



City of Neenah
Committee on Rules Agenda
Wednesday, March 27, 2019 – 6:30 p.m.
Neenah City Hall
Hauser Room

- I. Call the meeting to order.
- II. Approval of the minutes of March 18, 2019.
- III. Review of draft Revisions to the Common Council Rules of Order
 - A. Consideration of Res. 2019-11 Adopting Changes to Rules of Order (Resolution and Memo Attached)
 - B. Consideration of Ord. 2019-11 Adopting various amendments to Neenah Code Chapter 2 relating Council, committee, boards and commissions operations.(Ordinance and Memo Attached)
- IV. Any announcements/questions for the Committee.
- V. Adjournment.

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CITY OF NEENAH
Committee on Rules
Monday, March 18, 2019 - 6:30 PM
Hauser Room - City Administration Building

Present: Aldermen Kunz and Hillstrom.

Also Present: Mayor Kaufert (arrived at 6:38), City Atty. Godlewski, Assistant City Atty VandenHeuvel (left at 7:55), and Council President Stevenson.

Excused: Ald. Steele

Chairman Kunz called the meeting to order at 6:32 pm.

City Attorney Godlewski indicated the purpose of today's meeting is to seek committee guidance on the issues to be addressed in revising Council rules and based on committee direction, staff will draft proposed changes to be presented back to the Committee at its next meeting. The goal is to provide a recommendation for Council action at the April 3, 2019 Council meeting.

Revisions to the Rules of Order of the Common Council

The Committee reviewed the Rules of Order of the Common Council:

1. The Committee discussed the effects of a tie vote in committee and agreed a tie vote should go to Council. The City Attorney will add language to that affect and submit that possible change with other changes to the Committee on Rules for consideration at a later date.
2. The Committee discussed the prohibition for Council President and / or Standing Committee Chairs to serve on the Plan Commission, Water Commission or Park & Rec Commission. The City Attorney will create new language to stress an equitable workload and to avoid a consolidation of power and submit that language with other changes to the Committee on Rules for consideration at a later date.
3. The Committee reviewed the responsibilities of the standing committees / permanent committees / boards / commissions and made no recommendations for changes.
4. The Committee discussed the use of unanimous consent and asked the City Attorney to create language to specify the use of unanimous consent at Council meetings only. This language will be submitted with other changes to the Committee on Rules for consideration at a later date.
5. The Committee discussed and reviewed other Council Rules and the ordinances on which the rules are based. Several suggestions were made to address issues of inconsistency and for greater clarification. One proposed change of substance involved the ability of an alderperson to speak at committee meetings in which they are not a member. The current rules do not address this subject. Assistant City Atty VandenHeuvel stated Robert's Rules does not allow a nonmember to

speak. After greater discussion a consensus was reach to allow for limited input from nonmembers. The City Attorney will create language to that affect and submit his interpretation with other changes to the Committee on Rules for consideration at a later date.

6. A tentative meeting date and time of March 28th at 4:00 pm was discussed at which time the committee will consider changes made by the City Atty to a draft proposal of Council rules with the goal to provide a recommendation to Council for the April 3rd meeting.

MSC Hillstrom / Kunz to adjourn at 8:13 p.m.

Respectfully submitted,

Christopher Kunz

Ald. Christopher Kunz
Chairman



M E M O R A N D U M

DATE: March 28, 2019
TO: Chairman Kunz and the Committee on Rules
FROM: Assistant City Attorney VandenHeuvel and City Attorney Godlewski
RE: Changes to Rules of Order for the Common Council

The Committee on Rules met on March 18, 2019 to discuss possible changes to the Rules of Order. From that meeting, Chairman Kunz asked the City Attorney's Office to draft the proposed rule changes discussed. There were five (5) substantive changes made to the Rules, along with several house-keeping/clean-up changes. The five substantive changes are addressed below.

