



11333 N. Cedarburg Road  
Mequon, WI 53092  
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[www.ci.mequon.wi.us](http://www.ci.mequon.wi.us)

Office of the City Administrator

**PUBLIC WELFARE COMMITTEE**  
**Tuesday, January 14, 2020**  
**5:30 PM**  
**South Conference Room**

**Agenda**

- 1) Call to Order, Roll Call
- 2) Approval of Meeting Minutes  
**Action requested: review and approve**
  - a. November 2019 Minutes
- 3) Discussion Items  
**Action requested: discuss and take action as needed**
  - a. Chapter 62 Sign Code Amendment Considerations
  - b. Review of Article II Governing the Common Council and Standing Committees
- 4) Information Items
  - a. Working Calendar
- 5) Adjourn

*Dated: January 14, 2020*

*/s/ Dale Mayr, Chairman*

.....  
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



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Office of the City Administrator

**PUBLIC WELFARE COMMITTEE**  
**Tuesday, November 12, 2019**  
**6:15 PM**  
**Lower Conference Room**

**Minutes**

1) Call to Order, Roll Call

**Present:**

Chairman Dale Mayr  
Alderman Mark Gierl  
Alderman Andrew Nerbun

**Also Present:** Assistant City Administrator Schoenemann, Community Development Director Tollefson, City Attorney Sajdak, Alderman Elect Parrish, Executive Assistant Prosser, Chuck Friedlein

2) Approval of Meeting Minutes

**a. August 27 Minutes**

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

**AYES:** Mayr, Gierl, Nerbun

**b. October Minutes**

**RESULT:** Approved by Voice Acclamation [Unanimous]  
**MOVED BY:** Alderman Nerbun  
**SECONDED BY:** Alderman Gierl

**AYES:** Mayr, Gierl, Nerbun

3) Resolutions

**a. RESOLUTION 3661 A Resolution Ratifying Three Change Orders in the Amount of \$4,774, in Connection with Completion of the 2019 Community Survey**

Assistant City Administrator Schoenemann stated through the survey process the council

Attachment: DRAFT 11 12 2019 Public Welfare Committee Minutes (4725 : November 2019 Minutes)

contracted with Strategic Research Institute (SRI) for a total of \$37,500. Mr. Schoenemann noted that additional fees were incurred resulting in three change orders during the project that totaled \$4,733.77. The first change order occurred in the amount of \$1,005 during the survey development phase due to additional time needed to finalize the survey instrument. The second change order in the amount of \$1,012.03 was incurred due to the need to send out an additional 1,010 surveys in the mail to residents who requested a second survey, who misplaced a survey and multi-family facilities that were not in the original mailing. The third change order in the amount of \$2,756.74 was incurred due to an additional reminder postcard that was sent to households asking residents to complete the survey. Mr. Schoenemann added that the City received a \$500 credit for errors incurred during the survey process which has been accounted for within the change orders.

**RESULT:** Approved by Voice Acclamation [Unanimous]  
**MOVED BY:** Alderman Gierl  
**SECONDED BY:** Alderman Nerbun

**AYES:** Mayr, Gierl, Nerbun

#### 4) Discussion Items

##### a. Chapter 62 Sign Code Amendment Considerations

Community Development Director Tollefson stated during the months of September and October the Committee considered responses by the members of the Chamber of Commerce related to signage. At the October meeting, staff presented a summary of the responses by sign topics. Director Tollefson noted while the response rate from the Chamber is low, 3.29%, staff ranked the sign topics with the highest number of comments and provided feedback and opportunities for the Committee's consideration. The sign topics that received seven comments or greater included: Temporary Signs, Electronic Signs, I-43 Signs, Sign Process, and Sign Design.

Director Tollefson provided the Committee with information in response to Alderman Mayr's request to look at retrofitted buildings and the opportunity for sites located off the normal commercial corridors could achieve additional signage. Director Tollefson noted that the subject of Bear Arms' sign challenges has come up at the last two Public Welfare Committee meetings. Director Tollefson informed the Committee that she reached out to Cheryle Rebholz, owner of Bear Arms to make her aware that the sign code provides her the opportunity to have directional signs. These blue and white directional signs are authorized, constructed and installed by the City. A business can have up to four of the directional signs.

The Committee agreed to give businesses the option to have a banner or feather flag as one response to the survey.

Chuck Friedlein was present to ask questions on the sign code as it relates to the American Legion Howard J. Schroeder Post.

#### 5) Information Items

**a. Working Calendar**

The Committee did not discuss the work calendar.

