



Virtual Meeting
Mequon, WI 53092
Phone: 262-236-2941
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of the City Administrator

PUBLIC WELFARE COMMITTEE

Tuesday, February 9, 2021

6:00 PM

Virtual Meeting

Agenda

ELECTRONIC MEETING NOTICE: Pursuant to the current recommendation of the CDC limiting the size of public gatherings and the various federal and state orders implementing that recommendation, and to help protect our community from the Coronavirus (COVID-19) pandemic, this meeting will be held virtually through the GoToMeeting platform with each member accessing the meeting remotely. Citizens may also join the meeting online or by phone. Please go to <https://www.gotomeet.me/Mequon/pwelfare> to join the meeting online or call into the meeting by dialing 1-866-899-4679 and enter access code 978-522-373.

WRITTEN PUBLIC COMMENTS may be made in writing in advance of the meeting. Written comments should be directed to the Administration Department at least 2 hours prior to the meeting by email at jschoenemann@ci.mequon.wi.us addressed to the intended committee. Written public comment may also be deposited in the drop box at City Hall on 11333 N. Cedarburg Road, Mequon at least 2 hours prior to the meeting. Comments received timely will be forwarded to all members of the body for their consideration.

VERBAL PUBLIC COMMENTS will be accepted only from members of the public who register in advance. Registration shall be made by sending an email to Assistant City Administrator, Justin Schoenemann at jschoenemann@ci.mequon.wi.us or by leaving a message at 262-236-2941 no later than 2 hours prior to the meeting.

- 1) Call to Order, Roll Call
- 2) Approval of Meeting Minutes
Action requested: review and approve
 - a. January 12, 2021 Minutes
- 3) Resolutions
Action requested: review and recommend approval
 - a. **RESOLUTION 3804** A Resolution Designating Mequon, Wisconsin as a Bee City USA
 - b. **RESOLUTION 3805** A Resolution Authorizing Renewal of an Application with Bird City Wisconsin and Observing International Migratory Bird Day in Conjunction with Arbor Day
- 4) Discussion Items
Action requested: discuss and take action as needed

- a. Chapter 2: Article II – Common Council and Article IV – Officers and Employees Ordinance Updates
- b. Hybrid Meeting Technology Update
- c. Community Outreach Committee

5) Information Items

- a. Work Calendar

6) Adjourn

Dated: February 9, 2021

/s/ Dale Mayr, Chair

Notice is hereby given that a quorum of other governmental bodies may be present at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take formal action thereto at this meeting.

Persons with disabilities requiring accommodations for attendance at this meeting should contact the City Clerk's Office at 262-236-2914, twenty-four (24) hours in advance of the meeting.

Any questions regarding this agenda may be directed to the City Administrator's Office at 262-236-2941, Monday through Friday, 8:00 AM – 4:30 PM



Virtual Meeting
Mequon, WI 53092
Phone: 262-236-2941
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of the City Administrator

PUBLIC WELFARE COMMITTEE

Tuesday, January 12, 2021

6:00 PM

Virtual Meeting

Minutes

1) Call to Order, Roll Call

Present:

Chair Dale Mayr
Alderman Glenn Bushee
Alderman Robert Strzelczyk

Also Present: Mayor Wirth (left 6:45 PM), City Administrator Jones, Assistant City Administrator Schoenemann, City Clerk Fochs, City Attorney Sajdak, Executive Assistant Prosser, Interested Parties

2) Approval of Meeting Minutes

a. December 8, 2020 Minutes

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Bushee
SECONDED BY: Alderman Mayr

AYES: Mayr, Bushee, Strzelczyk

3) Ordinances

a. Review of Protest Petition Process

City Attorney Sajdak noted that following the Committee's discussion on the protest petition process last month, a draft ordinance has been provided in the Committee's meeting packet for review and approval. Attorney Sajdak reviewed the changes to the proposed ordinance with the members of the Committee. The changes include breaking the ordinance into subsections for clarity; Section (3) clarifies who should sign the protest petition; Section (5) describes how the calculation will be used based upon the whole parcel to ensure sufficient neighbors have an opportunity to potentially protest, clarifies that the ownership list provided by the City may contain errors based upon the data entered into the GIS system and places the burden on the objector to establish their ownership; amends Section 58-64 which

involves protest petitions related to expansions of nonconforming uses to ensure that the two provisions are consistent.

Attorney Sajdak mentioned that if the Committee approves the changes, the recommendation would be to refer the draft ordinance to Planning Commission for consideration before going on to the Common Council.

Mayor Wirth suggested a change to paragraph (k) (1); Land located in or whole in part within 1,320 feet of the property line of the land within the City. Attorney Sajdak will provide the appropriate language to the draft ordinance before going to the Planning Commission.

A suggestion was made to provide clarity to the language in 58-64. Attorney Sajdak suggested a review of Section 58-64 could be placed on the Planning Commission's agenda along with the draft ordinance of the protest petition process.

Alderman Bushee moved to recommend approval of the amendments to Section 58-42 (k), Review of Protest Petitions, to the Common Council for approval with the recommended change, seconded by Alderman Strzelczyk.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Bushee
SECONDED BY: Alderman Strzelczyk

AYES: Mayr, Bushee, Strzelczyk

4) Resolutions

a. **RESOLUTION 3799 A Resolution Consolidating all City of Mequon Polling Sites into One Location at Mequon City Hall for the February 16, 2021 Primary Election**

City Clerk, Caroline Fochs was present to discuss consolidating all eight of the City of Mequon polling sites into one location at Mequon City Hall for the February 16, 2021 primary election. Ms. Fochs noted that the only race is for the State of Wisconsin Superintendent of Public Instruction. Ms. Fochs stated that by combining the polling locations, the City would save \$6,760. The cost savings would be recognized with the decreased number of poll workers and the labor involved with setting up and taking down the polling sites. Ms. Fochs noted that the savings would be offset by the cost of sending postcards to affected residents. The estimated cost to send out postcards is approximately \$2,850. Ms. Fochs stated a very low turnout of about 10% is expected with an estimate of 50% of the voting will be absentee. Ms. Fochs noted that her office will communicate the change in polling location for the February primary election by using social media, local newspapers, and by mailing out postcards to all affected registered voters. Ms. Fochs stated that the process of communicating a change in polling locations has been very effective in the past and in order to make the change, Council will need to approve 30 days prior to the election.

Alderman Mayr inquired about the cost to mail postcards. City Clerk Fochs stated it would cost approximately \$2,800 to mail postcards to 8,000 households registered to vote in all of the districts, not including wards 3 and 4 that currently vote at City Hall.

The Committee discussed whether it would be more cost effective to print large signs and post along major roads to announce the change in polling locations.

Alderman Mayr made a motion not to send out postcards, instead announce the change in polling locations using the City's website, community sign, bulletin board, Facebook, press release, and ask schools to post the announcement. No second. Motion failed.

RESULT: Motion Failed [Unanimous]
MOVED BY: Alderman Mayr
SECONDED BY: None

Alderman Strzelczyk made a motion to use the same means of communicating the change in polling location offered by Alderman Mayr with the addition of mailing postcards, seconded by Alderman Bushee.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Bushee

AYES: Mayr, Bushee, Strzelczyk

Alderman Mayr made a motion to recommend Resolution 3799 to Common Council for approval, seconded by Alderman Strzelczyk.

RESULT: Tabled [Unanimous]
MOVED BY: Alderman Mayr
SECONDED BY: Alderman Strzelczyk

AYES: Mayr, Bushee, Strzelczyk

5) Discussion Items

a. Attendance at Council Meetings via Electronic Means Post-COVID

City Attorney Sajdak stated at the Committee's last meeting a discussion was held on utilizing hybrid meetings wherein some participants attend the meeting in-person and some attend electronically. Attorney Sajdak noted a good portion of the discussion centered on the transition between electronic and in person meetings. Attorney Sajdak provided several options on how to make the transition: allow the Mayor to decide when to make the transition, adopt a fully hybrid approach, utilize a hybrid approach where the bulk of the membership would attend in-person while allowing members of the public to attend electronically, the Mayor can issue an amended proclamation to modify the electronic meeting rules.

City Attorney Sajdak turned the discussion over to Assistant City Administrator Schoenemann to provide a more in-depth description of a hybrid meeting.

City Administrator Jones pointed out that the Mayor's emergency proclamation extended in the fall of 2020 will expire on March 15, 2021. Mr. Jones suggested it may be an appropriate time to follow up on the discussion of attending Council meetings via electronic means post-COVID.

City Attorney Sajdak mentioned that the Committee could formally table the item or decide not to take action at this point.

Alderman Strzelczyk made a motion to table the item until next month, seconded by Alderman Bushee.

RESULT: Tabled [Unanimous]
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Bushee

AYES: Mayr, Bushee, Strzelczyk

b. Hybrid Meetings Technology Update

Mr. Schoenemann updated the Committee on the progress of upgrading the City's existing equipment to allow Common Council and Planning Commission to hold hybrid meetings. Mr. Schoenemann stated that the goal is for those attending online to be able to see and hear everything taking place in the Common Council Chambers. Additionally, those attending online will be able to interact with Council members. The upgrades have been made possible with funding from the Cares Act.

Alderman Strzelczyk mentioned upgrading the microphones at the dais. Mr. Schoenemann noted at this time the audio system is not part of the upgrade and suggested bringing up the topic as part of the budget process as there will be a capital investment needed.

The Committee directed Assistant City Administrator Schoenemann to continue working towards upgrading the City's equipment in order to hold hybrid meetings.

c. Chapter 2: Article II – Common Council and Article IV – Officers and Employees Ordinance Updates

Assistant City Administrator, Justin Schoenemann continued the review of Chapter 2 with the Committee. A suggestion was made to change a word in Sec. 2-21 (d) to is instead of *shall*. City Attorney Sajdak confirmed that the word *shall* would be the appropriate word. The Committee discussed the language in Sec. 2-21 (e) regarding the Mayor's ability to veto all acts of any committee. Alderman Mayr requested clarification on whether an item vetoed by the Mayor would still go to Common Council.

The Committee will continue the review of Chapter II at their next meeting.

6) Information Items

a. Work Calendar

Due to lack of time, the Committee did not have the opportunity to review the work calendar.

7) Motion to adjourn the meeting at 7:03 PM

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Alderman Bushee
SECONDED BY: Alderman Strzelczyk

AYES: Mayr, Bushee, Strzelczyk

Respectfully Submitted,

Lina Prosser
Executive Assistant



11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2941
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Administration

TO: Public Welfare Committee
FROM: Lina Prosser, Executive Assistant
DATE: February 9, 2021
SUBJECT: RESOLUTION 3804 A Resolution Designating Mequon, Wisconsin as a Bee City USA

Background

The Mequon Nature Preserve, on behalf of the City of Mequon, is working on renewing the Bee City USA application for 2021. The City was first designated as a Bee City upon Common Council approval of Resolution 3370 on April 12, 2016. The 2021 renewal process requires a resolution be adopted by the Common Council. A draft resolution is attached, and it should be noted that the resolution was prepared in accord with Bee City USA guidelines; hence there is a significant amount of required text.

Analysis

In 2006 when honeybee colonies started disappearing, later dubbed “Colony Collapse Disorder,” beekeepers and non-beekeepers alike became very concerned. After all, one in every three bites of food that is consumed is courtesy of insect pollination. Equally important, 85% of flowering plants and trees rely on pollinators for the survival of their species. While less is known about native bees and other pollinators, entire species are disappearing as they battle most of the same enemies as honeybees - loss of habitat essential for food and shelter, inappropriate pesticide use, diseases, and parasites.

Launched in 2012, the Bee City USA program endorses a set of commitments, defined in a resolution, for creating sustainable habitats for pollinators, which are vital to feeding the planet. Cities, towns, and communities across America are invited to make these commitments and become certified as a Bee City USA affiliate.

Fiscal Impact

The Mequon Nature Preserve staff will take the lead on any associated activities and publicity efforts. The application renewal fee of \$200, which is based on the population size of Mequon, is paid for by the Mequon Nature Preserve.

Recommendation

City staff recommends that the Public Welfare Committee and the Common Council approve the proposed resolution as attached.

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3804

A Resolution Designating Mequon, Wisconsin as a Bee City USA

A. The goal of the BEE CITY USA program is to promote healthy, sustainable habitats and communities for bees and other pollinators.

B. Thanks to the tremendous diversity of wild native bees, along with honeybees that were brought here from Europe in the 1700s, we have very diverse dietary choices rich in fruits, nuts, and vegetables.

C. Bees and other pollinators around the globe have experienced dramatic declines due to a combination of habitat loss, use of pesticides, and the spread of pests and diseases, with grave implications for the future health of flora and fauna.

D. Communities have the opportunity to support bees and other pollinators on both public and private land.

E. Supporting pollinators fosters environmental awareness and sustainability and increases interactions among community stewards such as commercial and backyard beekeepers, farmers, children, educators, Master Naturalists, Master Gardeners, plant nurseries, municipalities, neighborhoods, and garden suppliers and clubs.

F. The economic benefits of (native and honey) bee-friendliness include:

- Healthy ecosystems - insect pollinators are required for pollination and reproduction of about 85% of flowering plants globally, plants that: 1) are vital for clean air and water; 2) provide food, fiber and shelter for people and wildlife; and 3) support the very insects that pollinate crops and form the basis of food webs.
- Increased vegetable and fruit crop yields due to bee pollination.
- Increased habitat for natural enemies of crop pests and therefore reduced need for and costs associated with pesticides.
- Increased demand for pollinator-friendly plant materials from local nurseries and growers.
- Income earned by beekeepers and others through the sale of bee products, beekeeping equipment and supplies, and hive rentals for pollination; and, heightened prestige and premium asking prices for place-based honey, which enhances the visibility and reputation of its community of origin.

G. Mequon, Wisconsin should be certified a BEE CITY USA community because:

- Community interest in supporting sustainable habitats for bees and other pollinators

has grown as the decline in pollinator populations and habitat has received greater local and national media attention.

- The Mequon Nature Preserve has become a trusted community resource and facilitator of honeybee education.
- Resident participation in the local bee club sponsored by the Mequon Nature Preserve has increased steadily, demonstrating the community's growing desire to learn about bees and share experiences.