1. Creating the distinction of "special council committees" and limiting "standing committees" to three. Currently there are references to both two and five standing committees. After discussion, it has been decided that there are only three standing committees as described in the rules: Public Services & Safety, Finance & Personnel, and Fire Rescue Joint Finance & Personnel. The other two committees, Committee on Rules, and Legislative Review will now be considered "special council committees." This change matches current practice. Standing committees meet at a regularly scheduled time and consist of more members, where as "special council committees" only meet when requested.
2. The current rules state that the chairman of a standing committee and council president cannot be on the Plan Commission, Water Commission, or Park and Rec Commission. After discussion, it was decided that the purpose of this rule was to ensure that work is distributed equally amongst all Council members and to assure there is not a consolidation of power among any one member. Based on this understanding, the prohibition has been removed and language was created addressing the goal of equitable division of work and limiting consolidation of power.
3. The current rules do not address what happens in the event of a tie or a motion that is not seconded in committee. The new rule states that all motions that receive a second shall be presented to Council with the result of the vote (approve, deny, or tie). Motions that do not receive a second will be considered dead in committee and not advance to Council.

4. There are currently no rules that address the ability of non-committee members to speak at committee meetings. After discussion, it was decided that rather than limit the non-members ability to speak, language would be added reminding non-committee members that they are not a part of the committee and should speak only when necessary at meetings. Additionally language was added allowing the Chair to determine when a non-committee member has spoken too much and refuse to call on them.
5. The last substantive change was to add the ability for the Chair of the Common Council to utilize “unanimous consent” for items that are non-controversial. Unanimous consent is often used for efficiency purposes to approve the day to day items the Council deals with. Examples would be approval of minutes, approval of the consent agenda, changing the order of the agenda to allow a speaker to speak earlier, ending debate. A member can always object to the unanimous consent, which then would require the motion to follow normal procedure.

For example:

Mayor: “If there is no objection, the minutes from the last council meeting will be adopted”

(if no objection)

Mayor: “Hearing no objection the minutes are approved.”

OR

Mayor: “If there is no objection the minutes from the last council meeting will be adopted”

Council Member: “I object”

Mayor: “Hearing an objection, can I have a motion to approve the minutes from the last council meeting.”

And then the normal motion/second/discussion/vote process occurs.

All of the other changes made were just to a create consistency, match current practice, or correct scrivener errors.



**RESOLUTION NO. 2019-11
A RESOLUTION AMENDING THE COUNCIL RULES OF ORDER**

WHEREAS, the Common Council has adopted rules of order to govern the operation of the Common Council, its various committees and procedural matters relating to its operations; and,

WHEREAS, over time, the rules and actual practice at times appear to be inconsistent; and,

WHEREAS, the Committee on Rules, with the Assistance of the City Attorney and Assistant City Attorney undertook to revise the rules to streamline and harmonize the operation of the Council and its committees;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEENAH, WISCONSIN this 3rd day of April, 2019 by the Common Council of the City of Neenah, Wisconsin that the Council Rules of Order are hereby amended by deleting the stricken language and adding the highlighted language to read as shown on Exhibit A, attached hereto.

Recommended by:

CITY OF NEENAH, WISCONSIN

Moved: _____

Dean R. Kaufert, Mayor

Passed: _____

Patricia A. Sturn, City Clerk

EXHIBIT A

RULES OF ORDER COMMON COUNCIL CITY OF NEENAH

1. The regular meetings of the Council shall be held on the first and third Wednesday of each month at 7:00 p.m. In case said Wednesday falls upon a legal holiday, such meeting shall be rescheduled as needed. The Council holds its organizational meeting on the third Tuesday in April, therefore, the regular meetings in April are held on the first Wednesday and the third Tuesday at 7:00 p.m. Election of Officers at the organizational meeting shall consist of the President of the Council. The Council President shall be a member of the ~~both~~ standing committees. There will be a public forum at each meeting with five minutes time given per speaker on any topic, with mayoral response at the Mayor's discretion immediately following each speaker. Mayor/Council response will follow close of the public forum. Speakers wishing to engage in dialogue will be asked to call their Aldermen, the Mayor or the appropriate department head, and/or to attend the appropriate committee meeting. Before recognizing the first speaker, the Mayor shall announce the forum procedures. While the forum is in session the Mayor, Council and all those in attendance shall refrain from conversing, whispering, commenting or moving about the Chambers while the speaker holds the floor. After all speakers have been heard, the Mayor shall declare the public forum closed. At the conclusion of the public forum, the Mayor shall call for Mayor/Council consideration of public forum issues. Before responding or recognizing an Alderman wishing to speak, the Mayor shall announce the procedures governing this portion of the agenda. The Mayor and Council may answer questions, take action, refer consideration to appropriate committees, or comment on public forum issues. For clarification, the Mayor and Council may ask questions of speakers, if necessary, but shall refrain from debate. During this portion of the meeting the Mayor, Council and all those in attendance shall refrain from conversing, whispering, commenting or moving about the Chambers while a speaker holds the floor.