6) Motion to adjourn the meeting at 6:47 PM.

**RESULT:**                      **Approved by Voice Acclamation [Unanimous]**  
**MOVED BY:**                 Alderman Nerbun  
**SECONDED BY:**             Alderman Gierl

**AYES:**                      Mayr, Gierl, Nerbun

Respectfully Submitted,

*Lina Prosser*

Attachment: DRAFT 11 12 2019 Public Welfare Committee Minutes (4725 : November 2019 Minutes)

**TO: Public Welfare Committee**  
**FROM: Kim Tollefson, Director of Community Development**  
**DATE: November 7, 2019**  
**SUBJECT: Chapter 62 Sign Code Amendment Considerations**

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### **Background**

The Public Welfare Committee in fall 2019 considered responses by the Chamber of Commerce members as it relates to signage. At the November meeting, staff presented a summary of responses by sign topics (see attached). The survey response rate from the Chamber is considered low at 3.29%. Regardless, staff has considered the sign topics ranked with the highest number of comments and provides feedback and opportunities for consideration. Should the Committee support the opportunities for amendments, staff will forward to the respective Commissions or Committees for recommendations to the Common Council.

### **Analysis**

There are five sign topics that received seven comments or greater as follows:

- ***Temporary Signs***
  1. Staff recommends reconsideration of a banner fee permit during the Department's fee schedule review in February of 2020.
  2. Staff supports the current regulations related to the number of temporary signs which is 4 / year as well as a grand opening banner and an exemption of banner standards and permits generally from Thanksgiving and New Year.
  3. Staff recommends a modification to the code to allow for a flag style banner (see attached photo).
- ***Electronic Signs***
  1. Staff continues to recommend a prohibition of electronic message board signs within the Town Center neighborhood due to the objective as a pedestrian oriented neighborhood and the required building placement on Town Center sites.
  2. Staff recommends the use of electronic message boards signs for public institutions and facilities that provide a public service message. The code already allows for all other uses to seek approval of an electronic message by waiver approval through the Planning Commission (see attached chart).
- ***I-43 Signs***
  1. The Code was amended to allow for I-43 signage for certain uses and sites that occupy significant frontage along the interstate. This code provision has not been heavily utilized and it is limited to business parks, institutions and large-scale commercial uses, like the Pavilion Shopping Center. Staff recommends maintaining this distinct niche. The City has a long standing policy of maintaining character by limiting and reducing sign clutter.
- ***Sign Process***
  1. Staff recommends reconsideration of the sign permit fee during the Department's fee schedule review in February of 2020.

2. The Code affords the legal right to seek a master sign plan as a way to achieve a unified, comprehensive sign design for any site that can also allow for flexibility of the sign code standards. A master sign plan requires Planning Commission approval.
3. The Code affords the legal right to seek a sign code waiver from the Planning Commission.
4. The Code affords the legal right to seek an appeal of any decision by staff or any board or commission.

Staff finds these processes for seeking exceptions sufficient and consistent with opportunities afforded to applicants in other communities.

- ***Sign Design***

Staff strives for design consistency between the sign and building materials as the code requires. The intent is to maintain a quality, consistent visual aesthetic look to the property, which is particularly important when entering a redevelopment phase that the City's commercial corridors are experiencing. If however, design consistency cannot be achieved, the applicant is afforded the opportunity to seek that discretionary approval from the Planning Commission.

### **Summary of Changes**

Staff recommends a change to the design style of banners and recommends a review of the fees associated with signs. Based on the Committee's input, staff will formalize amendments and proceed with recommendations from the Planning Commission.

### **Additional Consideration**

Staff developed specific text amendments are result of our November meeting addressing:

1. Allowing larger buildings with multiple tenants and greater street frontage an ancillary identification sign.  
Please see attached text amendment for Section 62-13(b)(10).
2. Allowing the feather/flag style as an option for special event signs.  
Please see attached text amendment for Section 62-13(d).
3. Identification of options for the American Legion located in Town Center.  
Staff has reached out to the Legion to discuss the option of a permissible bulletin board to which allows identification of special events.

Attachments:

Text Amendment Exhibit 01.14.20 (PDF)

Summary Chart (PDF)

Example Documents (PDF)

TRACK CHANGES 01.14.2020

Change To Sec. 62-13(d) Special Event Signs: To allow for feather/flag style banners.

*Banner.* A sign, including feather flag signs, intended to be hung either with or without a frame, and which possesses characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

Section Added As Sec 62-13(b)(10) Ancillary Monument Signs: To allow a secondary, ancillary sign for properties with extensive street frontage.