H. Ideal pollinator-friendly habitats:

- Provide diverse and abundant nectar and pollen from plants blooming in succession.
- Provide clean water for drinking, nest-building, cooling, diluting stored honey, and butterfly puddling.
- Are pesticide-free or have pesticide use carried out in a manner to minimize effects on pollinators.
- Are comprised of mostly, if not all, native species of annual and perennial wildflowers, shrubs, trees, and grasses because many native pollinators prefer or depend on the native plants with which they co-evolved.
- Include, where possible, designated pollinator zones in public spaces with signage to educate the public and build awareness.
- Provide for safe and humane removal of bees when required.
- Provide undisturbed spaces (leaf and brush piles, un-mowed fields, or field margins, fallen tree and other dead wood) for nesting and overwintering for native pollinators.

I. In order to enhance understanding among local government staff and the public about the vital role that pollinators play and what each of us can do to sustain them, Mequon, Wisconsin agrees to meet the following commitments required of all BEE CITY USA communities:

- 1) Pass this BEE CITY USA resolution (which articulates these commitments).
- 2) The Mequon Nature Preserve is hereby designated as the Bee City USA sponsor and Kristin Gies, Executive Director, as the Bee City USA "liaison" to encourage and coordinate local pollinator habitat and awareness activities. This body will serve as the intermediary between the citizenry and local government on matters of enhancing pollinator awareness, health, and habitat, fulfilling the following commitments:
 - a. Annually celebrate National Pollinator Week (third full week of June) or some other appropriate occasion with educational events, pollinator habitat plantings or restoration, proclamations or promotions that showcase the municipality's commitment to enhancing pollinator health and habitat.
 - b. Annually apply for renewal of the community's designation and submit a report of the previous year's BEE CITY USA activities following the format provided.
- 3) Publicly acknowledge the community's commitment by agreeing to a) install/maintain

at least one authorized BEE CITY USA street sign in a prominent location, and b) create/maintain links on appropriate pages of the local government's website which includes, at minimum, links to a PDF of this signed Resolution and the national BEE CITY USA website, contact information for the local government's BEE CITY USA liaison and designated "facilitator commission or non-profit organization committee," and reports of the pollinator-friendly activities the community has accomplished the previous year(s).

BASED UPON THE FOREGOING RECITALS, IT IS RESOLVED by the Common Council of the City of Mequon, Wisconsin that the Mequon Nature Preserve is authorized to submit an application to Bee City USA on behalf of the City of Mequon to obtain a "Bee City" designation and commits to the standards of Bee City USA.

Approved by: John Wirth, Mayor

Date Approved: February 9, 2021

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on February 9, 2021.

Caroline Fochs, City Clerk



11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2941
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Administration

TO: Public Welfare Committee
FROM: Lina Prosser, Executive Assistant
DATE: February 9, 2021
SUBJECT: RESOLUTION 3805 A Resolution Authorizing Renewal of an Application with Bird City Wisconsin and Observing International Migratory Bird Day in Conjunction with Arbor Day

Background

The City of Mequon was first designated as a “Bird City” under former Mayor Nuernberg in 2010 and has been renewed annually ever since. In 2015, the application renewal process was updated to require the adoption of a resolution annually by the Common Council. A draft resolution is attached.

Analysis

In 2021, Bird City activities will be observed in conjunction with the City of Mequon’s Arbor Day festivities and City staff will provide public information about migratory bird conservation as noted in the resolution.

Fiscal Impact

The Mequon Nature Preserve and City staff work closely to coordinate Bird City activities that are primarily education based. The application renewal fee of \$125 is paid for by Mequon Nature Preserve.

Recommendation

City staff recommends that the Public Welfare Committee and the Common Council approve the proposed resolution as attached.

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3805

A Resolution Authorizing Renewal of an Application with Bird City Wisconsin and Observing
International Migratory Bird Day in Conjunction with Arbor Day

A. Migratory birds are some of the most beautiful and easily observed wildlife that enhance the Mequon community.

B. Local citizens recognize and welcome migratory songbirds as symbolic harbingers of spring and enjoy all the opportunities they have to engage in great recreational endeavors such as bird-watching and nature photography.

C. Migrant bird species also play an important economic role in the community, controlling insect pests and generating revenue related to bird watching activities.

D. Public awareness and concern are crucial components of migratory bird conservation where citizens can directly contribute to maintaining healthy bird populations.

E. Since 1993 International Migratory Bird Day (IMBD) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in the City of Mequon and throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean and the southern United States.

BASED UPON THE FOREGOING RECITALS, IT IS RESOLVED by the Common Council of the City of Mequon, Wisconsin that:

1. International Migratory Bird Day will be celebrated/observed in conjunction with the City of Mequon's Arbor Day Festivities and public information will be provided about migratory bird conservation and the importance of taking action to protect and conserve migratory birds and their habitats throughout the community.

2. The City, in conjunction with the Mequon Nature Preserve, has submitted an application and associated fee to Bird City Wisconsin allowing the City of Mequon to maintain its "Bird City" designation.

3. These actions will continue to enhance the City's reputation for leadership in protecting the natural environment and bird habitats, while recognizing the interest of many of its citizens in bird conservation.

Approved by: John Wirth, Mayor

Date Approved: February 9, 2021

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on February 9, 2021.

Caroline Fochs, City Clerk



11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262-242-3100
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Administration

TO: Public Welfare Committee
FROM: Justin Schoenemann, Assistant City Administrator
DATE: January 7, 2021
SUBJECT: Chapter 2: Article II – Common Council and Article IV – Officers and Employees Ordinance Updates

Background

At its last meeting, the Public Welfare Committee resumed the review of *Chapter II: Article II – Common Council* that was temporarily paused due to the impacts of COVID-19. The Chapter governs the Common Council, Mayor, all standing committees, and the City Administrator position.

In January, Public Welfare left of its review on Section 2-21 (e) that defines the veto power of the Mayor, which is located on the first page of the revised Chapter II. The proposed veto language would be a new addition to the City's ordinances. Currently, the Mayor's veto power is only defined in Wis. Stat. §62.09(8)(c), which states:

"The mayor shall have the veto power as to all acts of the council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within 5 days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor."

The proposed veto in the draft Chapter II is:

"Except as otherwise limited by state law, the mayor shall have the power to veto all acts of the common council and all acts of any committee that could have been taken by the common council if not delegated by the common council or this code to such committee, including acts by the planning commission. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, whether signed as mayor or as the chair of the planning commission, or upon the mayor's failure to approve or disapprove such act within five days. If the mayor fails to approve or disapprove any act within five days, the clerk shall certify such failure on the relevant document. If the mayor vetoes any act, the mayor shall file his or her objections with the clerk, and the clerk shall present them to the common council at its next meeting. A two-thirds vote of all members of the common council shall make the act effective notwithstanding the objections of the mayor."

As Public Welfare discussed last month, a difference between the statute language and the new language is the Mayor's ability to veto acts of a Committee. The theory proposed here is the Mayor could exercise a veto in instances the Common Council has delegated some of its authority to a Committee. If that authority had not otherwise been delegated to a Committee, the Mayor would of had the ability to exercise a veto at the Council level. From there, the question

that still remains is where a vetoed item would go next. Would it go back to the Committee, or would it go to the Common Council?

Discussion

The Public Welfare Committee will most likely resume its discussion of the Mayor veto language and continue to go through Chapter II section by section. To assist the Committee in its deliberations, staff has included:

- March 2020 staff memo.
- A redlined copy of the revised ordinance.
- An email from Mayor Wirth and a copy of 2017 Wis. Act 50, which details flexibility in noticing of special meetings for the Common Council.
- A Memo from Mayor Wirth that includes additional ordinance amendments.
- A copy of the existing ordinance.

Attachments:

March 5 2020 Agenda Packet (PDF)

TO: Public Welfare Committee
FROM: Justin Schoenemann, Assistant City Administrator
DATE: March 5, 2020
SUBJECT: Chapter 2: Article II – Common Council and Article IV – Officers and Employees Ordinance Updates

Background

At the last two monthly meetings, the Public Welfare Committee and Mayor Wirth reviewed a revised version of *Chapter II: Article II – Common Council*, which governs all standing committees in the City. Attachments include:

- A redlined copy of the revised ordinance.
- An email from Mayor Wirth and a copy of 2017 Wis. Act 50, which details flexibility in noticing of special meetings for the Common Council.
- A Memo from Mayor Wirth that includes additional ordinance amendments.
- A copy of the existing ordinance.

Discussion

It is anticipated the Public Welfare Committee will continue its review of the revised ordinance and the additional documents proposing further amendments at the March meeting. City staff will be in attendance to gather the Committee's feedback and assist in updating the revised ordinance for subsequent meetings.

Attachments:

Revised Article II - Common Council (Redline) (PDF)
Possible Change to Article II Email - Feb 3 20 (PDF)
2017 Wis. Act 50 (PDF)
Memo from Mayor Wirth with Additional Chapter II Amendments (PDF)
Current Article II - Common Council (PDF)

ARTICLE II. - COMMON COUNCIL

DIVISION 1: Mayor and Common Council.

Sec. 2-20. – Generally.

The common council shall consist of the mayor and eight aldermen. The common council shall be elected, and vacancies shall be filled, pursuant to section 2-63. The common council shall have the committees described in division 2. The common council shall hold meetings pursuant to division 3.

Sec. 2-21 – Mayor.

- (a) In addition to those powers and duties set forth in this code, the mayor shall have the powers and duties of a mayor set forth in the Wisconsin Statutes.
- (b) The mayor shall be the city's chief executive officer. The mayor shall take care that city ordinances and state laws are observed and enforced and that all city officers and employees discharge their duties.
- (c) The mayor shall from time to time give the common council such information and recommend such measures as the mayor may deem advantageous to the city.
- (d) When present, the mayor shall be ~~an ex-officio~~ member of, and presiding officer at, all meetings of the common council, whether regular, special or organizational, and its committee of the whole and appropriations committee.
- (e) Except as otherwise limited by state law, the mayor shall have the power to veto all acts of the common council and all acts of any committee that could have been taken by the common council if not delegated by the common council or this code to such committee, including acts by the planning commission. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, whether signed as mayor or as the chair of the planning commission, or upon the mayor's failure to approve or disapprove such act within five days. If the mayor fails to approve or disapprove any act within five days, the clerk shall certify such failure on the relevant document. If the mayor vetoes any act, the mayor shall file his or her objections with the clerk, and the clerk shall present them to the common council at its next meeting. A two-thirds vote of all members of the common council shall make the act effective notwithstanding the objections of the mayor.
- (f) The mayor shall be the head of the fire and police departments.

Sec. 2-22 – Acting mayor.

- (a) If the mayor is absent or unable to perform any duty, the president of the common council shall be the "acting mayor." If both the mayor and the president are absent or unable to

perform any duty, the following shall be the order of succession as “acting mayor”: the chair of the public welfare committee, the chair of the public works committee and the chair of the public safety committee.

- (b) The acting mayor shall not have power to approve an act of the common council which the mayor has vetoed or to veto any act approved at a meeting ~~chaired by~~ at which the mayor was the presiding officer.

DIVISION 2: Common Council Committees

Sec. 2-23. –Standing Committees.

The common council shall have the following four standing committees:

- (a) *Finance-personnel committee.*
- (1) Except as otherwise specifically delegated by this code or state law, the finance-personnel committee shall consider licenses, vouchers for payment, collective bargaining contracts, employee wages and benefits, employee policies, ethics, financial policies, tax assessments, audits, investments, fees charged by the city, debt issuances and similar matters.
 - (2) Except for matters directed by the mayor to the committee of the whole or to another committee, matters coming before the common council from the following citizen committees shall first go to the finance-personnel committee to the extent that such matters require standing committee review:
 - a. Board of Review
 - b. Ethics Board
 - c. Planning Commission (development agreements, land acquisitions and similar matters that involve the city’s finances)
 - (3) All bills and other financial claims against the city shall be itemized and, upon receipt, shall be examined by the treasurer and paid pursuant to the city’s financial policies after verification by the city administrator or the relevant department head. However, no such item shall be paid prior to approval by the finance-personnel committee if it is subject to any dispute. The treasurer shall provide the itemization to the clerk, who shall in turn provide it to the finance-personnel committee for examination and ratification at its next meeting. Any disputed item shall be particularly identified on or with the itemization, and the finance-personnel committee shall provide direction to the treasurer regarding payment. To the extent the finance-personnel committee has concerns regarding any items that have been paid, it may promulgate policies for future similar payments. The mayor may require any such policy to be approved by the common council before implementation.

~~(b)(a)~~ Public works committee.

~~(1) Except as otherwise specifically delegated by this code or state law, the public works committee shall consider matters involving roads, municipal buildings, parking lot and grounds maintenance, sidewalks, public lighting, stormwater, engineering and similar matters.~~

~~(2)(1) Except for matters directed by the mayor to the committee of the whole or to another committee, matters coming before the common council from the following citizen committees shall first go to the public works committee to the extent that such matters require standing committee review:~~

~~a. Architectural Board~~

~~b.a. Joint Mequon Thiensville Bike and Pedestrian Way Commission~~

~~c.a. Mequon Nature Preserve Board of Directors~~

~~d.a. Park and Open Space Board~~

~~e.a. Tree Board~~

~~(e)(b)~~ Public safety committee.

(1) Except as otherwise specifically delegated by this code or state law, the public safety committee shall consider matters regarding police, fire, ambulance, traffic, boating, building safety and similar matters.

(2) Except for matters directed by the mayor to the committee of the whole or to another committee, matters coming before the common council from the following citizen committees shall first go to the public safety committee to the extent that such matters require standing committee review:

a. Board of Police and Fire Commissioners

b. Milwaukee River Advisory Committee

~~(d)(c)~~ Public welfare committee.

(1) Except as otherwise specifically delegated by this code or state law, the public welfare committee shall consider all matters not delegated to the other standing committees, including without limitation matters regarding the committees of the city, redistricting, voting, citywide surveys, economic development, planning, health, public assistance, recreation, nuisances~~7.1~~.

