-2-5 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 acquire 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 waters, 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 therefor. 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.

#### **SEC. 2-2-6 COOPERATION WITH OTHER MUNICIPALITIES.**

The Village Board, on behalf of the Village, may join with other counties, villages, cities, towns or other governmental entities 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.

#### **SEC. 2-2-7 INTERNAL POWERS OF THE BOARD.**

The Village Board has the power to preserve order at its meetings. Members of the Village board shall be residents of the Village at the time of their election and during their terms of office.

State Law Reference: Sec. 61.32, Wis. Stats.

#### **SEC. 2-2-8 SALARIES.**

The Village 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 a salary be paid the President, Trustees, and other Village officials and employees. The salaries and compensation to be paid to Village officers and employees shall be annually determined by resolution of the Village Board. 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: Sec. 61.32, Wis. Stats.

**SEC. 2-2-9 MEETINGS.**

- (a) **Regular Meetings.** Regular meetings of the Village Board shall be held on the second Tuesday of each calendar month at 6:30 p.m. local time, except when the day so designated falls on a legal holiday, in which case the regular meeting shall be held the following day, or at such other date and time as the Village Board shall designate. When the Village Board designates a date and time for the regular Board Meeting, notice thereof shall be posted at the Municipal Building in the Village of Nichols and in the official Village newspaper prior to such rescheduled meeting date. All meetings of the Board shall be held at the Municipal Building, unless specified otherwise in the minutes of the preceding meeting 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.
- (b) **Annual Organizational Meeting.** The Village Board shall hold an annual organizational meeting on the third Tuesday in April or on the first regular meeting in May following the spring election for the purpose of organization.
- (c) **Board Minutes.** The Village Clerk shall keep a record of all Board proceedings and cause the proceedings to be published.

State Law Reference: Sec. 61.32, Wis. Stats.

**SEC. 2-2-10 SPECIAL MEETINGS.**

- (a) Special meetings of the Board may be called by the Village President, or by two (2) Trustees filing a request with the Village Clerk at least forty-eight (48) hours prior to the time specified for such meeting. The Village Clerk shall select the day for the special meeting and immediately notify each Trustee of the time and purpose of such meeting. The notice shall be delivered or mailed to each Trustee personally or left at his usual place of abode a minimum of twenty-four (24) hours prior to the meeting time. The Village Clerk shall cause a record of such notice to be filed in his office prior to the time fixed for such special meeting. No business shall be transacted at a special meeting except for the purpose stated in the notice thereof. Notice to the public of special meetings shall conform to the open meeting requirements of Sec. 61.32 and Chapter 19, Subch. IV, Wis. Stats. The Village Clerk shall give notice immediately upon the call for such meeting being filed with him.
- (b) The request for any special meeting shall state the purpose for which the meeting is to be called and no business shall be transacted but that for which the meeting has been called.

State Law Reference: Sections 61.32 and 985.02(2)(a), Wis. Stats.; Ch. 19, Subch. IV, Wis. Stats.

**SEC. 2-2-11 OPEN MEETINGS; ADJOURNMENT OF MEETINGS.**

- (a) **Open Meeting Law Compliance.** All meetings shall be open to the public, unless falling within a lawful exception of the Wisconsin Open Meetings Law.
- (b) **Adjournment of Meetings.** Regular sessions of the Village Board may be adjourned from time to time for later reconvening. Any such adjournment may provide for reconvening at the same place or another place. An adjournment to a closed session may be only for a permitted purpose as enumerated in Sec.

19.85, Wis. Stats., and must meet the other requirements of said Sec. 19.85, Wis. Stats.

