



PUBLIC WELFARE COMMITTEE
Tuesday, September 13, 2016
South Conference Room

Minutes

1. Call to Order, Roll Call

Present:

Alderman Dale Mayr
Alderman Mark Gierl
Alderman John Wirth

Also Present: City Administrator Jones, Community Development Director Tollefson, City Attorney Sajdak, James Friedman, Chair Ethics Board, Executive Assistant Prosser

2. Approval of August 10, 2016 Meeting Minutes

The August 10, 2016 minutes were approved with recommended amendments offered by Alderman Wirth.

RESULT: **Approved with Amendments [Unanimous]**
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Gierl

AYES: Alderman Mayr, Alderman Gierl, Alderman Wirth
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3. Ordinances

An Ordinance Amending Chapter 58, Zoning Code As it Relates to Definitions and the Use of Single-Family Dwellings in the Residential Zoning District for Short Term and Long Term Rentals

Community Development Director Tollefson stated at the August Public Welfare Committee meeting, the Committee requested a few additions to the text that was recommended by staff. Ms. Tollefson noted the requested additions have been included in the text changes provided to the Committee. Ms. Tollefson went on to say Alderman Wirth has provided additional changes for short-term rentals as permitted accessory uses under the current zoning regulations for consideration by the Committee. The following changes were offered by Alderman Wirth: the owner shall be responsible for the conduct of all renters and shall be subject to a citation for municipal violations to the same extent as renters. These are in addition to the provisions in the text recommended by staff which include: a short term rental should be limited to 29 nights of rental, or less, annually; short term rentals should be limited to a maximum of six rental occurrences in a calendar year; a minimum two-night rental is required; single night rentals are prohibited; the maximum number of guests allowed for each

short term rental is the lesser of six or the occupancy standard set forth in Chapter 10; an application and payment of a fee; and standards for denial.

The Public Welfare Committee discussed the additional amendments provided by Alderman Wirth as well as regulations for short term rental of homes in single-family residential districts. Alderman Gierl indicated that he has always stated that the short term rentals were never prohibited.

RESULT: Tabled [Unanimous]
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Gierl

AYES: Alderman Mayr, Alderman Gierl, Alderman Wirth
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4. Discussion Items

Consideration of an Ordinance Amending the Mequon Municipal Code in Connection with Further Establishing Honesty Provisions within the City's Personnel Code

City Attorney Sajdak provided a history of the City's Ethics Code along with background on Alderman Gierl's 2014 request to add an honesty provision to the Ethics Code and the Personnel Code. Attorney Sajdak noted Alderman Gierl requested that the City revisit the matter and went on to provide further background on the recommendations of the Ethics Board and prior actions taken by the Public Welfare Committee.

Attorney Sajdak stated at the Committee's August meeting a discussion was held on whether there would be another statutory body available to hear complaints rather than the Ethics Board. Attorney Sajdak stated a review of the statutes and a discussion held with an employment law specialist indicated that there are no statutory bodies that exist that would offer more than what the Ethics Board currently provides.

The Committee went on to discuss what options would be available to enforce the honesty provision. Attorney Sajdak provided several options to discuss personnel matters; one option being a closed session to discuss the performance evaluation of an employee. Attorney Sajdak pointed out the closed session would need to relate to a specific individual that would be discussed.

Alderman Wirth stated he would like to see a process that would allow for a discussion to take place should a concern arise. Attorney Sajdak stated a provision could be added by which one Alderman could request an item to be placed on the agenda that specifically states a performance review as it relates to the handling of personnel matters. Alderman Wirth inquired whether a provision could be written to allow two aldermen or one alderman and the Mayor to request a personnel review. The Committee requested clarification on the process for aldermen to place an item on the agenda. Attorney Sajdak will confirm the process with the Committee.

Alderman Wirth moved to recommend the language in Section 2.205 and to withdraw the recommended changes to the Ethics Code. Alderman Gierl seconded the motion.

The Committee directed staff to come back to the next meeting a set of criteria for elected officials to initiate a review process.

RESULT: **Approved [Unanimous]**
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Gierl

AYES: Alderman Mayr, Alderman Gierl, Alderman Wirth
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Review of City Boards, Commissions & Committees

The Committee reviewed the Boards, Commissions and Committees general ordinance prepared by Alderman Wirth. Alderman Wirth stated the general ordinance would apply to all of the city’s boards, committees, and commissions, noting some would have their own requirements under state law.

Alderman Gierl mentioned he would like information on whether an elected official has the ability to be present by phone if they are unable to attend a meeting. City Attorney Sajdak stated the biggest concern would be if it would be allowed in a closed session. Alderman Mayr requested further information on telephonic meetings be provided to the Committee.

The Committee discussed Sec. 2.419-Qualificaitons: citizen members and alternate citizen members. A suggestion was made to include a provision stipulating that no more than one member of any city Board or Commission can be an elected official. Attorney Sajdak mentioned there are communities that have provisions that would allow for a non-citizen member to serve on certain bodies for the reason that their expertise and knowledge may be of value.

5. Information Items

2016-2017 Work Plan

Alderman Gierl requested that the topic promptness be included in the work plan. Alderman Mayr stated in the past a discussion was held on what should be a reasonable time frame on when an elected official would receive a response from city staff with regard to an inquiry.

Alderman Mayr offered to send staff information on what was discussed in the past. City Administrator Jones pointed out the topic of customer service standards is included in the Committee’s work plan for March, 2017, however will look to bring the topic for discussion in October.

6. Adjourn

The meeting was adjourned at 6:48 p.m.

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

AYES: Alderman Mayr, Alderman Gierl, Alderman Wirth
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