(10) Ancillary Monument Signs. Sites zoned B2, B4 and B5 with the site conditions specified in section 62-13(b)(10)(a-c) shall be permitted one ancillary monument sign not exceeding 16 square feet and not exceeding 4 feet in height.

- a. 400 feet of continuous public street frontage
- b. A building with 2 or more tenants
- c. A principal freestanding ground sign exists

(1) The ancillary monument sign shall be subject to the following:

- a. Sign placement is subject to the required setbacks and shall be located no further than 10 feet from a driveway access.
- b. Sign placement shall maintain a minimum of 100' separation from the principal monument sign located on same public street.
- c. Sign material, design and color shall match the principal monument sign. In the event that the material of principal monument sign cannot be replicated because it is no longer made, or is outdated as determined by the Sign Code Administrator, the ancillary monument sign shall, at a minimum, match design and color of the principal monument sign.

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Attachment: Text Amendment Exhibit 01.14.20 (4638 : Sign Code)

**CLEAN VERSION 01.14.2020****Change To Sec. 62-13(d) Special Event Signs: To allow for feather/flag style banners.**

*Banner.* A sign, including feather flag signs, intended to be hung either with or without a frame, and which possesses characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

**Section Added As Sec 62-13(b)(10) Ancillary Monument Signs: To allow a secondary, ancillary sign for properties with extensive street frontage.**

- (10) *Ancillary Monument Signs.* Sites zoned B2, B4 and B5 with the site conditions specified in section 62-13(b)(10)(a-c) shall be permitted one ancillary monument sign not exceeding 16 square feet and not exceeding 4 feet in height.
- a. 400 feet of continuous public street frontage
  - b. A building with 2 or more tenants
  - c. A principal freestanding ground sign exists
- (1) The ancillary monument sign shall be subject to the following:
- a. Sign placement is subject to the required setbacks and shall be located no further than 10 feet from a driveway access.
  - b. Sign placement shall maintain a minimum of 100' separation from the principal monument sign located on same public street.
  - c. Sign material, design and color shall match the principal monument sign.  
In the event that the material of principal monument sign cannot be replicated because it is no longer made, or is outdated as determined by the Sign Code Administrator, the ancillary monument sign shall, at a minimum, match design and color of the principal monument sign.

Total Membership Distribution: 1061      Total Response: 35      Response Rate: 3.29%

Yes: Adequate signage **IS** allowed      17 (48.5%)

No: Adequate signage **IS NOT** allowed      18 (51.4%)

**Temporary Signs (15 Comments)**

- # / year
- Duration
- Fee

Expand Users

**I-43 Signs (7 Comments)**

**Electronic Signs (8)**

Expand Users

**Process (7 Comments)**

- Time
- Cost
- Allow recourse for business error

**Placement (6 Comments)**

**Enforcement (5 Comments)**

Visibility

Unpredictable

Inconsistent

**Size (6 Comments)**

- Allow Larger
- Signs are Too Large

**Height (2 Comments)**

**Number (4 Comment)**

Allow Taller and On building

Increase Frequency On Occasion  
Too Many Signs Allowed  
Allow Only 1 Freestanding **OR**  
Bldg

**Design (7 Comments)**

- Allow LED / Prohibit Neon
- Gain Uniformity
- Keep Design Natural & Subtle

Don't Require Base to Match Bldg  
Require Maintenance / Upgrades

**Window (1 Comment)**

Too Restrictive

- Sign Up Now and receive 10% off on your first order
  - [Visit Reviews](#)
  - [Banner Stands](#)
  - [Window Signs](#)
  - [Decals / Stickers](#)
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  - [Flags](#)
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### Feather Flags

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Hosting a grand opening? Promoting a sales offer? Send your message across with a bang

- Available in sizes of 7ft to 15ft
- Easy assembly
- Heavy duty aluminum and steel construction
- Hardware Only - Includes Poles & Base only
- Graphic Only - Does not include Poles and Base
- Graphic with Hardware - Includes Poles & Base

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Size (W x H)

2' x 7.58'

[Download Templates](#)

