

**ORDINANCE 12-2023**  
**REPEALING AND RECREATING CHAPTER 94 OF THE VILLAGE OF**  
**COTTAGE GROVE CODE OF ORDINANCES**

The Village Board for the Village of Cottage Grove, Dane County Wisconsin, does hereby ordain as follows:

**Section I:** Chapter 94 of the Village of Cottage Grove Code of Ordinances is repealed and recreated to read as follows.

**§ 94-1 Village President and Trustees.**

- A. Election and term: See § 67-1.
- B. Duties and powers.
  - (1) Village President: See s. 61.24, Wis. Stats.
  - (2) As Village Board. The Village President and Trustees shall constitute the Village Board and shall have such duties and powers as are enumerated in Ch. 61, Wis. Stats., and elsewhere in the statutes.
- C. Authority. The Village Board shall have all powers of the Village not specifically given to some other body or officer. Except as otherwise provided by law, the Village Board shall have the management and control of the Village property, finances, highways, streets, utilities and the public service and may 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, regulations, suppression, borrowing, taxation, special assessment, appropriation, imposition of forfeitures and other necessary or convenient means. The Village Board may appoint such officials from time to time as may be deemed necessary for the benefit of the community. In addition, the Village Board shall have the powers enumerated in s. 61.34, Wis. Stats. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.
- D. Other provisions: see also §§ 94-2 through 94-15 of this Municipal Code.

**§ 94-2 Village Board.**

The Village Board shall consist of the Village President and six Trustees, who shall be elected for two-year terms.

**§ 94-3 Meetings.**

- A. Regular meetings. Regular meetings of the Village Board shall be held on the first and third Monday of each calendar month, at 6:30 p.m., or upon and at such other dates and times as may be determined by the Village President, the Village Board, or as provided in § 94-3B. Any regular meeting falling on a legal holiday shall be held on the next secular day at the same hours and place or at such other date, time and place as may be determined by the Village President or Village Board.
- B. Special meetings. Special meetings of the Village Board may be called by the Village President or any two Trustees in writing filed with the Clerk at least 24 hours prior to the time specified for such meeting. The Clerk shall immediately notify each Trustee of the time and purpose of such meeting by causing a written notice thereof to be delivered to each Trustee via electronic transmission or personally. The Clerk shall keep records showing service of such notice as herein provided to be filed in the Clerk's office prior to the time fixed for such special meeting. Special meetings may be held without such notice when all members of the Village Board are present in person or consent in

writing to the holding of such meeting, such written consent to be filed with the Clerk prior to the beginning of the meeting. Any special meeting attended by all the Trustees shall be a regular meeting for the transaction of any business that may come before such meeting.

- C. Any regular or special meeting of the Village Board shall comply with the open meeting provisions of the Wisconsin Statutes.
- D. Agendas. The Village Administrator, in coordination with the Village President, shall prepare the agenda for all meetings of the Village Board, together with such supporting data as may be required. Any two Trustees may also have an item placed on the agenda by filing an electronic or written request with the Village Administrator.
- E. Adjournments. The Board may, by a majority vote of those present, but not less than three affirmative votes, adjourn from time to time to a specific date and hour.
- F. Rules of procedure. All meetings of the Village Board, committees thereof, and boards and commissions shall be governed by the most recent edition of Robert's Rules of Order, unless otherwise provided by Wisconsin law, this Code of Ordinances, or other rule adopted by the Village Board. Failure to comply with Robert's Rules of Order shall not invalidate any Village Board action. The Village Board shall adopt rules governing electronic meetings and attending meetings virtually.

**§ 94-4 Presiding officer.**

- A. Designated. The Village President shall preside. In the absence of the President, the Clerk shall call the meeting to order and the Trustees present shall elect one of their number President pro tem.
- B. Duties. The presiding officer shall preserve order and decorum, decide all questions of order and conduct the proceedings of the meeting.
- C. Decisions, appeals from. Any member may appeal from a decision of the presiding officer. An appeal shall be sustained by a two-thirds vote of the members excluding the presiding officer.

**§ 94-5 Roll call; quorum.**

- A. Roll call; procedure when quorum not in attendance. As soon as the Board is called to order, the Clerk shall proceed to call the names of the members in alphabetical order, noting who are present and who are absent, and record the same in the proceedings of the Board. If there is not a quorum present, the fact shall be entered on the journal and the Board may adjourn.
- B. Quorum. A majority of the members shall constitute a quorum. The President shall be counted in computing a quorum.

**§ 94-6 Order of business.**

The business of the Board will generally be conducted in the following order (Note: Agendas may also include closed sessions pursuant to the Wisconsin Statutes.):

- A. Call to order
- B. Determination of Quorum and that the agenda was properly posted
- C. Pledge of Allegiance.
- D. Public appearances Public's opportunity to speak.
- E. Approval of minutes.

- F. Presentations to the Board.
- G. Public Hearing.
- H. Unfinished business from the previous meeting.
- I. New business,.
- J. Reports from Village Officers
- K. Communications and miscellaneous business.
  - (1) Consider approval of vouchers.
  - (2) Correspondence.
  - (3) Upcoming community events.
  - (4) future agendas items.
- L. Adjournment.

**§ 94-7 Clerk pro tem.**

In the absence of the Clerk, the Deputy Clerk, Village Administrator or designee shall act as Clerk pro tem.

**§ 94-9 Reconsideration of question.**

Any member voting with the majority may move for a reconsideration of the vote on any question at that meeting or at the next succeeding regular meeting. A motion to reconsider being put and lost shall not be renewed. A Trustee may not change his or her vote on any question after the result has been announced.

**§ 94-11 Disturbances and disorderly conduct.**

Whenever any disturbance or disorderly conduct occurs in any meeting of the Board, the presiding officer may cause the room to be cleared of all persons guilty of such disorderly conduct except the Trustees. If any Trustee is guilty of disorderly conduct, the presiding officer may order the police to take him or her into custody for the time being or until the meeting adjourns. Such member may appeal from such order to the Board as in other cases.

**§ 94-12 Appropriations and accounts.**

All demands or accounts shall be acted upon at the time of presentation unless one or more members demand a reference.

**§ 94-13 Publication and posting of ordinances; when effective.**

- A. Publication. All general ordinances of the Village and all regulations imposing a penalty shall be published or posted as required by law.
- B. Effective date.
  - (1) Unless otherwise provided, all ordinances shall take effect and be in full force and effect the day after proof of posting has been filed or the day after its publication or later date if expressly prescribed.
  - (2) Posted copies thereof shall have appended the date of first posting.

§ 94-14 **Amendment of rules.**

These rules 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.


§ 94-15 **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 2/3 of the members present.

**Section II:** This ordinance shall take effect upon compliance with the publication/posting requirements of the Wisconsin Statutes.

Adopted this 18 day of December, 2023.

BY ORDER OF THE VILLAGE BOARD  
VILLAGE OF COTTAGE GROVE

  
\_\_\_\_\_  
John Williams, Village President

Attest:

  
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Lisa Kalata, Village Clerk