(2) Except for matters directed by the mayor to the committee of the whole or to another committee, matters coming before the common council from the following citizen committees shall first go to the public welfare committee to the extent that such matters require committee review:

~~e.d.~~ Board of Appeals

~~d.e.~~ Economic Development Board

- e.f. Festivals Committee
- f.g. Frank L. Weyenberg Library Board of Trustees
- g.h. Hiram Schmitt Fund Advisory Board
- h.i. Landmarks Commission
- i. ~~Planning Commission~~
- j. Planning Commission (all text amendments and all other matters that are not assigned to the finance-personnel committee or the public works committee)

(d) Public works committee.

- (1) Except as otherwise specifically delegated by this code or state law, the public works committee shall consider matters involving roads, municipal buildings, parking lot and grounds maintenance, sidewalks, public lighting, stormwater, engineering and similar matters.
- (2) Except for matters directed by the mayor to the committee of the whole or to another committee, matters coming before the common council from the following citizen committees shall first go to the public works committee to the extent that such matters require standing committee review:
 - a. Architectural Board
 - b. Joint Mequon-Thiensville Bike and Pedestrian Way Commission
 - c. Mequon Nature Preserve Board of Directors
 - d. Park and Open Space Board
 - e. Planning Commission (text amendments and other matters which are primarily related to architecture, parks, public works projects and policies or trees)
 - f. Tree Board

Sec. 2-24. – Appointments to standing committees.

At the organizational meeting, the president shall nominate three aldermen to each standing committee. Subsequently, any alderman may make one or more additional nominations to the standing committees. After all nominations are made, the common council shall elect by majority vote three members to each standing committee. Each alderman shall serve on at least one common council standing committee. Each member shall serve as appointed unless excused by a majority vote of the common council. The mayor shall be a non-voting, *ex officio* member of all standing committees.

Sec. 2-25. – Chairs of standing committees.

- (a) The members of each standing committee, other than the finance-personnel committee, shall select a chair from among themselves at the first committee meeting following the organizational meeting.

- (b) The mayor shall chair the finance-personnel committee on an *ex officio*, non-voting basis.
- (c) In the absence or upon recusal of a standing committee's chair, the member of the standing committee with the most years of service on the common council shall serve as chair.
- (d) The chair of a standing committee shall call meetings to order at the appointed hour. The chair 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 Revised, unless otherwise provided by state law or this code. Any member shall have the right to appeal a decision of the chair. The appeal may be sustained by an affirmative vote of the members present, exclusive of the chair.

Sec. 2-26. – Vacancies.

- (a) If there is an aldermanic vacancy, the person filling the vacancy shall automatically fill the vacated member's membership in any standing committee.
- (b) To the extent that the vacated member was the chair of a standing committee, the standing committee shall elect a new chair at the first meeting of the standing committee following the date the vacancy is filled.

Sec. 2-27. - Quorum of a standing committee.

A quorum for a standing committee shall consist of two voting members. A quorum shall be required to be present to transact business or to take any action on any agenda item on the meeting's agenda.

Sec. 2-28. - Action of a standing committee.

- (a) Unless otherwise required by law, an affirmative vote of two members of a standing committee shall constitute the action of the standing committee.
- (b) Except as specifically provided in this code, standing committees shall have no final decision-making or policy-making authority; instead, standing committees shall recommend resolutions, ordinances and policies to the common council.
- (c) Matters favorably recommended by a standing committee shall be submitted to the mayor to place on a common council agenda for consideration. The mayor may place any matter on the common council agenda that has been considered but not recommended for approval by a standing committee.

Sec. 2-29. - Meetings, agenda, minutes and recommendations.

- (a) Each standing committee shall conduct its first meeting following the organizational meeting at a time and place scheduled by, and pursuant to an agenda established by, the

staff liaison to the standing committee and shall include all agenda items specified by the standing committee at its last meeting preceding the organizational meeting.

- (b) A standing committee shall conduct all other meetings at scheduled times and places called by its chair or as determined by the standing committee at a prior meeting. The chair shall establish the agenda for each such meeting after consultation with the staff liaison for the standing committee.
- (c) Any member of a standing committee may request in writing, at least five business days prior to a meeting, that an item germane to the standing committee's purpose, duties or powers be placed on an agenda. If the chair fails to place such item on the agenda for a meeting, the proposing member may, at any meeting, move the standing committee to have the item placed on the next agenda.
- (d) Written notice of a meeting of a standing committee and the agenda for such meeting shall be delivered to each committee member and filed with the clerk at least 48 hours in advance of the meeting. The notice shall be in such form as will reasonably apprise the standing committee members, the public and the press of the date, time and subject matter that is intended for consideration and action at the meeting. The clerk will post such notices on the city hall bulletin board and, to the extent possible, the building at which the meeting will be held.
- (e) Minutes of the meetings and recommendations of a standing committee, after review and approval of the standing committee, shall be submitted to the common council. The minutes shall show the vote of each member upon each question. The minutes shall also show if a member is absent or fails to vote on any question. The city clerk shall retain all such minutes.
- (f) Members shall attend meetings of a standing committee in person. No member may appear at any meeting by telephone or other electronic means.
- (g) Any member of the common council may attend any meeting of any standing committee, including any closed session, as a non-voting, ex-officio member, and shall abide by all the rules and regulations of the meeting ~~asthat~~ pertain to the regular members of the standing committee.
- (h) The chair of any standing committee, or the standing committee by majority vote, may require any city officer to confer with it and supply information needed in connection with any matter pending before the standing committee.

Sec. 2-30 - Committee of the whole.

- (a) The committee of the whole shall consist of all members of the common council. The committee of the whole shall have the same quorum and voting requirements as meetings of the common council.

- (b) The committee of the whole shall be used for informal discussion among ~~the~~ members of the common council.
- (c) The mayor may:
 - (1) Schedule a meeting of the committee of the whole. Such a meeting, when not part of a regular meeting of the common council, shall proceed under the rules in this code for a special meeting.
 - (2) In establishing the agenda for a regular or special meeting of the common council, schedule a meeting of a committee of the whole at any point during the meeting.
 - (3) Provided there is no objection by any alderman present, declare any portion of any meeting of the common council as a meeting of the committee of the whole.
- (d) The mayor, or the committee of the whole by majority vote, may terminate a meeting of the committee of the whole at any time.

Sec. 2-31. – Appropriations committee.

- (a) The appropriations committee shall consist of all members of the common council. The appropriations committee shall have the same quorum ~~and voting~~ requirements as meetings of the common council.
- (b) The appropriations committee shall review and recommend the annual budget to the common council.
- (c) Meetings of the appropriations committee shall proceed under the rules in this code for a special meeting.
- (d) The appropriations committee and its procedures and duties are more specifically described in division 2 of article vi of this chapter.

Sec. 2-32. – Special committees.

Either the mayor by written order or the common council by motion or resolution may create special committees from time to time. The number of committee members, the purpose of the special committee and its duties shall be stated in the order, motion or resolution. Unless a termination date is specified in the order, motion or resolution creating a special committee, the mayor may terminate a special committee at any time if created by order or the common council may terminate such a committee if created by motion or resolution. The quorum of any special committee shall be 51% of the members of the special committee. All other rules in this code that apply to standing committees shall apply to special committees.

Sec. 2-33. - Referrals to committee.

- (a) No ordinance, resolution, communication or other matter, other than appointments, shall be acted upon by the common council unless such ordinance, resolution, communication or other matter shall have been referred to the common council or reported on by one of the following:
 - (1) An appropriate common council standing committee;
 - (2) The committee of the whole;
 - (3) The appropriations committee;
 - (4) Any special committee of common council members created for that purpose under section 2-32;
 - (5) The sewer utility district commission;
 - (6) The Mequon municipal water utility commission; or
 - (7) For an ordinance or resolution creating, amending or repealing a planned unit development, transferring development rights, amending the city's official zoning map, amending the city's land use plan, approving or amending a development agreement or final plat, or addressing similar property-specific matters, the planning commission.
- (b) The common council may, by the affirmative vote of two-thirds of the aldermen present, suspend the rule established in subsection (a) and act on a matter that has not been appropriately referred to or reported on by a committee as specified in subsection (a).
- (c) Appointments to boards, commissions and committees under article IX, and appointments to standing committees and special committees of the common council, may be acted upon without having been referred to or reported on by a committee unless otherwise specifically required elsewhere in this code. However, the common council may refer any appointment to a committee by motion duly adopted.
- (d) Unless the rule established in subsection (a) is suspended for a matter, any ordinance, resolution, communication or other matter which has not been referred to the common council or reported on by a committee as specified in subsection (a) shall be read by number, abbreviated title, author and sponsor, if any, and referred to the appropriate committee by the mayor without motion or, if the mayor does not make such a referral, by the common council upon motion duly adopted.

DIVISION 3: Meetings.

Sec. 2-34. – Types of meetings and how scheduled.

- (a) *Regular meetings.* Regular meetings of the common council shall be held on the ~~2nd~~second Tuesday of each calendar month at 7:30 p.m. Any regular meeting falling upon a legal holiday or election day shall be held at the same time on the next day. The mayor may, with at least 14 days' prior notice to the clerk, who shall promptly notify all aldermen, move a regular meeting to the ~~3rd~~third Tuesday of the month at 7:30 p.m. if the mayor determines that there will be six or fewer aldermen at the meeting on the ~~2nd~~second Tuesday of the month or that the ~~2nd~~second Tuesday of the month conflicts with a significant national, civic or athletic event.
- (b) *Special meetings.* The mayor or any four aldermen may call a special meeting by providing written notice to the clerk of the date, time and purpose of the meeting. Except in an emergency, such notice shall be delivered to the clerk at least three business days prior to the proposed time for the special meeting. The clerk shall cause written notice of the special meeting to be delivered to each alderman personally or by leaving the notice at an alderman's residence and shall send a copy by email to each alderman at his or her city email address. Notice shall be adequate if provided at least six hours before the meeting. The clerk shall cause an affidavit of service of such notice to be filed in the clerk's office prior to the time fixed for such special meeting. A special meeting may be held without such notice when all aldermen either are present in person or consent in writing to the holding of such meeting. Any such consent shall be filed with the clerk prior to the beginning of the meeting. An alderman shall be deemed to have waived any defect of notice if he or she attends the special meeting. In the absence of the clerk, a filing with, and an action by, a deputy of the clerk shall satisfy the requirements of this section.
- (c) *Organizational meeting.* The common council shall hold an organizational meeting on the ~~3rd~~third Tuesday in April.

Sec. 2-35. – Place; Quorum; Adjournment.

- (a) *Place of meetings.* All common council meetings, whether regular, special or organizational, and all committee of the whole, standing committee and utility board committee meetings, shall be held in city hall. Notwithstanding the foregoing:
 - (1) A meeting held jointly with one or more bodies that govern other political entities may be held outside of city hall provided that public notice is given at least seven days in advance of such meeting.
 - (2) All or part of a meeting may be held at another location if, in the mayor's opinion, ~~viewing~~ such location might assist the common council in its deliberations.
 - (3) The common council may by majority vote at a prior meeting agree to hold a meeting at another location.
- (b) *Quorum.* No action shall be taken unless a quorum is present. A quorum shall consist of the lesser of six aldermen or, if there is one or more vacancies, two-thirds of all aldermen then holding office. The mayor or the majority of aldermen present may compel the attendance of absent members in order to obtain a quorum. Otherwise, the common council

shall adjourn for failure to obtain a quorum. The mayor shall not be counted in determining whether a quorum is present. To the extent a regular meeting cannot be held due to the lack of a quorum, any meeting called to replace the missed meeting shall constitute a regular meeting.

- (c) *Adjournments.* The common council may, by a majority vote of the aldermen present, adjourn from time to time to a specific date and time.

Sec. 2-36. – Presiding Officer.

- (a) *Mayor.* The mayor shall when present be the presiding officer at all common council meetings, whether regular, special or organizational, and all committee of the whole meetings and appropriation committee meetings.
- (b) *Absence of Mayor.* In the absence of the mayor, the president shall preside over a meeting. In the absence of the mayor and the president, the following shall be the order of succession as presiding officer: the chair of the public welfare committee, the chair of the public works committee and the chair of the public safety committee.
- (c) *Conduct of Meeting.* The presiding officer shall call meetings to order at the appointed hour. 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 Revised, unless otherwise provided by state law or by this code. Any member shall have the right of appeal from a decision of the presiding officer. The appeal may be sustained by a vote of the majority of the members present, exclusive of the presiding officer.
- (d) *Participation by Presiding Officer.* Whenever the presiding officer desires to speak upon any question, or to make any motion, he or she shall designate the alderman in the next position of succession to preside temporarily. ~~When someone other than the mayor is the presiding officer, the presiding officer may vote even though he or she is the acting mayor.~~

Sec. 2-37. - Order of business – regular meetings.

- (a) The public notice and the agenda for regular meetings of the common council shall reflect the following order of business: unless, in establishing the agenda and prior to publication, the mayor opts to change the order to accommodate significant public interest, visitors who will be participating in the meeting or for other good cause.
 - (1) Call to order. The presiding officer shall at the appointed hour call the members to order.
 - (2) Pledge of Allegiance.
 - (3) Roll call.

- (4) Public hearings. This part of the meeting is reserved for those matters requiring a public hearing by this code or other applicable law. To the extent an ordinance has received a first reading at a prior meeting, the ordinance shall be acted upon immediately following its public hearing. Remarks of any individual shall be limited to five minutes.
- (5) Personal appearances and public comment. This part of the meeting is reserved ~~from~~for comments regarding any matter not on the agenda. Remarks of any individual shall be limited to five minutes.
- (6) Public officials' reports. The following may, at the mayor's option, be included at this time: reports by the mayor, proclamations by the mayor, reports by the city administrator, reports by any other city officer and reports by designated representatives of any city committee, board or commission.
- (7) Consent agenda items. Consent agenda items are items that do not include the expenditure of funds and that are, in the discretion of the mayor, routine or ministerial. Consent agenda items include without limitation the following items.
 - a. Adoption of minutes of prior common council meetings;
 - b. Acceptance of minutes from standing committees and city boards, commissions and committees;
 - c. Acceptance of reports of common council and special meetings;
 - d. Adoption of specified ordinances and resolutions that have received unanimous committee recommendation; and
 - e. First readings of ordinances.