Side

Single Side

Quantity

1

Qty:	2-5	6-30	31-100	>100
Price:	\$47.50	\$44.00	\$42.50	\$40.00

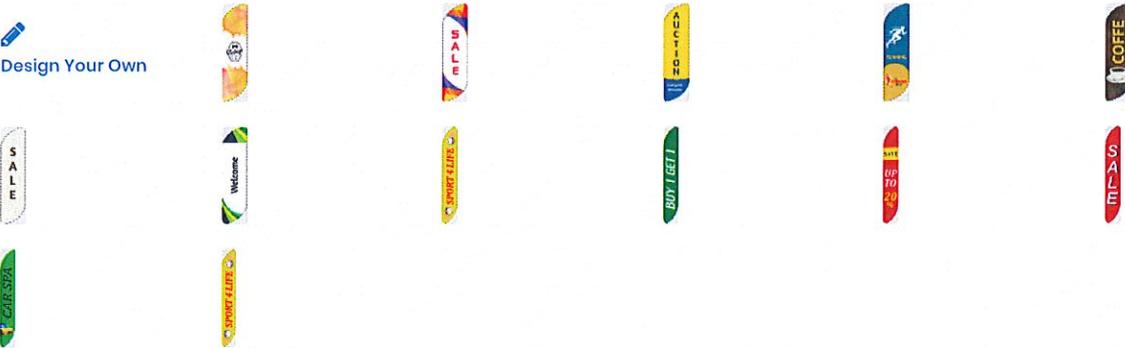
\$200.00  
**\$50.00**

ADD TO CART

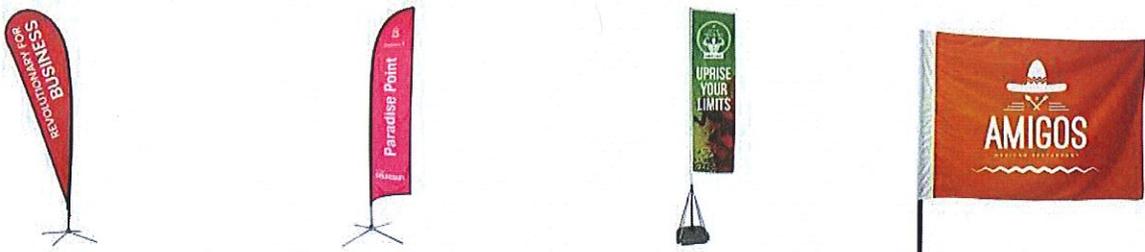
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### Templates for Feather Flags



### Related products



Attachment: Example Documents (4638 : Sign Code)

1. Gas service stations.
  - a. Gas service stations are permitted to display only the gas prices in electronic form as a special use.
  - b. Gas service stations which display gas prices as electronic message signs shall comply with the requirements according to subsection 62-13(b)(7)a.—c. of the sign code, except that the display of gas prices can change at any time.

<b>Table 62-1: Message Sign Standards by Use and Zoning</b>		
<b>Uses <sup>1</sup></b>	<b>Residential Zoning Sign Standards</b>	<b>Institutional and Business Zoning Sign Standards <sup>2</sup></b>
<b>Residential Dwellings</b>		
Single, two-family or multiple family dwellings, residential PUDs	NP	NP
Uses accessory to dwellings	NP	NP
<b>Congregate Living</b>		
Community based residential facilities, supportive housing <sup>3</sup>	NP	NP
<b>Institutional and Public Services</b>		
Schools	P	P
Public libraries	P	P
Public administration offices and service buildings	P	P
Hospitals	NP	NP
Day care facilities	NP	NP
Crematory services	NP	NP
Funeral homes	NP	NP

Attachment: City Sign Code - Chapter 62 (4505 : City Sign Code)  
Attachment: Example Documents (4638 : Sign Code)

Cemeteries	NP	NP
Public utility offices	NP	NP
<b>Religious</b>		
Places of worship	P	P
<b>Social and Cultural</b>		
Concert halls	NP	P
Theatres, including live performances	NP	P
Private or public lodges or clubs	NP	NP
Private or public recreational facilities	NP	NP
<b>Notes:</b>		
P = Permitted		
NP = Not Permitted		
<sup>1</sup> Any use not listed is prohibited to have a message sign unless approved by the planning commission through a sign code waiver.		
<sup>2</sup> Changeable or electronic signs are prohibited in the TC/AC zoning districts.		
<sup>3</sup> Supportive housing includes nursing homes, assisted living, elderly housing.		

Attachment: City Sign Code - Chapter 62 (4505 : City Sign Code)

Attachment: Example Documents (4638 : Sign Code)

- (8) *Directory signs.* One directory sign not exceeding 25 square feet in size and six square feet in height shall be allowed to be placed in front of each individual building in the B-3 (office) zoning district.
- (9) *Marquee signs.*
  - a. Marquee signs are allowed for theatres, including live performances and concert halls subject to planning commission approval.
- (c) *Religious uses.* For all religious uses, only the following signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.