2. The Council President and Chairman of the Finance and Personnel Committee, in succession, shall serve as Acting Mayor in the absence of the Mayor.

3. The agenda for all matters to be considered in regular session of the Council shall be delivered to all members two days preceding the meeting.

4. The Directors of Finance, Public Works ~~& Utilities~~, ~~and~~ Community Development & Assessment, City Attorney (or their designee), and City Clerk or Deputy Clerk, shall attend all Council meetings. All other department heads shall attend if requested in advance by the Mayor or any individual Alderman. The Mayor shall be seated in the center position in the Council Chambers. The City Attorney shall occupy the seat to the Mayor's left and the City Clerk or Deputy Clerk shall occupy the seat to the Mayor's right. The Director of Finance shall occupy the seat immediately to the right of the City Clerk and to his right the Council President shall be seated, the Director of Community Development & Assessment shall occupy seat immediately to the left of the City Attorney and to his left the Director of Public Works ~~& Utilities~~ shall be seated.

5. Beginning with the seat immediately to the left of the Director of Public Works & Utilities, the Council shall be seated sequentially in Aldermanic District order (1-2-3, 1-2-3, etc.) alphabetically within the district.

6. When the presiding officer (Mayor, Council President or Finance and Personnel Committee Chairman) shall proceed to have called the Council to order, attendance shall be recorded by each Alderman present responding to a voice roll call while simultaneously selecting yes/confirm on their remote for the Electronic Voting System, after which the screen will indicate those present and those absent. If a quorum is present (6 members shall constitute a quorum) the Council may proceed to transact business; a less number may compel the attendance of absent members or adjourn. This rule shall not be suspended, rescinded, or amended.

7. The Consent Agenda shall consist of items that are routine in nature (such as licenses and certified survey maps) that usually do not result in discussion by the Common Council. Any member may request an item in the Consent Agenda be removed and reported out under the appropriate committee reports prior to the final vote on the Consent Agenda.

8. The order of business shall be as follows:

- I. Roll Call and Pledge of Allegiance
- II. Introduction and Confirmation of Mayor's Appointments
- III. Approval of Council Proceedings
- IV. Public Hearings
- V. Plan Commission, Public Services & Safety Committee or Finance & Personnel Committee report pertaining to the Public Hearings
- VI. Public Forum
- VII. Mayor/Council consideration of public forum issues
- VIII. Consent Agenda
- IX. Reports of standing committees
- X. Reports of special committees and liaisons and various special projects committees
- XI. Presentation of petitions
- XII. Council Directives
- XIII. Unfinished Business
- XIV. New business
- XV. Adjournment

9. Departmental, special council, and standing committee functions

(a) The standing committees shall be Finance and Personnel, Public Services & Safety, ~~Legislative Review, Committee on Rules~~ and Neenah-Menasha Fire Rescue Joint Finance and Personnel. The standing committees shall be appointed by the Mayor and confirmed by the Council.

(b) The two special council committees shall be Legislative Review and Committee on Rules

~~(c)(b)~~—The Finance and Personnel Committee and the Public Services & Safety Committee shall be composed of four (4) Aldermen plus the President of the Council. The Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee shall be

composed of the Council President of both Neenah and Menasha, a member of the City of Neenah Finance and Personnel Committee, the Chairman of the City of Menasha Personnel Committee and one (1) alderman at large from both Neenah and Menasha.

