

## Chapter 145

### VILLAGE BOARD

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| § 145-1. Composition and powers.                | § 145-11. Quorum.                               |
| § 145-2. Trustees.                              | § 145-12. Procedure.                            |
| § 145-3. President.                             | § 145-13. Introduction of business.             |
| § 145-4. Committees.                            | § 145-14. Conduct of deliberations.             |
| § 145-5. General powers.                        | § 145-15. Reconsideration of questions.         |
| § 145-6. Cooperation with other municipalities. | § 145-16. Disturbances and disorderly conduct.  |
| § 145-7. Salaries and compensation.             | § 145-17. Publication and effect of ordinances. |
| § 145-8. Regular meetings.                      | § 145-18. Amendment of rules.                   |
| § 145-9. Special meetings.                      | § 145-19. Suspension of rules.                  |
| § 145-10. Open meetings.                        |   |

[HISTORY: Adopted by the Village Board of the Village of Endeavor at time of adoption of Code (see Ch. 1, General Provisions, Art. II). Amendments noted where applicable.]

#### GENERAL REFERENCES

Ethics — See Ch. 47.

Officers and employees — See Ch. 100.

#### § 145-1. Composition and powers.

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

#### § 145-2. Trustees.

- A. Election, term and number. The Village shall have four Trustees in addition to the President, who is a Trustee by virtue of his or her office as President. The four Trustees shall constitute the Village Board. Two Trustees shall be elected in even-numbered years and two Trustees shall be elected in odd-numbered years. The term of office shall be two years. The term of office for Trustees shall commence on the third Tuesday of April in the year of their election. The Board shall be judge of the election and qualifications of its members.
- B. Appointment as President. A Village Trustee shall be eligible for appointment as Village President to fill an unexpired term.

**§ 145-3. President.**

- A. Election; term of office. The Village President shall be elected for a term of two years and he shall be the President of the Board of Trustees as provided by statute.
- B. Duties. He shall perform all such duties as may be required of him by statute or ordinance. He shall have supervision over all the executive officers of the Village and over all of the employees of the Village. He shall have the power and authority to inspect all books and records kept by any Village officer or employee at any reasonable time.
- C. Designation of duties. Whenever there is a question as to the respective powers or duties of any appointed officer of the Village, this shall be settled by the President, and he shall have the power to delegate to any such officer any duty which is to be performed where no specific officer has been directed to perform the duty.
- D. Oath; salary. Before entering upon the duties of his office the President shall take the oath of office as prescribed by statute, and he shall receive such compensation as may be set from time to time by the Board.
- E. President Pro Tem. During the temporary absence or disability of the Village President, the Board of Trustees shall elect one of its number to act as President Pro Tem, who during the absence or disability of the President shall perform the duties pertaining to the office.

**§ 145-4. Committees.**

- A. Standing committees.
  - (1) At the first regular Board meeting in May the President shall appoint two Trustees to each of the following standing committees, with the approval of all Trustees. The chairman of the committee shall be chosen by the other members of the committee:
    - (a) Committee on Finance (including licenses and permits, employee relations, etc.).
    - (b) Committee on Public Safety (including police, fire, building, zoning, etc.).
    - (c) Public Works Committee (including streets, sewers, water, lighting, etc.).
    - (d) Committee on Public Welfare (including health, relief, etc.).
  - (2) Each committee shall consist of at least two Board members. Each committee shall also be responsible for policy development and revisions within its respective areas of responsibility.
- B. Special committees. The Village Board shall appoint all special committees and designate the chairman of each.
- C. Committee reports. Each committee shall at the next regular Board meeting submit a report on all matters referred to it. Such report shall recommend a definite action on each

item and shall be approved by a majority of the committee. Any committee may require any Village officer or employee to confer with it and supply information in connection with any matter pending before it.

**§ 145-5. General powers.**

- A. General. The Village Board shall be vested with 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 Ch. 32, Wis. Stats.
- 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 Ch 32, Wis. Stats., any and all property rights in lands or waters, including rights of access and use, negative or positive easements, restrictive covenants, covenants running with the 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 §§ 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.<sup>1</sup>
- 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

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1. Editor's Note: See also Ch. 13, Assessments and Charges, and Ch. 54, Finance and Taxation.

this Code 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.

**§ 145-6. Cooperation with other municipalities.**

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

**§ 145-7. Salaries and compensation.**

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

**§ 145-8. Regular meetings.**

Regular meetings of the Village Board shall be held on the second Tuesday of each calendar month at 7:00 p.m., local time, or at such other times as the Board may direct. All meetings of the Board shall be held in the Village Hall/Endeavor Moundville Joint Fire Department, unless specified otherwise in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least three hours prior to any meeting. In any event, all Board meetings shall be held within the boundaries of the Village of Endeavor. All five Trustees must consent to any change in the place of any meetings of the Board.

**§ 145-9. Special meetings.**

Special meetings of the Board may be called by the President or by two Trustees by giving notice to each member of the Board at least 24 hours prior to the time specified for such meeting to the public. The notice may be in writing or by telephone communication. Unless all Trustees are in attendance, no business shall be transacted at a special meeting except for the purpose stated in the notice thereof.

**§ 145-10. Open meetings.**

All meetings shall be in compliance with the requirements of the Wisconsin Open Meeting Law.<sup>2</sup>

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2. Editor's Note: See §§ 19.81 to 19.98, Wis. Stats.

**§ 145-11. Quorum.**

Three Trustees, including the Village President, shall constitute a quorum, but a lesser number may adjourn if a majority is not present. The President shall be counted in computing a quorum.

