



MEMORANDUM

Date: March 17, 2016

To: Common Council
From: Pamela A. Captain, City Attorney

Re: Parliamentary Procedure: Motion to Reconsider

A parliamentary question was raised at the February 15, 2016, Common Council meeting. It pertained to a motion to reconsider. SEC. 2-2-18 of the City of Menasha Code of Ordinances deals with reconsideration of questions¹. Under the ordinance no second is required, no debate is allowed, and the motion needs a 2/3 vote to pass.

An Alderman, in an email to the City Clerk dated January 25, 2016, indicated that he wanted to reconsider his vote on a resolution. There was no stated reason contained in the email. None is required, but it is prudent to include a reason either when making the request to place a motion to reconsider on the agenda or when making the motion, otherwise, no one will know the reason for the request. At the February 15, 2016 meeting a motion to reconsider was made and a vote was taken. The motion **failed**. There was no discussion.

Mention was made of an October 19, 2015 motion to reconsider. At the October 19, 2015, meeting a motion to reconsider was made and a vote was taken. The motion **passed**. This brought the original motion back to the floor. There was discussion. Another vote was taken on the original motion. The difference between these two instances is that in one case the motion to reconsider **failed** and in the other case the motion to reconsider **passed**.

As a reminder during a meeting members have the ability to make parliamentary inquiries and/or a point of order. The chair (or Mayor) makes initial parliamentary rulings. If a member disagrees with a parliamentary ruling an option is to make a motion to overrule the parliamentary decision. The motion must have a second and can be debated. The motion prevails upon a majority vote. If no one challenges a parliamentary ruling at the time the ruling is made the ruling stands, even if it is wrong. It cannot be challenged later.

Finally, an alternative option is to make a motion to “suspend the rules” if the members wish to vary from established rules of order.

¹ This memo does not address that each council body has a right to establish its own rules of order.