At its first meeting the committee shall elect its chairman, ~~and~~ vice chairman ~~and secretary~~. The President of the Council shall not be chairman of any standing committees, with the exception of the Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee, but shall have voting power on each. The Mayor and/or the Council President will ensure an equitable division of work when appointing members to commissions and committees with the goal of distributing workload and not having a single member with a consolidated amount of power. ~~The elected chairmen of the standing committees, and the Council President, shall not be appointed to the Plan Commission, the Water Commission or the Park and Recreation Commission unless otherwise eligible Aldermen are unable to serve. The Chairman/President of a Committee/Board or Commission shall be a voting member of that Committee.~~

~~(d)~~(e) The Mayor shall be an ex-officio member of all standing committees and the Committee of the Whole with no voting power however he may vote on the Committee of the Whole in case of a tie.

~~(e)~~(d) Formation of the city budget shall be in accordance with Section 65.90 Wisconsin Statutes.

~~(f)~~(e) Each standing committee shall set specific dates of each month for the transaction of business relating to that committee. Special meetings may be called at the discretion of the chairman or two members of the committee. A quorum of the committee shall be three (3) of the five (5) members. It is desirable that committee meetings beginning after 6:00 p.m. be so planned as to permit adjournment by 10:00 p.m., or shortly thereafter. All committee recommendations shall be approved by the Council before going into effect unless final authority is delegated to the Standing Committee by ordinance or policy. The Committee shall report their recommendations to deny a motion/ordinance/resolution to the Council for confirmation. If the Council's vote to deny a motion/ordinance/resolution fails, that motion/ordinance/resolution does not automatically pass. A separate vote should be taken to adopt the motion/ordinance/resolution. Notification of all special or closed meetings of any committee shall be given to the entire Council and include the agenda for the meeting, strictly adhering to the OPEN MEETING LAW, Wis. Stats. §19.85.

(g) Each special council committee shall convene at the request of the chair or two members of the committee.

(h) Any motion that receives a second shall be presented to the Council with the recommendation it received (approve, deny, or tie). Any motion that fails to receive a second is considered dead in committee.

~~(i)~~(f) All requests for extensive research data to a department head by an individual shall be approved by the committee of jurisdiction.

~~(j)~~(g) Ordinances and resolutions can be introduced by any member of the Council and before being voted upon shall be referred to the City Attorney for approval as to form and validity. The City Attorney shall give an opinion on same. No ordinance shall be passed or adopted at the same meeting at which it is offered; in the event any member of the Council requests same to be laid over until the next meeting.

~~(k)(h)~~—Before the Council takes action on an annexation, a report from the Finance and Personnel Committee setting forth its recommendation following study and consideration of the financial and services impact submitted in accordance with Section 26.29 of the Municipal Code of Ordinances shall be presented.

~~(l)(i)~~—Department heads or their designees present at Council meetings shall be permitted to address the Council upon request by any individual Alderman or the Mayor without need for a vote of the entire Council.

~~(m)(j)~~—Minutes of executive sessions are to be delivered to all Aldermen within 7 working days following the session.

~~(n)(k)~~—The Chairman or President of any Committee, Board or Commission is a voting member of that body.

~~(o)(l)~~—All committees, boards, commissions or other organized city bodies shall file with the City Clerk a true and correct copy of the minutes of each regular, or other, meeting at which minutes shall be taken within 5 days after the date of each meeting. Any such committee, board, commission or other body, may, in lieu of such filing of a copy of the minutes of such meetings, deposit with the City Clerk the original record book containing such minutes, provided the same is filed with such 5 day period.

STANDING COMMITTEES:

FINANCE & PERSONNEL COMMITTEE

The Committee shall have jurisdiction over the activities of the City Attorney, City Clerk, Director of Finance, Director of Community Development and Assessment (Assessor functions only) and Director of Information Systems. It shall make recommendations on all bills and claims of the city, recommend to the Council wage and salary adjustments for represented employees, recommend all insurance and review all city contracts, rebates and claims with the City Attorney, consistent with claims policies approved by the Council. It shall investigate all sales and purchase of property involving the city, promote the development of the city and supervise all financial matters of the city for the purpose of keeping expenditures within the budget. The functions of the Committee shall also include, but not be limited to, monitoring adjustments to the non-represented employee salary plan, hear and review individual grievances of non-union personnel, and other salary and personnel related functions that may from time to time be assigned to said Committee by the Council.