Except for resolutions and ordinances, the presiding officer need not list items on the consent agenda but, instead, may announce that the consent agenda includes various minutes and reports. The presiding officer shall announce, before any motion, the number and abbreviated description of each ordinance and resolution included in the consent agenda. A member of the common council may cause any item on the consent agenda to be separately discussed and voted by notifying the mayor, prior to the vote on the consent agenda, that he or she requires such separate consideration. A vote on the consent agenda does not approve any ordinance before the common council for a first reading except upon a motion to suspend the rules which is seconded and approved by two-thirds of the members present. Such a motion is not debatable and shall be decided without discussion.

- (8) Ordinances.
- (9) Resolutions.

- (10) Specified unfinished business from prior meetings.
 - (11) Specified new business. New business may include without limitation petitions, memorials, remonstrances and other communications not otherwise presented during the meeting.
 - (12) Adjourn.
- (b) The mayor may, in establishing the agenda, schedule extraordinary matters and meetings of a committee of the whole at any point during the meeting. Except for the foregoing, no business shall be considered out of the order established in subsection (a) except upon a motion to suspend the rules which is seconded and approved by two-thirds of the members present. Such a motion is not debatable and shall be decided without discussion.

Sec. 2-38. - Order of business – special meetings.

- (a) The public notice and the agenda for special meetings of the common council shall reflect the following order of business.
- (1) Call to order. The presiding officer shall at the appointed hour call the members to order.
 - (2) Pledge of Allegiance.
 - (3) Roll call.
 - (4) The matters or matters for which the meeting is called.
 - (5) Adjourn.

Sec. 2-39. - Order of business – organizational meeting.

- (a) The public notice and the agenda for the organizational meeting of the common council shall reflect the following order of business.
- (1) Call to order. The presiding officer shall at the appointed hour call the members to order.
 - (2) Pledge of Allegiance.
 - (3) Roll call.
 - (4) Election results. The clerk shall report the results of the election of common council members.

- (5) Recognition of outgoing members.
- (6) Oath. Newly elected common council members shall take the oath of office.
- (7) Election of President. The aldermen shall elect one of their members as president of the common council. Any alderman may nominate himself or herself or nominate another alderman. No second of any such nomination shall be required. The president shall be elected by the majority vote of the aldermen present. ~~The mayor may vote in case of a tie.~~
- (8) Nominations and election of committee members.
 - a. The newly elected president shall nominate:
 - i. members of the standing committees and
 - ii. the required aldermanic representatives and alternate aldermanic representatives under division IX of this chapter (including the planning commission).
 - b. After the president makes such nominations, any alderman may make competing nominations
 - c. The members and representatives shall be elected by the majority vote of the aldermen present. ~~The mayor may vote in case of a tie.~~
- (9) Designation of Newspaper. The aldermen shall designate the official city newspaper for legal notices by majority vote of the aldermen present. ~~The mayor may vote in case of a tie.~~
- (10) Mayoral and aldermanic appointments. The aldermen shall confirm or deny, by majority vote of the aldermen present, mayoral and aldermanic appointments to committees under division IX of this chapter. ~~The mayor may vote in case of a tie.~~
- (11) Other. The common council may take up any other appropriately noticed business, including any matter that could be addressed at a regular meeting.
- (12) Adjourn.

Sec. 2-40. - Agendas.

- (a) The form and content of agendas for all common council meetings, whether regular, special or organizational, and all committee of the whole, appropriations committee and utility board committee meetings, shall be approved by the mayor prior to publication.
- (b) Not less than 72 hours prior to each regular meeting the clerk shall cause to be delivered to each alderman an agenda listing the specific matters which will be considered at the meeting. All reports of committees of the common council, ordinances, resolutions, communications, claims and similar matters to be considered by the common council shall be filed with the ~~city~~ clerk not later than 12:00 noon, on the Monday of the week preceding

a regular common council meeting (or the preceding Friday in the event that the Monday of the week preceding a meeting is a recognized holiday). ~~Documents~~The mayor may approve the addition to the agenda of documents or matters filed after the above cut-off day or time ~~must be submitted to the mayor for his or her approval to be added to the agenda.~~

- (c) Additional items shall be placed on a regular meeting agenda if requested in writing by two aldermen prior to noon on Wednesday preceding the meeting. Such request is subject to section 2-33, and the mayor or the common council shall direct the request to a committee if appropriate.

Sec. 2-41. - Procedures for proposed ordinances and resolutions.

Proposed ordinances and resolutions shall appear separately on the common council's agenda, and the agenda shall specify the number and title of each proposed ordinance and resolution and the status, as of publication, of committee consideration. No proposed ordinance or resolution shall be considered or discussed by the common council, and no action shall be taken on any proposed ordinance or resolution, unless the ordinance or resolution is presented to the common council in writing. No action shall be taken on any proposed ordinance without it having had one reading at a previous meeting of the common council unless there has first been a motion to suspend the rules which is seconded and approved by two-thirds of the members present. Such a motion is not debatable and shall be decided without discussion.

Sec. 2-42. - Rules of procedure, reconsideration, resubmission.

~~(a)~~—The deliberations of the common council at any meeting whether regular, special or organizational, and all committee of the whole, appropriations committee and utility board committee meetings, shall be governed by the following rules:

- (a) Provided there is no objection by any alderman present, the presiding officer may at any time declare the common council a committee of the whole for informal discussion to discuss any matter before the common council. If there is an objection, the objection may be overruled by majority vote of the aldermen present.
- (b) Unless otherwise required for any group exercise, all aldermen shall remain in their allotted seats, and no conversation shall be indulged in, so that the common council may expeditiously proceed with the business before the meeting.
- (c) The parliamentary rules contained in Robert's Rules of Order Newly Revised shall govern deliberations of the common council unless otherwise specifically provided by state law or this code.
- (d) No alderman shall address the common council until he or she has been recognized by the presiding officer.

- (e) When two or more aldermen simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
- (f) Except with respect to committee of the whole and appropriations committee meetings, no alderman shall speak more than twice for five minutes each time on any question without first obtaining permission from the common council. Notwithstanding the foregoing, the presiding officer may allow a time for questions by alderman of staff.
- (g) Only the presiding officer and ~~the~~ aldermen shall address the common council except:
 - (1) The public during any public hearing.
 - (2) City staff when recognized by the presiding officer.
 - (3) Residents during the part of the meeting reserved for personal appearances and public comment.
 - (4) With the permission of the presiding officer, residents of the city and other interested people as to matters which are being considered by the common council at the time the request to speak is made. Unless otherwise specified by the presiding officer, remarks shall be limited to five minutes.
 - (5) Others with the unanimous consent of the common council~~ing~~.
- (h) Any person, including any alderman, addressing the common council shall direct his or her comments to the presiding officer, confine his or her remarks to the question under discussion and avoid all discussion of personalities. Notwithstanding the foregoing, the presiding officer may allow questions of staff on any item.
- (i) No motion shall be discussed or acted upon until it has been seconded unless the rules permit one alderman to initiate action. No motion shall be withdrawn without the consent of both the person making the motion and the person seconding it.
- (j) Any alderman may require the reading in full of any matter at any time it is before the common council.
- (k) With the consent of the presiding officer, questions may be asked prior to a motion and second on a matter. Otherwise, a matter shall not be discussed until a motion is made and seconded.
- (l) When a question is under discussion, no action shall be in order except to:
 - (1) Adjourn
 - (2) Recess

- (3) Lay on the table
- (4) Move the previous question
- (5) Postpone to a certain day
- (6) Refer to a committee
- (7) Amend
- (8) Postpone indefinitely

The foregoing motions shall have precedence in the order listed.

- (m) The presiding officer may put any question when discussion has ended or each alderman has discussed the question twice. Any alderman wishing to terminate the discussion may move the previous question, in which event the presiding officer shall announce the question as: "Shall the main question now be put?" If two-thirds of the aldermen present vote in the affirmative, the main question shall be taken without further discussion, its effect being to put an end to all discussion and to bring the common council to a direct vote, first upon any pending amendments and then upon the main question.

~~(1) Every alderman within the common council chamber at the time a question is put shall give his or her vote unless it is his or her good faith belief that special circumstances compel him or her to abstain. An alderman shall announce his or her intention to abstain as soon as he or she determines that he or she intends to do so and shall thereafter refrain from participating in discussion on the question and shall remove himself or herself from the chambers for the duration of the discussion. Upon notifying the common council of his or her intention to abstain, an alderman may, but shall not be compelled to, make a brief oral statement of his or her reason for abstaining.~~

- ~~(n) Any alderman may demand a roll call vote on any matter properly pending before the common council. A motion to adjourn shall always be in order. A motion to adjourn, to recess, to lay on the table or to call the previous question is non-debatable and shall be decided without discussion.~~

Sec. 2-43. – Voting.

In addition to other specific rules regarding voting in this code, the following rules regarding voting shall apply.

- (a) Aldermen. Each alderman shall be a voting member of the common council, whether regular, special or organizational, the committee of the whole, the appropriations

committee, the utility boards and each committee (standing, special or otherwise) of which he or she is a member.

(b) Mayor. Except in the case of a tie, the mayor shall not vote at any meeting of the common council, whether regular, special or organizational, or at any meeting of the finance-personnel committee. The mayor shall be a voting member of the committee of the whole, the appropriations committee, the utility boards and any special committee of which he or she is a member.

(c) Presiding officer other than the mayor. When someone other than the mayor is the presiding officer, the presiding officer may vote.

~~(a) Votes necessary for passage or approval. All roll call votes shall be recorded specifying the vote of each named member in the minutes. Roll call votes shall be taken with respect to the following: adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the city of any fund of the city.~~

~~(2) No alderman may change his or her vote on any question after the result of a vote on the question has been announced.~~

~~(3) The mayor shall not vote except in case of a tie. When the mayor does vote in the case of a tie, his or her vote shall be counted in determining whether a sufficient number of the common council has voted favorably or unfavorably on any measure.~~

(d) Five affirmative votes, including the vote of the mayor in case of a tie, in favor of any proposed ordinance, resolution, motion, appointment or other matter shall be necessary for passage or approval unless (1) a larger number is required by state law or, (2) a different number is specified by this code. Notwithstanding or (3) this code specifies that approval shall be by "majority vote of the foregoing, if alderman present," or some substantially similar phrase.

(e) Ties.

(1) When the mayor votes in the case of a tie, his or her vote shall be counted in determining whether a sufficient number of members of the common council or the finance-personnel committee has voted favorably or unfavorably on any measure.

~~(4)~~(2) If one or more aldermen fails or is unable to vote, whether as a result of absence, abstention or vacancy, each non-voting member shall be deemed, for purposes of this subsection only, to have voted "no" on the question, and the minutes shall reflect such status as a "deemed no" vote. The mayor may break any tie resulting from such "deemed no" votes.

(3) Notwithstanding the foregoing, during the vote for president or to affirm the president's nominations to committees at the organizational meeting, the mayor

shall only vote in the case of a tie if the common council has voted twice and, in each instance, the vote ended in a tie.

(f) Requirement to vote; abstention.

- (1) Any person eligible to vote shall, when within the room in which a vote is to be taken at the time a question is put, give his or her vote unless it is his or her good faith belief that special circumstances compel him or her to abstain.
- (2) An alderman or the mayor shall announce his or her intention to abstain as soon as he or she determines that he or she intends to do so and shall thereafter refrain from participating in discussion on the question and shall remove himself or herself from the chambers for the duration of the discussion and the vote on the matter. Upon notifying the common council of his or her intention to abstain, the abstaining official may, but shall not be compelled to, make a brief oral statement of his or her reason for abstaining.

(g) Roll call. Any alderman may demand a roll call vote on any matter properly pending before the common council or any committee. All roll call votes shall be recorded specifying the vote of each named member in the minutes. Roll call votes shall be taken with respect to the following: adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the city of any fund of the city.

(h) Reconsideration.

- ~~(5) A motion to adjourn shall always be in order. A motion to adjourn, to recess, to lay on the table or to call the previous question is non-debatable and shall be decided without discussion.~~
- (1) ~~(b)~~ — An alderman voting in the majority may move for reconsideration of a vote, but only at the meeting during which the vote was taken, at the next regular meeting or at a special meeting that precedes the next regular meeting. However, no action of the common council shall be subject to a motion to reconsider after material legal rights (other than those rights granted by the common council pursuant to the vote) or obligations have arisen resulting from or by virtue of the vote. If a motion to reconsider is timely made, any rights granted by such vote shall be suspended until final action by the common council on the motion to reconsider. The confirmation of the appointment of a city official shall not be subject to a motion to reconsider. A motion to reconsider that has been made and lost shall not be renewed.
- (2) ~~(e)~~ — No measure that has been introduced and lost by final action may be introduced again until the lapse of at least three months from the date of its consideration unless there has been a material change in the measure or an intervening event that changes the circumstances originally considered.

Sec. 2-~~43~~44. - Clerk, duties.

The city clerk shall, in addition to the duties prescribed by state law, furnish the chairs of committees and other city officers with the resolutions and other matters that may be referred to them and to perform all other clerical duties as the common council may require.

Sec. 2-~~44~~45. - Minutes of meetings.

With the agenda for each regular meeting of the common council, the city clerk shall, to the extent reasonably possible, supply to each alderman ~~at her or his residence~~ a ~~type written~~typewritten copy of the proceedings of the previous ~~meetings~~meeting. By majority vote of ~~those~~the aldermen present, the common council may require the reading of the minutes at the ensuing meeting.

Sec. 2-~~45~~46. - Suspension of rules.

Except to the extent mandated by state law, all or any part of this article may be temporarily suspended in connection with any matter under consideration by a motion to suspend the rules which is seconded and approved by two-thirds of the members present. Such a motion is not debatable and shall be decided without discussion.

Sec. 2-~~46~~47. - Amendments.

The affirmative vote of six aldermen shall be required to amend all or any part of this article.

Secs. 2-~~47~~48—2-60. - Reserved.