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**Office of Administration**

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**TO: Public Welfare Committee**  
**FROM: Justin Schoenemann, Assistant City Administrator**  
**DATE: December 2, 2019**  
**SUBJECT: Review of Article II Governing the Common Council and Standing Committees**

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**Background**

Mayor Wirth has begun a review of *Article II. – Common Council* and developed a revised ordinance for the Public Welfare Committee’s consideration at its January 14 meeting. The revised ordinance is the first attachment and the current ordinance, which is included for reference purposes, is the second attachment.

**Recommendation**

Given the length of Article II, staff suggests the Committee commence a review by examining each section in numerical order. 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 (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 the mayor.

## **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
  - (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) 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. Tree Board
- (c) 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) 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,.
  - (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:
    - a. Board of Appeals

- b. Economic Development Board
- c. Festivals Committee
- d. Frank L. Weyenberg Library Board of Trustees
- e. Hiram Schmitt Fund Advisory Board
- f. Landmarks Commission
- g. Planning Commission

**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.

- (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 as 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.

**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 2<sup>nd</sup> 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 3<sup>rd</sup> 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 2<sup>nd</sup> Tuesday of the month or that the 2<sup>nd</sup> 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.

- (c) *Organizational meeting.* The common council shall hold an organizational meeting on the 3<sup>rd</sup> 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.
- (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 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 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:
- (1) 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.
  - (2) 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.
  - (3) 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.
  - (4) No alderman shall address the common council until he or she has been recognized by the presiding officer.
  - (5) When two or more aldermen simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
  - (6) 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.
  - (7) Only the presiding officer and the aldermen shall address the common council except:
    - a. The public during any public hearing.
    - b. City staff when recognized by the presiding officer.
    - c. Residents during the part of the meeting reserved for personal appearances and public comment.
    - d. 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.
    - e. Others with the unanimous consent of the common council..
  - (8) 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.

- (9) 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.
- (10) Any alderman may require the reading in full of any matter at any time it is before the common council.
- (11) 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.
- (12) 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.

- (13) 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.
- (14) 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.

- (15) Any alderman may demand a roll call vote on any matter properly pending before the common council. 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.
  - (16) No alderman may change his or her vote on any question after the result of a vote on the question has been announced.
  - (17) 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.
  - (18) 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 a larger number is required by state law or a different number is specified by this code. Notwithstanding the foregoing, 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.
  - (19) 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.
- (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.

- (c) No measure that has been introduced and lost 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. - 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. - 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 copy of the proceedings of the previous meetings. By majority vote of those present, the common council may require the reading of the minutes at the ensuing meeting.

**Sec. 2-45. - 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. - Amendments.**

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

**Secs. 2-47—2-60. - Reserved.**

## Current Ordinance

ARTICLE II. - COMMON COUNCIL<sup>[2]</sup>

## Footnotes:

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**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;

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- 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.

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(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.



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Office of Administration

**TO: Public Welfare Committee**  
**FROM: Justin Schoenemann, Assistant City Administrator**  
**DATE: January 6, 2020**  
**SUBJECT: Working Calendar**

Month	Agenda Topics
November	<ul style="list-style-type: none"> <li>• Sign Code</li> <li>• 2019 Community Survey Change Orders</li> </ul>
January	<ul style="list-style-type: none"> <li>• Sign Code (Continued)</li> <li>• Standing Committee Review</li> </ul>
February	<ul style="list-style-type: none"> <li>• Standing Committee Review (Continued)</li> </ul>

**Future Agenda Topics**

<ul style="list-style-type: none"> <li>• Logo Redesign/Branding</li> <li>• Architectural Board Review</li> <li>• Nuisance Ordinance Review</li> </ul>	<ul style="list-style-type: none"> <li>• Home Program Review/Renewal (2020)</li> <li>• Begging &amp; Soliciting Alms (Spring 2020)</li> </ul>
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**2019 – 2020 Completed Items**

<ul style="list-style-type: none"> <li>• Citizen Committee Participation</li> <li>• Chapter 58: Bee Keeping &amp; Dog Leash</li> <li>• Begging &amp; Soliciting Alms</li> <li>• Record Retention Policy</li> <li>• OpenGov Demonstration</li> <li>• Bird City USA Designation</li> </ul>	<ul style="list-style-type: none"> <li>• Bee City USA Designation</li> <li>• Begging and Soliciting Alms Ordinance</li> <li>• District 5 Polling Place Relocation</li> <li>• Ordinance to Limit Future Apartment Projects in the TC Zoning District</li> </ul>
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