All recommendations and actions by the Finance and Personnel Committee shall be approved by the Council before going into effect.

The agenda for all matters to be considered in regular session of the Committee shall be delivered to all members of the Council 48 hours prior to the regularly scheduled meeting.

PUBLIC SERVICES & SAFETY COMMITTEE

The Committee shall have jurisdiction over the Director of Public Works ~~& Utilities~~ who shall serve in an advisory capacity to the Committee, with no voting power, and all activities assigned to the Public Works Department. These activities include the

following: installation of traffic lights and signs, maintenance and building of streets, sidewalks, sewers and bridges, disposal of garbage and rubbish, elimination and disposal of environmental diseases~~Dutch Elm disposal~~, snow removal, slough control, construction, repair and improvements of all public land & buildings, including parks; sewer televising and clear water separation programs.

The Committee shall have jurisdiction over the Police Department in all matters which are not under the jurisdiction of the Police Commission.

It shall have jurisdiction over the Director of Community Development and Assessment (with the exception of the Assessor functions), Building Inspector, parking lots (except parking lots in city parks), parking meters, traffic control and all city inspectors. It shall confer with the Police Chief in regard to methods, equipment and means to increase the efficiency of the police department. The Committee shall be responsible for cemetery matters under Council jurisdiction.

Committee shall initiate long-range improvement programs, develop an annual budget for the above programs and provide an impact statement for all areas petitioning for annexation.

The Director of Public Works ~~& Utilities and Police Chief~~ shall attend; all meetings of the Committee unless otherwise excused. The Director of Parks and Recreation, ~~and~~ Director of Community Development & Assessment shall attend if requested by the Committee. The Chief of Police or a member of the police command staff (Chief, Assistant Chief or Captain) shall attend at the request of the committee but no less than quarterly to report on the activities of the Department and any crime trends and statistics that the Chief and committee determine as indicative of the condition of the community.

All recommendations and actions by the Public Services & Safety Committee shall be approved by the Council before going into effect, unless otherwise authorized by ordinance or policy.

NEENAH-MENASHA FIRE RESCUE JOINT FINANCE AND PERSONNEL COMMITTEE

The Committee shall have jurisdiction over the Fire Chief who shall serve in an advisory capacity to the Committee, with no voting power, and all activities assigned to the Neenah-Menasha Fire Rescue Department, except those assigned to the Joint Fire Commission. It shall confer with the Fire Chief in regard to methods, equipment and means to increase the efficiency of the department. The Fire Chief or his designee shall attend all meetings of the Committee. All actions of the Committee shall be approved by both Councils of Neenah and Menasha, before going into effect. Agendas for all meetings shall be delivered to all alderpersons at least 48 hours in advance.

Agendas for all matters to be considered in regular session shall be delivered to all members of the Council 48 hours prior to the regularly scheduled meeting.

SPECIAL COMMITTEES

COMMITTEE ON RULES

Three alderpersons shall constitute the Committee on Rules. The Committee shall meet at the call of the Chair, Mayor, the Council President or at the request of any two alderpersons and may compel the attendance of any department head or City officer necessary for the Committee to complete its work.

LEGISLATIVE REVIEW COMMITTEE

The Mayor, Council President and chair of the Finance and Personnel Committee shall constitute the Legislative Review Committee. The Committee shall meet at the call of the Mayor, Council President or at the request of any two alderpersons and may compel the attendance of any department head or City Officer necessary for the Committee to complete its work. The Legislative Review Committee shall review proposed legislation of interest to the City of Neenah being considered by the Wisconsin Legislature or the U. S. Congress and make recommendations to the Council for official position.