From: [Mayor](#)
To: [Justin Schoenemann](#)
Subject: Possible Change to Article II
Date: Monday, February 03, 2020 5:04:12 PM
Attachments: [Wisconsin Legislature_ 2017 Wisconsin Act 50.pdf](#)
[image003.png](#)
[image004.png](#)

Justin:

After sending the last version to you, I came across a change in state law that the committee might want to consider.

Sec. 2-34(b) deals with notices for special meetings. My draft uses the same language that is in our current code except it adds a requirement for emailed notice. It requires notice of a special meeting to be “delivered to each alderman personally or by leaving the notice at an alderman’s residence.” The existing code language comes out of the state statutes.

However, in 2017, the state statute was changed to allow notice to be given to “members in a manner likely to give each member notice of the meeting.” See the attached copy of 2-17 Act 50.

Rather than delivery to an alderman’s home (which might not even give actual notice because an alderman might be at work), the new statutory rule is a bit more flexible.

We can stay with what is in my proposed ordinance if aldermen think it better ensures notice; however, I think the committee ought to know they can change that language.

I suggest that you add this email and the attached Act to the packet. If it is too late to do that, let me know and I will forward it to the committee.

John

John Wirth
 Mayor, City of Mequon
 11333 North Cedarburg Road | Mequon, Wisconsin 53092
 262-236-2944 direct | mayor@ci.mequon.wi.us
[Mequon Website](#) | [Bio](#) | [VCard](#)



I send updates concerning issues being considered at City Hall. [Click here](#) to be added to the update list.

Notice: Any email sent to, or received from, the City of Mequon or any official of the City of Mequon (if such email is related to such official's office) should be presumed to be a public record that will be retained by the City or such public official and will be subject to disclosure under the

Wisconsin Open Records Law. This includes the email address, the contents of the message and any attachments.

Menu » 2017 » Related Documents » Acts » 2017 Wisconsin Act 50

Date of enactment: **August 2, 2017**

2017 Senate Bill 94 Date of publication*: **August 3, 2017**

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

2017 WISCONSIN ACT 50

AN ACT *to amend* 62.11 (2) of the statutes; **relating to:** notification of special meetings of the common council of a city.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 62.11 (2) of the statutes is amended to read:

62.11 (2) **TIME OF MEETING.** The council shall meet at least once a month, and on the first Tuesday unless a different day be fixed by the council. More frequent regular meetings may be established by the council, ~~and the~~ The mayor may call a special meeting by ~~written notice delivered personally to each member or left at the member's usual abode~~ notifying members in a manner likely to give each member notice of the meeting and providing the notice at least 6 hours before the meeting. Following a regular city election the new council shall first meet on the 3rd Tuesday of April.

Menu » 2017 » Related Documents » Acts » 2017 Wisconsin Act 50

Attachment: March 5 2020 Agenda Packet (5682 : Chapter II)



11333 North Cedarburg Road
Mequon, Wisconsin 53097
Phone: 262-236-2944

www.ci.mequon.wi.us

Mayor

TO: Public Welfare Committee

FROM: John Wirth

DATE: February 9, 2020

SUBJECT: Changes to Article II

Since preparing the revisions in your packet, three possible additional changes have been brought to my attention. I present all of them for your consideration.

1. Notices for Special Meetings. See my email to Justin Schoenemann in the packet.
2. Economic Development Board. The draft before you provides that Economic Development Board issues should go to Public Welfare (see section 2-23(c)(2) on packet page 22). Kim Tollefson reminds me that all or almost Economic Development Board items that come to the Council have a significant financial component and have historically gone to Finance-Personnel. These include items like revolving loan fund applications. I suggest that you move Economic Development Board from Public Welfare to Finance-Personnel.
3. Administration. Ald. Mayr suggested to me that I prepare some language for the committee to consider regarding the mayor's role in the administration of the city. State statutes provide that the mayor is the chief executive; however, the statutes and our ordinances are vague as to what that means.

There are 27 cities in Wisconsin with populations between 16,000 and 40,000. Mequon belongs to that broad category. Beloit is an outlier in that it has a manager-council form of government with no mayor. Interestingly, of the other 26, exactly half have full time mayors and half (like Mequon) have part time mayors. The cities with full time mayors do not have administrators.

I definitely recommend against going to a full time mayor. Mequon is, and has been, served well by having a professional administrator handling the day-to-day administration of the city. However, in some cities with administrators, the mayor has the authority to check and balance the authority of the administrator. Those checks and balances take a variety of forms.

If the common council adopts the attached or similar changes, the common council would be the policy-making body (the legislative branch) and the mayor would oversee administration (the executive branch). The bureaucracy is within the executive branch. That is the

design of the federal and state government and of many municipalities. It works well when each group plays its role.

The city administrator would remain responsible for professional day-to-day administration; however, as part of the executive branch, he or she would be subject to the broad policies adopted by the common council and the more direct authority of the mayor. A chief executive should be involved with and bear responsibility for administration.

I do not believe that Ald. Mayr suggested this review because he is dissatisfied with the current city administrator, and I did not draft these changes because of any such dissatisfaction. In my opinion, Will Jones is doing a good job, and he and I have a good working relationship. I would expect that changes in operations would not be significant. However, the mayor should be more than a figurehead. These changes would be particularly important if a future city administrator turns out to ignore the will of elected officials.

The public elects officials to ensure good government. The mayor and council members get the blame if administration does things poorly. Yet, in those communities (like Mequon) that arguably have fully ceded all administrative responsibility to a city administrator, the mayor and council members have limited options in affecting administration. Accordingly, administration can be unresponsive.

These changes would allow the mayor to be directly involved in correcting recognized staff issues. For example, the common council in recent years have expressed concerns over inspections and the timeliness of municipal prosecutions. The mayor has no ability to make changes other than trying to influence staff. I have been working on those issues and am making progress; however, these changes would give me the actual authority to address these issues.

Considering my relationship with Will Jones and department heads, I can be effective without these changes. I believe I am. However, that could be much more difficult if someday in the future Will Jones leaves, and might be much more difficult for a future mayor.

These changes also protect and codify the policy-making authority of the common council. For example, they ensure that council members can be part of any hiring committee.

Some communities have taken this much farther. For example, in one city, the administrator has no authority over the public works or development departments. In some cities, the common council can remove the administrator by a simple majority vote. I am not suggesting that the changes should go that far.

I attach two sets of amendments. The first set has some additional language for Article II (the ordinances the committee is currently reviewing). If the committee agrees with these changes, then it should consider the other set of amendments (to the ordinance that creates the position of city administrator) at the next meeting.

Now is the time to review the balance between elected officials and professional staff rather than waiting until we have a new city administrator (or new mayor).

ARTICLE II. - COMMON COUNCIL

DIVISION 1: Mayor and Common Council.

Sec. 2-20. – Generally.

The common council shall consist of the mayor and eight aldermen. The common council shall be elected, and vacancies shall be filled, pursuant to section 2-63. The common council shall have the committees described in division 2. The common council shall hold meetings pursuant to division 3.

Sec. 2-21 – Mayor.

- (a) In addition to those powers and duties set forth in this code, the mayor shall have the powers and duties of a mayor set forth in the Wisconsin Statutes.
- (b) The mayor shall be the city's chief executive officer. The mayor shall take care that city ordinances and state laws are observed and enforced and that all city officers and employees discharge their duties.
- (c) The mayor shall from time to time give the common council such information and recommend such measures as the mayor may deem advantageous to the city.
- (d) When present, the mayor shall be a member of, and presiding officer at, all meetings of the common council, whether regular, special or organizational, and its committee of the whole and appropriations committee.
- (e) Except as otherwise limited by state law, the mayor shall have the power to veto all acts of the common council and all acts of any committee that could have been taken by the common council if not delegated by the common council or this code to such committee, including acts by the planning commission. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, whether signed as mayor or as the chair of the planning commission, or upon the mayor's failure to approve or disapprove such act within five days. If the mayor fails to approve or disapprove any act within five days, the clerk shall certify such failure on the relevant document. If the mayor vetoes any act, the mayor shall file his or her objections with the clerk, and the clerk shall present them to the common council at its next meeting. A two-thirds vote of all members of the common council shall make the act effective notwithstanding the objections of the mayor.
- (f) The mayor shall be the head of the fire and police departments.
- (g) Except to the extent otherwise required by law, all city employees other than the employees of the police department and the fire department shall be hired or appointed and supervised by the mayor pursuant to the city's personnel code and in consultation with the city administrator. The mayor may designate in writing that any city officer shall supervise any

other employee or group of employees. Subject to this code, to other applicable law and to the written policies established and approved by the common council, the mayor may establish such rules and issue such orders as are necessary from time to time, in the mayor's reasonable discretion, in fulfilling the mayor's supervisory duties. Such rules and orders shall be effective when the mayor files them with the office of the city clerk and shall thereafter be applicable to the city employees and administrative matters described in such rules or orders.

- (h) In order to promote the efficiency and responsiveness of the city government to matters of concern to the city's residents and to assist the mayor in the performance of the mayor's duties, the mayor shall have the immediate advice and assistance of the city administrator, assistant city administrator, chief of police, fire chief, city assessor, director of community development, director of public works/city engineer, director of parks and operations, director of finance/treasurer, city clerk and city attorney. The mayor shall chair regularly scheduled meetings of all or some of such department heads as determined by the mayor.
- (i) The mayor shall appoint, subject to confirmation by the common council, the personnel described in (h) other than the police chief and the fire chief. The mayor shall appoint and utilize a hiring committee when conducting the final round of interviews for each of these positions. The hiring committee shall advise the mayor in connection with such appointments. The hiring committee shall include the city administrator (except when that office is being filled) and, if required by the affirmative vote of a majority of the aldermen, one or more aldermen appointed by the majority of the aldermen. The personnel appointed pursuant to this paragraph shall have indefinite terms of office subject to removal pursuant to state law.

Sec. 2-22 – Acting mayor.

- (a) If the mayor is absent or unable to perform any duty, the president of the common council shall be the “acting mayor.” If both the mayor and the president are absent or unable to perform any duty, the following shall be the order of succession as “acting mayor”: the chair of the public welfare committee, the chair of the public works committee and the chair of the public safety committee.
- (b) The acting mayor shall not have power to approve an act of the common council which the mayor has vetoed or to veto any act approved at a meeting at which the mayor was the presiding officer.

DIVISION 2: Common Council Committees

Sec. 2-23. –Standing Committees.

The common council shall have the following four standing committees:

ORDINANCE ESTABLISHING CITY ADMINISTRATOR
Sec. 2-180, Mequon Code of Ordinances

This ordinance, and particularly part (c), authorizes the position of City Administrator and specifies the City Administrator's general powers and duties.

Sec. 2-180. - Department of administration.

- (a) *Creation and purpose.* In order that the various departments of the City of Mequon ~~may~~ operate as efficiently as possible under the city system ~~of operating~~ without a mayor employed full time, ~~and to better insure consistent harmonious action in respect to any activity common to ensure consistency and coordination when~~ two or more ~~of said~~ departments, ~~are involved in an action and in order that there may be a uniform application of policy, there is hereby created~~ to apply policies uniformly, the city shall have a department of administration ~~for the City of Mequon.~~
- (b) *Component departments.* The department of administration shall include every city department having an administrative function.
- ~~(c) *City administrator; terms of office, powers, and duties.* The city administrator shall be appointed by an affirmative vote of the majority of the members of the common council on recommendation of the mayor or finance personnel committee and/or search and screen committee. The city administrator shall serve for an indeterminate term of office, at the pleasure of the common council but subject to removal upon the vote of three-fourths of the members of the entire common council. The city administrator shall:~~
- ~~(1) — (c) *City administrator.*~~
 - ~~(1) Subject to the direction, approval and authority of the mayor and pursuant to any applicable written policies established and approved by the common council, the city administrator shall be the head of the department of administration and shall:~~
 - ~~a. Carry out all actions of the common council that require administrative implementation and carry out such other duties as may be duties assigned to the city administrator by this code, by the written policies established and approved by the common council from time to time, and by the mayor (subject to such written policies).~~
 - ~~(2) — Direct, coordinate b. Coordinate and expedite activities of all city departments, divisions and offices.~~
 - ~~(3) — c. Submit to the common council mayor any recommendations or suggestions to improve the administration of the city and to the common council any recommendations or suggestions to improve the policies, public safety, health, welfare and economy of the city.~~
 - ~~(4) — d. Develop and refine a system whereby by which the city's business is conducted in an efficient and dignified manner.~~

~~(5) — Supervise all personnel including department heads with the right to suspend any city employee, pending review by the personnel committee, or where state law vests the power of suspension in some other authority, to recommend suspension to that authority.~~

~~(6) — e.~~ Be the financial advisor of the city and to that end shall:

~~a. — i.~~ Oversee all departments as to budget performance and shall report regularly to the mayor and common council on ~~same~~such performance;

~~b. — ii.~~ After consultation with the city treasurer and other department heads, and the ~~directors~~management of ~~city departments, divisions, boards, bureaus, and commission~~other entities funded by the city, submit a proposed annual city budget to the city appropriations committee; pursuant to any direction provided by the appropriations committee;

~~c. — iii.~~ Review and interpret all financial reports submitted to the common council;

~~d. — iv.~~ Review and report to the common council any significant variation in actual versus budgeted expenditures;

~~e. — v.~~ In cooperation with the engineering and planning departments, develop and formulate plans for permanent improvements and recommend such plans to the common council; and

~~f. — vi.~~ Advise and recommend to the mayor and common council the adoption of various plans and programs of finance including available local, county, state, ~~or~~ and federal revenues sources.

~~(7) — f.~~ Be the personnel officer of the city and to that end shall:

~~a. — i.~~ Be responsible for uniform application and enforcement of city rules and policies;

~~b. —~~ ~~Establish and maintain~~ii. Ensure the establishment and maintenance of a central personnel file for all departments;

~~c. — iii.~~ Review the various personnel rules and regulations and recommend any revisions to the common council, to the extent the rules and regulations are established by the common council, and otherwise to the mayor;

~~d. — iv.~~ Review salaries and wages of all bargaining units and other non-staff positions in the city and make surveys and recommend to the ~~finance~~-personnel committee appropriate action;

~~e. — v.~~ Review, with the mayor, all salaries and wages of non-bargaining unit staff personnel and make surveys and recommend appropriate action to the mayor;

~~f.—vi.~~ Be responsible for collective bargaining negotiations and, with the finance-personnel committee, develop bargaining procedures and positions; ~~and~~

~~g.—vii.~~ Handle all grievances pursuant to the city's grievance policy; and

~~h.—viii.~~ Oversee all training of personnel.