**§ 145-12. Procedure.**

At all regular meetings, the following order shall be observed in conducting the business of the Village Board:

- A. Order of business. The order of business shall be as follows:
- (1) Call to order.
  - (2) Pledge of allegiance.
  - (3) Roll call.
  - (4) Approval of agenda.
  - (5) Approval of minutes.
  - (6) Committee on Finance report.
  - (7) New business.
  - (8) Other committee reports.
  - (9) Old business.
  - (10) Citizen introductions, inquiries and concerns.
  - (11) Special events.
  - (12) Adjourn.
- B. Rescinded action. No vote or action of the Village Board shall be rescinded at any special meeting unless there are present at such special meeting as many members of the Board as were present at the meeting when such vote or action was taken, as provided by statute.
- C. Resolutions. Any resolution submitted to the Village Board shall be reduced to writing before being voted upon, at the request of any two members of the Village Board.
- D. Suspension of rules. The rules of order other than for those described in the statutes may be suspended at any time either by consent of a majority of members present or by order of the Village President.
- E. Order to be followed. No business shall be taken up out of order unless ordered by the Village President. In the event that there is an objection to taking a matter out of order, said Trustees shall vote on the same and the majority will determine whether said business is to be taken out of order.

**§ 145-13. Introduction of business.**

- A. Ordinances and resolutions to be in writing. All ordinances and resolutions submitted to the Board shall be in writing and shall include at the outset a brief statement of the subject matter, a title and the name of the Trustee introducing the same. Ordinances, resolutions, bylaws, communications and other matters submitted to the Board shall be referred to the appropriate committee by the President. Unless requested by a Trustee before a final vote is taken, no ordinance, resolution, or bylaw need be read in full.
- B. Subject and numbering of ordinances. Each ordinance shall be related to no more than one subject. Amendment or repeal of ordinances shall only be accomplished if the amending or repealing ordinance contains the number and title of the ordinance to be amended or repealed.

**§ 145-14. Conduct of deliberations.**

- A. The deliberations of the Board shall be conducted in the following manner:
- (1) When a motion is made and seconded, it shall be stated by the President or read by the Clerk-Treasurer previous to debate. All resolutions should be made and submitted in writing if requested by at least two members of the Board.
  - (2) When the question is under discussion no action shall be in order, except to adjourn, to lay on the table, to move the previous question, to postpone to a certain day, to refer to a committee, to amend, or to postpone indefinitely. These motions shall have precedence in the order listed.
  - (3) Any member desirous of terminating the debate may move the previous question, in which event the presiding officer shall announce the question as "Shall the main question now be put?" If a majority of the members present vote in the affirmative, the main question shall be taken without further debate and to bring the Board to a direct vote, first upon any pending amendments and then upon the question.
  - (4) A motion to adjourn shall always be in order, and a motion to adjourn or to lay on the table and a call for the previous question shall be decided without debate. No motion shall be withdrawn or amended without the consent of the person making the same and the person seconding it.
  - (5) A roll call shall not be necessary on any questions or motions except as follows:
    - (a) When the ayes and noes are requested by any member.
    - (b) 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 Village or any fund thereof.
    - (c) When required by the state statutes of Wisconsin.
  - (6) All aye and no votes shall be recorded in the official minutes.

- B. The Board shall in all other respects determine the rules of its procedure, which shall be governed by Robert's Rules of Order, current edition, which is hereby adopted by reference, unless otherwise provided by ordinance or statute.

**§ 145-15. Reconsideration of questions.**

When a question has been once decided, any member of the majority or, in case of a tie, any member voting in the affirmative may move a reconsideration thereof at the same or at the next succeeding meeting, but if a motion to reconsider is made on a day subsequent to that on which the question was decided, a vote of the majority of the entire Board shall be required to sustain it.

**§ 145-16. Disturbances and disorderly conduct.**

The Village Board has the power to preserve order at its meetings, compel attendance of Trustees and punish nonattendance.

- A. Whenever any disturbance or disorderly conduct shall occur in any of the meetings of the Board, the President may cause the room to clear of all persons guilty of such disorderly conduct except the Trustees. In case any Trustee shall be guilty of disorderly conduct, the President or presiding officer may order the Chief of Police or his/her designee to take him into custody for the time being or until the meeting shall adjourn. Such member shall have the right to appeal from such order to the Board as in other cases.
- B. It shall be unlawful for any person to address or attempt to address any regular or special meeting of the Board except upon the consent of the President or the majority of the members present.
- C. It shall be unlawful to disturb or interrupt any regular or special meeting of the Board. Any person violating any provision of this subsection shall be subject to a penalty as provided in Chapter 1, § 1-4 of this Code and may be summarily ejected from the Board room and Village Hall in accordance with Subsection A above.

**§ 145-17. Publication and effect of ordinances.**

- A. All general ordinances of the Village and all regulations imposing any penalty shall be published in the official paper of the Village once or posted according to state law and shall be immediately recorded, with the affidavit of publication, by the Village Clerk-Treasurer in a book kept for that purpose. A printed copy of such ordinance or regulation in any book, pamphlet or newspaper and published or purporting to be published therein by the direction of the Village Board shall be prima facie proof of due passage, publication and recording thereof.
- B. All ordinances shall take effect and be in force from and after passage and publication, unless otherwise provided, and published copies thereof shall have appended the date of first publication.

**§ 145-18. Amendment of rules.**

The rules of this chapter shall not be rescinded or amended unless the proposed amendment or motion to rescind has laid over from a regular meeting, and then it shall require a vote of  $2/3$  of all the members of the Board.

**§ 145-19. Suspension of rules.**

These rules shall not be suspended except by a two-thirds vote of all the members of the Board, unless specifically stated in this chapter by order of the Village President.