~~NEENAH-MENASHA FIRE RESCUE JOINT FINANCE AND PERSONNEL COMMITTEE~~

~~The Committee shall have jurisdiction over the Fire Chief who shall serve in an advisory capacity to the Committee, with no voting power, and all activities assigned to the Neenah-Menasha Fire Rescue Department, except those assigned to the Joint Fire Commission. It shall confer with the Fire Chief in regard to methods, equipment and means to increase the efficiency of the department. The Fire Chief or his designee shall attend all meetings of the Committee. All actions of the Committee shall be approved by both Councils of Neenah and Menasha, before going into effect. Agendas for all meetings shall be delivered to all alderpersons at least 48 hours in advance.~~

10. Special committees may be appointed whenever the Council shall so order and shall be selected by the Mayor or presiding officer, unless otherwise specifically ordered. The ~~two (2)~~ three (3) Council standing committees have the authority to establish ad hoc subcommittees and to have ad hoc committee members who may be citizen members. Ad hoc committees may also be established by the Council and/or Mayor with membership confirmed by the Council that may report directly to the Council. All subcommittee recommendations or actions must be brought back to the appropriate standing committee before being brought to the Council for approval. All referrals to standing committees by the Council shall be reported back to the Council on a timely basis with committee recommendations. All special committees or ad hoc committees established by the Council or established by the standing committees shall comply with OPEN MEETING LAW, Chapter 426, laws of 1975.

11. Non-Committee members who attend committee meetings shall be allowed to speak at committee after receiving permission from the chair. Non-Committee members should be mindful that they are not on the specific committee and that only committee members have the authority to deliberate and make recommendations. If at any time the Chair believes a non-committee member has over-stepped in their involvement in the

discussion, the Chair may refuse to call on the non-committee member, thus ending the non-committee member's involvement.

124. All demands, claims, or accounts against the city, except as otherwise provided by ordinance or policy, shall be referred to and reported on by one of the standing committees before they are allowed by the Council. All claims against the city for material or labor shall be in the hands of the Director of Finance at least forty-eight (48) hours before the Council meeting at which action on said bills is to be taken.

132. Petitions and remonstrance may be read at length by the member presenting the same with Council permission, or by the presiding officer or City Clerk unless otherwise ordered.

143. When any member is about to speak in debate or deliver any matter to the Council he/she shall obtain recognition from the chair and respectfully address himself/herself to the question under consideration, and avoid personalities, and he/she shall not be interrupted except by ~~a call to order~~ an appropriate action.

154. When any member is called to order he/she shall cease speaking until it shall be determined whether he/she is in order or not, except he/she shall be permitted to explain.

165. No member present at any meeting of the Council shall ~~withdraw~~ from the Council Chambers without permission from the chair, and any member so withdrawing shall be punished by reprimand.

17. For motions that are noncontroversial, and when law does not require a roll call vote, the Chair may request unanimous consent to approve a motion. The Chair may state "If there is no objection (insert action to be taken)." If any member objects, the normal procedure for approval shall take place. If there is no objection, the action is approved without a motion, second, discussion, or vote. Such approval shall be reflected in the minutes as "approved unanimously" or "approved without objection."

186. The ayes and nays shall be ordered upon any question at the request of any member. Roll call votes shall utilize the Electronic Voting System when applicable. If the system is unable to be used, the Clerk shall call the roll of the members in rotating order, the first vote beginning with the Alderman seated at the Director of Public Works & Utilities' immediate left. The City Clerk shall enter in the minutes the names of the members voting in the affirmative and those voting in the negative. In confirmation and on the adoption of the measure assessing or levying taxes, appropriating or disbursing money or creating any liability or charge against the city or any fund thereof, the votes shall be ayes and nays. This rule shall not be suspended, rescinded or amended.

197. When a motion has been decided, it shall be in order for any member of the majority, or in case of a tie, for any member to move a reconsideration thereof at the same or succeeding meeting, but if the motion to reconsider is made on a subsequent day to that on which the original motion and question was decided a vote of a majority of the entire Council shall be required to sustain it.

2048. Where the presiding officer shall fail to put the question on a motion that is in order, any member may put the question.