~~(8) — In cooperation with the mayor and common and the departments of planning and public works, vigorously develop, implement and update the city's planning and development.~~

~~(9) — g.~~ Keep the common council fully informed ~~on~~about actions and trends of other levels of government, including state and federal funding, and ~~preparation~~e and ~~expediting of~~expedite applications for procurement of state and federal grants at the direction of ~~the~~mayor or common council.

~~(10) — File a monthly report with the h.~~ Report on the activities of his office to the common council ~~on the activity of his office~~ in such a manner as will inform the common council of actions concluded.

~~(Code 1957, § 2.17; Ord. No. 78-395, 8-1-1978) (2) For any period in which the city administrator shall be absent, on vacation or otherwise unable to perform his or her duties, the city administrator shall, in consultation with the mayor, appoint a department head as acting city administrator. The acting city administrator shall have no authority to supersede any approved policies or procedures established by the city administrator.~~

~~(3)~~ When there is a vacancy in the office of city administrator:

~~a.~~ The mayor shall act as "temporary city administrator," commencing immediately following the last day of the city administrator's employment by the city, and shall have all of the duties and authority assigned to the city administrator by this code. The mayor shall assume such duties and authority without additional compensation.

~~b.~~ The mayor, acting as temporary city administrator, shall work closely with the assistant city administrator, if any. The temporary city administrator may delegate duties and authority of the city administrator among the assistant city administrator and department heads in a manner the mayor reasonably deems to be in the best interests of the city; however, the mayor and the assistant city administrator shall properly supervise those to whom the temporary city administrator delegates such duties.

~~a-c.~~ The mayor's position as temporary city administrator shall automatically terminate upon the common council appointing a new city administrator and that appointee taking office.

ORDINANCE ESTABLISHING CITY ADMINISTRATOR
Sec. 2-180, Mequon Code of Ordinances

This ordinance, and particularly part (c), authorizes the position of City Administrator and specifies the City Administrator's general powers and duties.

Sec. 2-180. - Department of administration.

- (a) *Creation and purpose.* In order that the various departments of the City of Mequon operate as efficiently as possible under the city system without a mayor employed full time, to better ensure consistency and coordination when two or more departments are involved in an action and to apply policies uniformly, the city shall have a department of administration.
- (b) *Component departments.* The department of administration shall include every city department having an administrative function.
- (c) *City administrator.*
 - (1) Subject to the direction, approval and authority of the mayor and pursuant to any applicable written policies established and approved by the common council, the city administrator shall be the head of the department of administration and shall:
 - a. Carry out all duties assigned to the city administrator by this code, by the written policies established and approved by the common council from time to time and by the mayor (subject to such written policies).
 - b. Coordinate and expedite activities of all city departments, divisions and offices.
 - c. Submit to the mayor any recommendations or suggestions to improve the administration of the city and to the common council any recommendations or suggestions to improve the policies, public safety, health, welfare and economy of the city.
 - d. Develop and refine a system by which the city's business is conducted in an efficient and dignified manner.
 - e. Be the financial advisor of the city and to that end shall:
 - i. Oversee all departments as to budget performance and shall report regularly to the mayor and common council on such performance;
 - ii. After consultation with the city treasurer and other department heads, and the management of other entities funded by the city, submit a proposed annual city budget to the city appropriations committee pursuant to any direction provided by the appropriations committee;

- iii. Review and interpret all financial reports submitted to the common council;
 - iv. Review and report to the common council any significant variation in actual versus budgeted expenditures;
 - v. In cooperation with the engineering and planning departments, develop and formulate plans for permanent improvements and recommend such plans to the common council; and
 - vi. Advise and recommend to the mayor and common council the adoption of various plans and programs of finance including available local, county, state and federal revenues sources.
 - f. Be the personnel officer of the city and to that end shall:
 - i. Be responsible for uniform application and enforcement of city rules and policies;
 - ii. Ensure the establishment and maintenance of a central personnel file for all departments;
 - iii. Review the various personnel rules and regulations and recommend any revisions to the common council, to the extent the rules and regulations are established by the common council, and otherwise to the mayor;
 - iv. Review salaries and wages of all bargaining units and other non-staff positions in the city and make surveys and recommend to the finance-personnel committee appropriate action;
 - v. Review, with the mayor, all salaries and wages of non-bargaining unit staff personnel and make surveys and recommend appropriate action to the mayor;
 - vi. Be responsible for collective bargaining negotiations and, with the finance-personnel committee, develop bargaining procedures and positions;
 - vii. Handle all grievances pursuant to the city's grievance policy; and
 - viii. Oversee all training of personnel.
 - g. Keep the common council fully informed about actions and trends of other levels of government, including state and federal funding, and prepare and expedite applications for procurement of state and federal grants at the direction of mayor or common council.
 - h. Report on the activities of his office to the common council in such a manner as will inform the common council of actions concluded.
- (2) For any period in which the city administrator shall be absent, on vacation or otherwise unable to perform his or her duties, the city administrator shall, in consultation with the mayor, appoint a department head as acting city administrator.

The acting city administrator shall have no authority to supersede any approved policies or procedures established by the city administrator.

- (3) When there is a vacancy in the office of city administrator:
- a. The mayor shall act as “temporary city administrator,” commencing immediately following the last day of the city administrator’s employment by the city, and shall have all of the duties and authority assigned to the city administrator by this code. The mayor shall assume such duties and authority without additional compensation.
 - b. The mayor, acting as temporary city administrator, shall work closely with the assistant city administrator, if any. The temporary city administrator may delegate duties and authority of the city administrator among the assistant city administrator and department heads in a manner the mayor reasonably deems to be in the best interests of the city; however, the mayor and the assistant city administrator shall properly supervise those to whom the temporary city administrator delegates such duties.
 - c. The mayor’s position as temporary city administrator shall automatically terminate upon the common council appointing a new city administrator and that appointee taking office.

Current Ordinance

ARTICLE II. - COMMON COUNCIL^[2]

Footnotes:

--- (2) ---

State Law reference— Common council, Wis. Stats. § 62.11.

Sec. 2-19. - Meetings, adjournments, quorum.

- (a) *Regular meetings.* Regular meetings of the common council shall be held on the 2nd Tuesday of each calendar month, at the hour of 7:30 p.m. Any regular meeting falling upon a legal holiday or election day shall be held on the next following secular day at the same hour and place. All meetings of the common council shall be held in the city hall, including special and adjourned meetings.
- (b) *Special meetings.* Special meetings may be called by the mayor or any four aldermen upon written notice of the time and purpose thereof delivered to each personally or left at his usual place of abode at least six hours before the meeting. The clerk shall cause an affidavit of service of such notice to be filed in his office prior to the time fixed for such special meeting. A special meeting may be held without such notice when all aldermen are present in person, or consent in writing to the holding of such meeting. If written consent is obtained, it shall be filed with the clerk prior to the beginning of the meeting. Attendance by any alderman shall be deemed a waiver on his part of any defect of notice. Any special meeting attended by all aldermen shall be a regular meeting for the transaction of any business that may come before such meeting.
- (c) *Adjournments.* The council may, by a majority of vote of those present, but not less than three affirmative votes, adjourn from time to time to a specific date and hour.
- (d) *Quorum, what constitutes compelling attendance.* No action shall be taken unless a quorum is present, which shall consist of two-thirds of the aldermen of the council. A lesser number may compel the attendance of absent members or may adjourn. The mayor shall not be counted in determining whether a quorum is present at a meeting.

(Code 1957, § 1.01(4); Ord. No. 67-124, 9-5-1967; Ord. No. 76-380, 12-7-1976; Ord. No. 84-563, 9-18-1984)

State Law reference— Council meetings, Wis. Stats. § 62.11(2).

Sec. 2-20. - Agenda and order of business.

- (a) The public notice and the agenda for regular meetings of the common council shall reflect the following order of business before the common council.
 - (1) The presiding officer shall at the hour appointed call the members to order.
 - (2) Pledge of Allegiance.
 - (3) Roll call. No action shall be taken unless a quorum is present which shall consist of two-thirds of the aldermen of the council. A lesser number may compel the attendance of absent members or adjournment.
 - (4) Public hearings.
 - (5) Personal appearances and public comment.
 - (6) Receipt of reports of boards, commissions and city officers.
 - (7) Public officials' reports.
 - (8) Consent agenda for items considered routine, which shall include, but not necessarily be limited to the items listed below; provided however, that a member of the common council may specify any question, which shall then be separately debated and voted.
 - a. Adoption of common council minutes of the preceding meeting;

Current Ordinance

- b. Reports of common council and special meetings;
 - c. First readings of all ordinances which shall be listed by number and title reflecting the subject matter, and referral to committee of jurisdiction if necessary;
 - d. Adoption of specified ordinances and resolutions, which have received unanimous committee recommendation.
- (9) Ordinances which may be considered, debated and acted upon.
 - (10) Resolutions may be introduced and referred to committee, or considered and acted upon.
 - (11) Specified unfinished business from previous meetings.
 - (12) Presentation of petitions, memorials, remonstrances and communications.
 - (13) Specified miscellaneous (including new) business.
 - (14) Adjournment.
- (b) No business shall be considered out of the order established in subsection (a) of this section except by the concurrence of two-thirds of the members present, without debate.

(Code 1957, § 1.02; Ord. No. 76-374, 7-20-1976; Ord. No. 2010-1319, § I, 5-11-2010)

Sec. 2-21. - Mayor to preside.

If the mayor at the stated hour shall call the meeting to order. He shall preserve order and decorum, decided all questions of order and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order revised, unless otherwise provided by Wisconsin Statute or by these rules. Any member shall have the right of appeal from a decision of the presiding officer. The appeal may be sustained by a majority of the members present, exclusive of the presiding officer.

(Code 1957, § 1.03)

Sec. 2-22. - President of council.

If the mayor is absent at the designated time of any meeting, the president of the council shall preside, and during the absence or inability of the mayor shall have the powers and duties of the mayor, excepting that he or she shall not have the power to approve an act of the council which the mayor has disapproved by filing an objection with the clerk. He or she shall, when so officiating, be styled "acting mayor." The president shall be selected by a majority vote of all members of the council at the annual meeting on the 3rd Tuesday of April.

(Code 1957, § 1.04; Ord. No. 2010-1311, § I, 4-13-2010)

Sec. 2-23. - Absence of presiding officer.

In the absence of both the mayor and the president of the council, the following shall be the order of succession as presiding officer: the chair of the committee on public welfare, the chair of the committee on public works, and the chair of the committee on public safety.

(Code 1957, § 1.05; Ord. No. 69-192, 11-18-1969; Ord. No. 2010-1311, § I, 4-13-2010)

Sec. 2-24. - Vacation of chair.

Whenever the presiding officer shall desire to speak upon any question, or to make any motion, he shall vacate the chair and designate the president of the council, if present, and if not, any alderman, to preside temporarily.

Current Ordinance

(Code 1957, § 1.06)

Sec. 2-25. - Committees.

- (a) The common council acting as a committee of the whole shall annually at the common council organizational meeting in April nominate and elect by a majority vote the following standing committees:
 - (1) Finance-personnel committee (including licenses);
 - (2) Public works committee (including streets, sewers, lighting, water, etc.);
 - (3) Public safety committee (including police, fire, traffic, boating, building regulations, etc.);
 - (4) Public welfare committee (including health, public assistance, recreation, nuisances, etc.).
- (b) Each committee shall consist of three aldermanic members, who shall select their chair from among them except the committee on finance-personnel, which shall be chaired by the mayor on an ex officio, non-voting basis. The mayor shall further be a non-voting, ex officio member of all other standing committees. Each member shall serve as appointed unless excused by a majority vote of the common council. All aldermen shall serve on at least one standing committee.
- (c) Special committees may be created from time to time either by the mayor or by motion or resolution. In any case, the number of committee members, the purpose of the committee and its duties shall be stated.
- (d) Any alderman may attend any regular or executive meeting of any subsidiary committee or commission of the council as a non-voting, ex-officio member, and shall abide by all the rules or regulations of the meetings as pertain to the regular members of the committee or commission.
- (e) Each committee shall at the next regular meeting submit written minutes to the common council after reviewing and approving such minutes, and such minutes shall be entered in the proceedings. Such report shall recommend a definite action by the council on each item; and be filed with the clerk prior to each meeting. Minority reports may be submitted.
- (f) Previous notice of each committee meeting shall be filed with the clerk by the chair and each meeting shall be open to the public. The clerk will post notice of such meetings on the city hall bulletin board.
- (g) Any committee may require any city officer to confer with it and supply information needed in connection with any matter pending before the committee.

(Code 1957, § 1.07; Ord. No. 96-896, 12-10-1996; Ord. No. 2010-1311, § I, 4-13-2010)

Sec. 2-26. - Referrals to committee.

- (a) No ordinance, resolution, communication or other matter, other than appointments as described below, shall be acted upon by the council unless such ordinance, resolution, communication or other matter shall have been referred to the council or reported on by one of the following:
 - (1) An appropriate standing committee;
 - (2) The committee of the whole;
 - (3) The appropriations committee;
 - (4) Any special committee of council members created for that purpose under section 2-25(c); or
 - (5) For ordinances repealing, creating or amending, planned unit developments or transferring development rights, amending the city's official zoning map, amending the city's land use plan, and resolutions, approving development agreements, final plats and similar property-specific matters, the planning commission.