- (c) **Meetings to Be Open\_** During the holding of any open session in the regular meeting room or in the substituted meeting room, said room and said meeting shall at all times be open and remain open to all citizens.
- (d) **Closed Meetings.** The provisions of this Code do not prohibit the Board or any committee thereof from having a closed meeting which is legally convened and legally held in a room in said building other than the official meeting room or in some other building in the Village.
- (e) **Attendance of Village Officers.** Each department head shall attend each regular Board meeting or shall send a subordinate prepared to address matters relating to that area of responsibility unless excused by the President. Other Village officials may be required to attend Board meetings at the request of the Board.

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

### **SEC. 2-2-12 QUORUM.**

- (a) Three (3) members of the Village Board shall constitute a quorum, but a lesser number may adjourn or compel attendance of absent members if a majority is not present. The Village President shall be counted in computing a quorum.
- (b) When the presiding officer shall have called the members to order, the Village Clerk shall proceed to call the roll in alphabetical order, noting who are present, and who are absent, and if, after having gone through with the call, it shall appear that a quorum is not present, the fact shall be entered in the minutes, and the members present may adjourn to a later date in the month; if they do not establish the next meeting date, the Village Board shall stand adjourned to the time appointed for the next regular meeting unless a special meeting is called sooner.

State Law Reference: Sec. 61.32, Wis. Stats.

### **SEC. 2-2-13 PRESIDING OFFICERS.**

- (a) **The Village President Shall Preside.** Village President shall preside over meetings of the Village Board. In case of absence of the Village President, the Village Clerk shall call the meeting to order and the Trustees present shall elect one of their number acting President.
- (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.

State Law Reference: Sec. 61.32, Wis. Stats.

**SEC. 2-2-14 MEETING AGENDAS; ORDER OF BUSINESS.**

**(a) Agenda.**

- (1) The order of business at all regular or special meetings shall be according to the agenda prepared by the Village Clerk. All matters to be presented at a Board meeting shall be filed with a Clerk-Treasurer no later than 12:00 noon on the Friday preceding the scheduled Board meeting to enable the Clerk to prepare the agenda and all attachments and distribute the same to the Village Board. Matters filed after 12:00 noon on the Friday preceding the Board meeting will not be placed upon the agenda. The President may waive the filing deadline for good cause shown.
- (2) A Village official shall include copies of all material necessary to consider the agenda item.
- (3) The Village President shall advise the Clerk whether to include an item on the agenda, except that the Trustees calling a special meeting shall decide which items shall be first considered at such special meeting.

**(b) Index Number.** Prior to action thereon, the Clerk shall assign a chronological index number to each agenda item requiring some Board action. The end product thereof shall be designated "Proceedings of the Nichols Village Board" which shall be maintained by the Clerk.

**(c) Order of Business.** Generally, the following order may be observed in the conduct of all regular Board meetings:

- 1 Call to order.
- 2 Roll call.
- 3 Hearing of visitors.
- 4 Approval of minutes of preceding regular and special meetings.
- 5 Paying of bills.
- 6 Communications.
- 7 Old business.
- 8 New business.
- 9 Any other business allowed by law.

(10 Adjournment.

**(d) Order to Be Followed.** No business shall be taken up out of order unless authorized by the Village President or by majority consent of all Trustees and in the absence of any debate whatsoever.

**SEC. 2-2-15 INTRODUCTION OF BUSINESS; RESOLUTIONS AND ORDINANCES; DISPOSITION OF COMMUNICATIONS.**

**(a) Ordinances.** All ordinances shall be prepared as follows:

- (1) Each ordinance shall include a note stating the purpose thereof prepared by the sponsor. All ordinances submitted to the Board shall be in writing and shall include at the outset a brief statement of the subject matter and a title.
- (2) The sponsor of an ordinance may be the President, one (1) or more Trustees, a Village official or a committee, board, or commission. The Clerk or the Village Attorney may sponsor ordinances or resolutions when changes in state law make it necessary or desirable for the Village to act rapidly.
- (3) Each ordinance may contain both a recommended referral to appropriate subunits of the Board and a fiscal note showing the contemplated fiscal impact, if any, of the proposal.