Current Ordinance

- (b) The council may, by the affirmative vote of two-thirds (2/3) of the aldermen present, suspend the rule established in subsection (a) and act on a matter that has not been appropriately referred to or reported on by a committee as specified in subsection (a).
- (c) Appointments to boards and commissions may be acted upon without having been referred to or reported on by a committee unless otherwise specifically required elsewhere in these sections. However, the council may refer any appointment to a committee by motion duly adopted.
- (d) Unless the rule established in subsection (a) is suspended for a matter, any ordinance, resolution, communication or other matter which has not been referred to the council or reported on by a committee as specified in subsection (a) shall be read by number, title, author and sponsor, if any, and referred to the appropriate committee by the mayor without motion or, if the mayor does not make such a referral, by the council upon motion duly adopted. The clerk shall read and record each such reference by title and by noting the person(s) or body submitting, presenting or sponsoring the matter referred.
- (e) Any alderman may require the reading in full of any matter at any time it is before the council.

(Code 1957, § 1.08; Ord. No. 93-787, 8-3-1993; Ord. No. 2008-1246, § I, 8-12-2008)

Sec. 2-27. - Bills and claims.

All bills and other financial claims against the city shall be itemized and, upon receipt, shall be examined by the treasurer and referred by the clerk to the finance-personnel committee for examination and approval at its next meeting; provided, however, that payment of regular wages and salaries of officials and employees according to schedules adopted by the council shall be made by the treasurer prior to approval by the finance-personnel committee after verification by the city administrator or the relevant department head.

(Code 1957, § 1.09; Ord. No. 2008-1248, § I, 5-13-2008)

Sec. 2-28. - Committee reports.

- (a) An aye and no vote shall be taken on each committee report at the next regular council meeting following its submission, provided that nothing herein shall be construed to eliminate the requirement that separate council action be taken on any proposed ordinance or resolution reported out of committee. Any alderman may require a separate vote on any other matter reported out of committee. Action by the council upon a specific matter included in any committee report shall be deferred until its next regular meeting following the council meeting at which the report is received upon the request of any two aldermen.
- (b) Except as otherwise provided in this Code, the approval of a committee report in which the adoption of a matter is recommended shall comprise final action on such matter.

(Code 1957, § 1.10; Ord. No. 93-787, 8-3-1993)

Sec. 2-29. - Procedures for proposed ordinances and resolutions.

Proposed ordinances and resolutions shall appear separately on the council's agenda, and the agenda shall specify the number, title, author and sponsor, if any, of each proposed ordinance and resolution. No proposed ordinance or resolution shall be considered, debated or discussed by the council, and no action shall be taken on any proposed ordinance or resolution, unless the ordinance or resolution is presented to the council in writing. No proposed ordinance shall be considered, debated or discussed by the council, and no action shall be taken on any proposed ordinance, without it having had one reading at a previous meeting of the council, unless debate and discussion shall occur or action shall be taken on the proposed ordinance pursuant to a motion temporarily suspending the rules.

(Code 1957, § 1.11; Ord. No. 93-787, 8-3-1993; Ord. No. 2008-1247, § I, 5-13-2008)

Current Ordinance

Sec. 2-30. - Rules of procedure, reconsideration, resubmission.

(a) The deliberations of the council shall be conducted in the following manner:

- (1) Provided there is no objection by any alderman present, the mayor may declare the entire council a committee of the whole for informal discussion at any meeting or for any purpose, and shall ex officio be chairman of the same.
- (2) During the meetings of the council all aldermen shall remain in their allotted seats, and no conversation shall be indulged in, so that the council may expeditiously proceed with the business before the meeting.
- (3) The parliamentary rules contained in Robert's Rules of Order revised shall govern deliberations of the council unless otherwise specifically provided by Wisconsin Statute or these rules.
- (4) No alderman shall address the council until he has been recognized by the presiding officer. He shall thereupon address himself to the presiding officer and confine his remarks to the question under discussion and avoid all personalities.
- (5) When two or more aldermen simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
- (6) No person other than the mayor and an alderman shall address the council, except with the unanimous consent of the council, except that citizens may address the council with the permission of the presiding officer as to matters which are being considered by the council at the time the request to speak is made.
- (7) No motion shall be discussed or acted upon until it has been seconded unless the rules permit one alderman to initiate action. No motion shall be withdrawn or amended without the consent of the person making the same and the person seconding it.
- (8) No alderman shall speak more than twice and not to exceed five minutes each time on any question without first obtaining permission from the council.
- (9) When a question is under discussion, no action shall be in order except to:
 - a. Adjourn
 - b. Recess
 - c. Lay on the table
 - d. Move the previous question
 - e. Postpone to a certain day
 - f. Refer to a committee
 - g. Amend
 - h. Postpone indefinitely

The foregoing motions shall have precedence in the order listed.

- (10) Any alderman wishing to terminate 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 two-thirds of the aldermen present vote in the affirmative, the main question shall be taken without further debate, its effect being to put an end to all debate and to bring the council to a direct vote, first upon any pending amendments and then upon the main question.
- (11) Every alderman when within the bar of the council chamber at the time a question is put shall give his vote unless it is his good faith belief that special circumstances compel his abstention on the question. Such alderman shall announce his intention to abstain as soon as he shall determine that he intends to do so, and shall thereafter refrain from participation in debate on the question. Upon advising of his intention to abstain from voting, such alderman may, but shall not be compelled to, make a brief oral statement of the reason for his abstention.

Current Ordinance

- (12) Any alderman may demand a roll call aye and no vote on any matter properly pending a vote before the common council. All roll call votes shall be recorded specifying the vote of each named member in the journal of minutes. Roll call votes shall be taken with respect to the following: adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the city of any fund thereof and on all ordinances. No alderman may change his vote on any question after the result of a vote thereon has been announced.
- (13) The mayor shall not vote except in case of a tie. When the mayor does vote in the case of a tie, his vote shall be counted in determining whether a sufficient number of the council has voted favorably or unfavorably on any measure.
- (14) A majority vote of all the common council, including the vote of the mayor in case of a tie, in favor of any proposed ordinance, resolution, appointment, or other matter, shall be necessary for passage or approval unless a larger number is required by the Wisconsin Statutes or by specific reference in these codes of ordinances. Notwithstanding, in the case in which an abstention or absence of an aldermanic member of the common council results in a four to three aldermanic vote, the absent or abstaining member shall be deemed, for purposes of this subsection only, to have voted "no" on the question, and the minutes shall reflect such status as a "deemed" vote.
- (15) A motion to adjourn shall always be in order and a motion to adjourn, to recess, to lay on the table and a call for the previous question shall be decided without debate.
- (b) It shall be in order for any alderman voting in the majority to move for a reconsideration of the vote on a question at the meeting during which the vote was taken or at the next succeeding regular meeting, but not otherwise. However, no ordinance may be subject to a motion to reconsider once published and effective pursuant to the provisions of Wis. Stats. § 62.11(4)(a), nor may action of the council be subject to a motion to reconsider after such time as legal rights and obligation have arisen resulting from or by virtue of the action. The confirmation of the appointment of city officials shall not be subject to a motion to reconsider. A motion to reconsider being put and lost shall not be renewed.
- (c) Whenever any measure shall be introduced for the consideration of the council and failed of adoption and passage, such measure (unless substantially changed) shall not be introduced again until the lapse of at least three months from the date of its last preceding consideration.

(Code 1957, § 1.12; Ord. No. 95-864, 2-13-1996; Ord. No. 96-875, 5-14-1996; Ord. No. 97-916, 4-8-1997; Ord. No. 98-961, 12-8-1998; Ord. No. 2006-1194, § I, 11-14-2006)

Sec. 2-31. - Appropriations and charges.

All ordinances or resolutions appropriating money or creating any charge against the city other than the payment of claims for purchases or work previously authorized by the council shall only be acted upon by the council at the next regular meeting, provided that this provision may be suspended by affirmative action by two-thirds of all members of the council.

(Code 1957, § 1.13)

Sec. 2-32. - Clerk, duties.

It shall be the duty of the clerk of this council, in addition to the duties prescribed by the Wisconsin Statutes, to furnish the chairmen of committees and other city officers with the resolutions and other matters that may be referred to them, and to perform all such other clerical duties as may be required by this council.

(Code 1957, § 1.15)

Sec. 2-33. - Agenda.

Current Ordinance

- (a) Not less than 72 hours prior to each regular meeting the clerk shall cause to be delivered to each alderman an agenda listing the specific matters which will be considered at the meeting. All reports of the committees of the common council, ordinances, resolutions, communications, claims and similar matters to be considered by the common council shall be filed with the city clerk not later than 12:00 noon, on the Monday of the week preceding a regular common council meeting (or the preceding Friday in the event that the Monday of the week preceding a meeting of the common council is a recognized holiday). Documents or matters filed after the above cut-off date should be submitted to the mayor for his approval to be added to the agenda.
- (b) Additional items shall be placed on the agenda if requested in writing by two aldermen prior to noon on Wednesday preceding the meeting. Such request is subject to section 2-26, and the common council shall direct the request to a committee if appropriate.

(Code 1957, § 1.17; Ord. No. 76-374, 7-20-1976; Ord. No. 2016-1485, § I, 1-10-2017)

Sec. 2-34. - Minutes of meetings.

With the agenda for each regular meeting of the common council the city clerk shall supply to each alderman at their residence a type written copy of the proceedings of the previous meetings thereof. By majority action of those present the council may require the reading of the minutes at the ensuing meeting.

(Code 1957, § 1.18; Ord. No. 97-925, 10-14-1997)

Sec. 2-35. - Suspension of rules.

Except to the extent mandated by state law, this article or any part thereof may be temporarily suspended in connection with any matter under consideration by a recorded vote of a two-thirds majority of all aldermen.

(Code 1957, § 1.19; Ord. No. 67-118, 7-18-1967; Ord. No. 93-787, 8-3-1993)

Sec. 2-36. - Amendments.

The assent of two-thirds of all the aldermen shall be required to amend this article or any part thereof.

(Code 1957, § 1.20)

Secs. 2-37—2-60. - Reserved.



11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262-242-3100
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Administration

TO: Public Welfare Committee
FROM: Justin Schoenemann, Assistant City Administrator
DATE: February 2, 2021
SUBJECT: Hybrid Meeting Technology Update

Background

At its January meeting, the Public Welfare Committee continued its conversation about the future of entirely virtual and hybrid in-person/virtual Common Council meetings. During this, an update was provided about the implementation of technology improvements to support hybrid meetings. Staff had some final work to complete in order to make hybrid meetings possible in Christine Nuernberg Hall. Ethan Danz, the City's primary Channel 25 videographer, completed the research and updates to the City's equipment. With the assistance of City Attorney Sajdak and IT Coordinator McCaw, final parts were implemented.

Analysis

The Council Chamber's audio and video system will feed into GoToMeeting so that all virtual participants can see, hear, and participate. PowerPoints and other digital documents shared will be visible to both in-person and virtual participants. The City will also project GoToMeeting participants on the screen in the Council Chamber. Officials will be able to see virtual participants right in front via a separate TV in front of the dais as well.

Below is a link to a demo of a hybrid meeting to help illustrate the functionality and interaction capabilities of hybrid meetings.

Link: <https://bit.ly/36GkYx0>

Fiscal Analysis

The City was able to purchase the equipment needed for hybrid meetings with grant money earlier this year, which has resulted in little budgetary impact for the upgrades outside of staff time.

TO: Public Welfare Committee
FROM: Justin Schoenemann, Assistant City Administrator
DATE: February 4, 2021
SUBJECT: Community Outreach Committee

Background

Over the last few months, the Public Welfare Committee has been exploring creating a new Committee focused on community outreach. The Committee would work to establish connections between organizations to promote events open to the public and help share information about the community's unique characteristics. At the December meeting, the Public Welfare Committee discussed the idea of the Festivals Committee either working with or being a part of the new community outreach initiatives. Alderman Bushee and Assistant City Administrator Schoenemann attended the Festivals Committee's January 14 meeting to gather their feedback on the idea.

Analyses

The Festivals Committee had about a 45-minute conversation about the community outreach initiatives. The discussion was framed around three general structure ideas. One being reimagining both Committees into one with new resources. The second structure idea shared is the Festivals Committee having a subgroup of members working on the new initiatives that could also be drawn from to assist with the annual events. The last structure idea shared was having two separate committees that would look to collaborate as opportunities arise going forward.

After a thoughtful conversation, the Festivals Committee had general consensus around the following feedback points:

1. With COVID-19 still present in 2021, the Festivals Committee would like to focus on planning both the summer and winter events to ensure safe and high-quality events during another pandemic year.
2. Long-term, the Festivals Committee is open to the idea of reimagining itself with the proposed Community Outreach Committee as long as new resources can come to bear for both the events and community outreach initiatives.
3. The Festivals Committee is open to working with another Committee when opportunities arise but did raise a point that there could be competition for members between the two Committees.
4. The Festivals Committee is also open to the idea of updating itself down the road to help with its own longevity and ability to provide events for the community.

Discussion

Staff is prepared to elaborate on the Festivals Committee feedback to assist the Public Welfare Committee in its conversation. A few discussion points for the Public Welfare Committee consider could consider include:

1. Discussing the idea of what the Public Welfare Committee would like to see long-term based off the Festivals Committee feedback to enhance the City's community outreach.
2. Both in the Festivals Committee and during past Public Welfare Committee conversations the topic of resources has come up.
3. Further defining a scope of work for the proposed Community Outreach Committee.

Attachments:

Alderman Bushee's Email (PDF)

Mequon, WI Code of Ordinances (PDF)

From: [Glenn Bushee](#)
To: [Dale Mayr](#)
Cc: [Robert Strzelczyk](#); [Justin Schoenemann](#); [Lina Prosser](#)
Subject: Submission of Ordinance Draft and Motivation statement for Community Outreach Committee for August 12 Public Welfare agenda
Date: Tuesday, August 04, 2020 1:41:26 PM

First, please note that this is a post-only email and not meant to generate email discussion prior to the Wednesday meeting next week.

Chairman Mayr,

I reviewed the ordinances from several existing committees and ran into a little wall when reading the purpose line from the Festivals Committee:

The committee shall create, plan, promote and coordinate special events within the city, including **gatherings that bring together residents, community groups and businesses to promote neighborliness, civic spirit and a sense of community**. The committee shall emphasize use of the city hall/town center civic plaza.

I added the bolding to the part that essentially says exactly what I was thinking. However, I learned that the Festivals committee was established in 2013 to also utilize the newer town center area and Cedarburg road for events. This has resulted in two major annual events: Taste of Mequon and Winter Festival.

So, I'm kind of thinking that the Community Outreach committee will be similarly defined, but in areas exclusive of what the Festivals committee does. I have an overall description for the motivation of this new committee below, followed by my version of an ordinance.

Motivation

The main intent of this committee is to help establish bridges across the many different demographics within Mequon that reach out and positively impact segments within Mequon or as a whole. This can be in the form of age, religion, race, education, and more. Examples could include:

- Senior/ K-5 gatherings for reading, learning, plays
- Coordination across or within religious faiths for larger city events (ex: food drive for Thanksgiving, not a dialogue group, those already exist)
- Highlight race/ethnicity backgrounds somewhat like the spin-offs of Summerfest (eg: Italianfest, etc.) but not to be in competition with a Taste of Mequon, perhaps geared more towards cultural backgrounds and other unique abilities/knowledge brought to Mequon.

Mentorship programs since we have a high level of post-high school graduates to interact with younger groups concerning various career options and assistance in networking.

My intent here is to be inclusive in a positive way to the benefit of Mequon residents.

Ordinance

Creation:

The city shall have a committee known as the “City of Mequon Community Outreach Committee.”

Purpose:

The committee shall coordinate across various demographics within Mequon to create and promote improved communication and events that bring groups and businesses together to enhance the lives and sense of community in areas not addressed by the Festivals Committee.

Membership:

The committee membership shall:

- (a) Consist of eight citizen members nominated by each alderman representative and one citizen member nominated by the mayor.
- (b) Act as working members to carry out the decisions of the committee.

Chair and vice-chair:

The committee shall elect a chair and vice-chair from among its members in [Month of first full membership] of each year.

Powers and duties:

a. The committee shall:

1. Establish a community calendar of special events related to demographic groups that may impact or include a larger segment of the Mequon population.
2. Coordinate among different groups to enhance efficiency and scale of events to include, but not limited to, blood drives and food drives.
3. Special events will require a majority vote of the committee members to move forward.
4. Establish relationships with local businesses and resources to host special events, with no group being pressured to join any specific initiative.
5. Encourage fund raising opportunities to support events and/or to donations to 401(c) 3 community organizations that benefit others.
6. Recruit a volunteer base to assist with event coordination and information gathering.
7. Display calendar on city website to assist residents in seeking opportunities to

learn, assist, and promote events and to assist organizations and businesses to be aware of potential conflicts when planning meetings and events.

- b. The committee may recruit and appoint people other than committee members to the committee's subcommittees to assist in fulfilling its duties.

Deviation from general provisions:

- a. Section 2-424(c) shall not apply to the committee. The appointment of the chair and vice chair shall expire at the October monthly meeting in the year following their election.
- b. Section 2-427(a) shall not apply to the committee. Agendas shall be subject to section 2-427(c).

- Glenn Bushee
Alderman, Mequon District 2
Cell: 414-412-3857

DIVISION 6. - ECONOMIC DEVELOPMENT BOARD

Sec. 2-521. - Creation.

The city shall have a board known as the "City of Mequon Economic Development Board."

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-522. - Purpose.

The board shall stimulate and encourage economic development.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-523. - Membership.

- (a) The board shall consist of the following nine voting members:
 - (1) Eight citizen members nominated by the mayor; and
 - (2) One aldermanic representative.
- (b) The citizen members should generally have recognized experience and qualifications in business, development, finance, marketing or other professional fields which will be an asset to the administration of the city's economic development program.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-524. - Chair and vice-chair.

The mayor shall, at each common council organizational meeting, appoint a chair and vice-chair from among the board's members.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-525. - Powers and duties.

Serving in an advisory role to the planning commission and common council, the board shall:

- (1) Recommend and annually review and modify an economic development program for the city.

- (2) Recommend action on short- and long-range elements of the economic development program.
- (3) Recommend a budget for its activities and programs.
- (4) Make recommendations regarding the revolving loan fund.
- (5) Make recommendations regarding the city's economic development projects (business park development, town center plan, etc.) and the possible use of economic development tools.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Secs. 2-526—2-540. - Reserved.

DIVISION 8. - FESTIVALS COMMITTEE

Sec. 2-561. - Creation.

The city shall have a committee known as the "City of Mequon Festivals Committee."

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-562. - Purpose.

The committee shall create, plan, promote and coordinate special events within the city, including gatherings that bring together residents, community groups and businesses to promote neighborliness, civic spirit and a sense of community. The committee shall emphasize use of the city hall/town center civic plaza.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-563. - Membership.

The committee shall consist of not fewer than seven and not more than 11 citizen members, as determined and nominated by the mayor. Owners and management of businesses located in the city who do not reside in the city are eligible to serve on the committee as citizen members.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-564. - Chair and vice-chair.

The commission shall elect a chair and vice-chair from among its members in October of each year.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-565. - Powers and duties.

(a) The committee shall:

- (1) Identify, plan and promote community events with a goal of holding at least three events per year, including events in the Town Center.
- (2) Advise and make recommendations to the common council on future and existing special events of community-wide celebration.
- (3) Actively sponsor, coordinate, plan and work cooperatively with community-based organizations on special events of community-wide interest by promoting public celebration activities.
- (4) Develop a financial plan to help underwrite the expense of such events.
- (5) Recruit and maintain a volunteer base to help coordinate events.
- (6) Create and maintain an event policies and procedures resource manual designed to help ensure safe and quality events.

(b) The committee may recruit and appoint people other than committee members to the committee's subcommittees to assist the committee in fulfilling its duties.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-566. - Deviation from general provisions.

- (a) Section 2-424(c) shall not apply to the committee. The appointment of the chair and vice chair shall expire at the October monthly meeting in the year following their election.
- (b) Section 2-427(a) shall not apply to the committee. Agendas shall be subject to section 2-427(c).

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Secs. 2-567—2-580. - Reserved.

DIVISION 11. - JOINT MEQUON-THIENSVILLE BIKE AND PEDESTRIAN WAY COMMISSION

Sec. 2-621. - Creation.

During such time as the Village of Thiensville maintains an ordinance or resolution consistent with this ordinance authorizing a joint bike and pedestrian way commission with the city, the city shall, as described below, appoint members of the "Joint Mequon-Thiensville Bike and Pedestrian Way Commission."

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-622. - Purpose.

The commission shall advise the common council and the Thiensville Village Board regarding the creation of, revisions to and implementation of a city- and village-wide master plan for bike and pedestrian ways and trails accessible to bicyclists, pedestrians and participants in other silent sports.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-623. - Membership.

- (a) The commission shall consist of seven voting members.
- (b) The mayor shall nominate four of the members as citizen members.
- (c) The Village of Thiensville shall appoint three other members pursuant to its own rules.
- (d) Each community may also appoint non-voting members. The mayor shall appoint such non-voting members on behalf of the city as the mayor deems appropriate, and such non-voting members will serve at the mayor's pleasure.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-624. - Chair and vice-chair.

The commission shall elect a chair and vice-chair from among its members at its first meeting each year following the common council organizational meeting.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-625. - Powers and duties.

The commission shall have the following powers and duties:

- (1) Advise the common council and Thiensville Village Board regarding creation, revisions to and implementation of a city- and village-wide master plan for bike and pedestrian ways and ancillary services throughout the city and the Village of Thiensville.
- (2) Set priorities for new bike and pedestrian ways or enhancements of existing routes in the master plan.
- (3) Identify and prioritize critical gaps in bike and pedestrian ways.
- (4) Develop and encourage education programs for bicyclists and walkers/runners.
- (5) Assist and encourage enforcement of safety measures for users of bike and pedestrian ways and for shared use with other silent sports such as roller-blading and roller-skiing.
- (6) Develop and distribute information about bicycling, walking and running-related activities and bikeways.
- (7) Identify and recommend the availability of development grants.
- (8) Submit an annual report concerning commission activities to the common council and Thiensville Village Board.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-626. - Deviation from general provisions.

In addition to the quorum requirements of section 2-425(a), at least one of the four members present must be an appointee of the Village of Thiensville.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Secs. 2-627—2-640. - Reserved.

DIVISION 15. - PARK AND OPEN SPACE BOARD

Sec. 2-701. - Creation.

The city shall have a board known as the "City of Mequon Park and Open Space Board."

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-702. - Purpose.

The board shall promote and provide active and passive recreational activities, land and water preservation and restoration, and environmental education for the city's residents.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-703. - Membership.

- (a) The board shall consist of the following nine voting members:
 - (1) Eight citizen members nominated by the mayor; and
 - (2) One aldermanic representative.
- (b) The board replaces the city's park board and open space preservation commission. Each member of such bodies who is serving as of the date of the enactment of this ordinance and whose term has not expired may, at his or her option, be a voting citizen member of the board until the expiration of his or her term. A member desiring to so serve shall notify the clerk of the exercise of such option in writing within 30 days of the enactment of this ordinance; otherwise, he or she shall not be a member of the board. The number of the board's voting citizen members shall be temporarily increased for the balance of such opting members' terms existing as of the date of the enactment of this ordinance and shall decrease upon the expiration of such terms.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-704. - Chair and vice-chair.

The mayor shall, at each common council organizational meeting, appoint a chair and vice-chair from among the board's members.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-705. - Powers and duties.

- (a) As used in this division, "parks and open spaces" means (1) city-owned parks, parkways, boulevards, nature preserves, natural areas and similar

open spaces and (2) real property controlled by contract or easement by the city for the public use or benefit in a manner similar to other real property described in this definition. Public cemeteries and the Mequon Nature Preserve are excluded from the foregoing definition of parks and open spaces.

- (b) Subject to approval of the common council, the board shall:
- (1) Manage and administer the city's land preservation program and recommend short- and long-range elements of the program.
 - (2) Oversee the planning, development, acquisition, expansion, disposition, maintenance, use and application of all parks and open spaces, park buildings and facilities, playgrounds, swimming pools, ice rinks and similar city-owned public property, for the broadest community benefit in keeping with sound environmental and ecological goals and the goals of the city's park and open space plan.
 - (3) Act to sustain, enhance and preserve the city's parks and open spaces for the benefit of current and future residents.
 - (4) Solicit preservation grants and aids from non-local sources.
 - (5) Govern, control, improve and care for all parks and open spaces, including those located partly within and partly outside the corporate limits of the city, and secure the quiet, orderly and suitable use and enjoyment of such properties by the people; also, to adopt rules and regulations to promote those purposes.
 - (6) Recommend new park buildings and structures. All development plans and proposed conditional uses will be subject to review and approval of the planning commission.
 - (7) Approve park landscaping, lighting and signage in all city-owned parks and open spaces.
 - (8) Confer at least annually with the tree board on the forestry needs in parks and open spaces.
 - (9) Acquire parks and open spaces in the name of the city, by gift, devise, bequest or condemnation, either absolutely or in trust, money, real or personal property or any incorporeal right or privilege; provided however that such acquisitions shall be accepted only after recommendation by the board to the common council and approval by the common council through resolution. The board may

execute every trust imposed upon the use of property or property rights by the deed, testament or other conveyance transferring title of such property to the city to be held as parks and open spaces.

- (10) Recommend that the common council buy or lease lands in the name of the city for parks and open spaces, and recommend that the common council sell or exchange property no longer required for its purposes.
- (11) Acquire by condemnation in the name of the city such lands within its corporate boundaries as may be needed for parks and open spaces.
- (12) Change or improve parks and open spaces, at the expense of the real estate to be benefited, in accordance with Wis. Stats., § 27.10(4).
- (13) Work with land trusts and other appropriate agencies to coordinate land preservation efforts.
- (14) Submit an annual report to the common council.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-706. - Administration.

- (a) The director of parks and operations will act as staff liaison to the board. The director is responsible for implementing the comprehensive park, recreation and open spaces plan, policy development, planning and park development, land acquisition, scheduling and permitting, preparing the annual budget and forecasting long-range goals and budget needs. In addition, the director will maintain an ongoing public relations program, serve as spokesperson for parks and open spaces to community services organizations and the public, inform the public regarding the rules and regulations governing the use of park facilities, work with individual park stewardship and special interest community groups and maintain public relations and outreach programs.
- (b) The director shall submit to the board, for its review, fee schedules and permit regulations as deemed necessary to defray/offset the cost of providing recreational activities and other use opportunities within parks and open spaces.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-707. - Board contracts.

Except upon approval of the common council, the board shall not enter into any contract that would create any liability on the part of the city.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Sec. 2-708. - Programming.

The board shall hear and decide upon requests from residents, groups of residents, community groups, athletic associations and other such parties as may request approval to use parks and open spaces for organized or other recreational pursuits where such use, by its character, may require regulation and limitation as determined by the board. The board shall offer leadership in coordinating and correlating all recreational pursuits in parks and open spaces to the maximum benefit of the citizens of the city and shall coordinate the building of the total community recreation and parks and open spaces system with other public and private organizations concerned with public welfare, education and family relations. The board shall not discriminate in its policies, recommendations, regulations and decisions based on race, color, sex, religion, handicap, age or national origin.

(Ord. No. 2017-1505, § II(Exh. A), 10-10-2017)

Secs. 2-709—2-720. - Reserved.



11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262-242-3100
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Administration

TO: Public Welfare Committee
FROM: Justin Schoenemann, Assistant City Administrator
DATE: February 2, 2021
SUBJECT: Work Calendar

Month	Agenda Topics
January	• Review of Protest Petition Process • Community Outreach Initiatives (Continued) • Attendance at Council Meetings via Electronic Means Post-COVID • Chapter II (Continued)
February	• Bee City Designation • Bird City Designation • Chapter II Review (Continued) • Hybrid Meeting Technology Update • Community Outreach Initiatives (Continued)
March	• Chapter II Review (Continued) • Community Outreach Initiatives (Continued)

Future Agenda Topics

• Redistricting (March/April) • Home Program Review/Renewal • Begging & Soliciting Alms • Architectural Board Review	• Nuisance Ordinance Review • Logo Redesign/Branding
--	--

2021 Completed Items

• Electronic Meetings Post COVID-19 • Review of Protest Petition Process	
--	--