2149. Any member may call for the previous question and only one second shall be necessary. A two-thirds vote of the members present shall be necessary for concurrence.

220. Any member who has been declared out of order and who shall continue to be out of order after being reprimanded by the chair, may by a two-thirds vote of the other

members present, be expelled from the Council Chambers. A city policeman ~~man~~ officer may act in the capacity of Sergeant-at-Arms in all such cases, by Council direction.

~~23~~4. The presiding officer must abide by the intent of the officially adopted Rules of Order and as a member of the Council is subject to these Rules of Order.

~~24~~2. Any person in the gallery guilty of disorder, loud noises and failure to abide by call to order of the chair, may by order of a majority of the Council, be expelled or arrested by a city policeman ~~man~~ officer acting in the capacity of the Sergeant-at-Arms under direction of the Council.

~~25~~3. In cases not covered specifically by these rules, guidance is to be obtained by the use of Robert's Rules of Order.

~~26~~4. No rule shall be suspended without the concurrence of two-thirds of the members present.

~~27~~5. A majority vote of the entire Council shall be necessary to rescind or change any standing rule of order.

~~28~~6. When vacancies occur, the Mayor shall inform all Council members ~~and the news media~~ of the position and its duties. Application for nominations to these vacancies may be made to any Alderman or the Mayor. Appointive vacancies to be filled shall be included on the agenda of the Council meeting preceding the Council meeting at which the appointments will be made and confirmed. Applications for appointments are available in the City Clerk's Office.

COUNCIL DIRECTIVES

History: It appears that Council Directives first appeared in the early 1980's. Early directives were for Department Heads to provide the Council with periodic updates on the progress regarding previously taken Council actions. Since the early 1980's the use directives has expanded to include many things from simple requests for information to instructions for extensive staff work leading to major changes in city programs or policies. There has not been a written definition or procedure established regarding Council Directives. The Committee on Rules has been requested to rectify this situation.

Definition: Council Directives are instructions issued by the Council typically to Department Heads (or Committee, Boards, Commissions, Staff groups or other sections of the City's government). They will be directed at developing plans for the city, establishing and/or modifying municipal programs or the development and/or the changing of policies of the city. They will contain a target date for completion and a progress report timetable.

Establishment of Directives: Any alderperson may propose a Directive during ~~the XII.~~ Council Directives section of the meeting. The Directive shall be proposed in the form of a motion and shall require a second from another alderperson. To be placed on the current list of Directives a majority of the Council must vote for its inclusion. The vote by the Council shall occur at the next meeting following its proposal. This delay is for two purposes; one, to allow other alderpersons to familiarize themselves with the issues involved and, two, to allow the alderperson proposing the Directive and the Department

Head (or Others) to develop target dates and a reporting schedule. Upon receiving such a vote the clerk will assign the Directive the next consecutive number and add it to the current listing. In adding a Directive, a review schedule shall be attached so that progress in achieving results will be tracked. It is expected that the person (or group) responsible for working on the Directive will provide periodic updates as requested.

Timing: Council Directives shall appear as Section XV. at all regularly scheduled Council meetings.

Removal of Directives: Council Directives may be removed from the current listing by the following actions:

- The majority of the Council agrees (by vote) that the Directive has been satisfactorily completed and/or is deemed no longer necessary.

Requests for Information of Department Heads, etc.: Requests of Department Heads (and others in city government) for the study of issues of general interest, for reviews of existing ordinances, statutes or regulations or to monitor progress on city topics and actions may be made by any alderperson. No second or Council action is required for such requests even if made from the Council floor. It is expected that all reasonable requests will be answered in an appropriate timeframe. It should be noted that Section 8 g. of the Council Rules may apply to some requests. (Section 8 g. "All requests for extensive research data to a Department Head by an individual shall be approved d by the committee of jurisdiction".)

~~This proposal submitted September 6, 1996 by William J. Mattes~~



M E M O R A N D U M

DATE: March 25, 2019
TO: Chairman Kunz, members of the Rules Committee
FROM: City Attorney Jim Godlewski and Assistant City Attorney Adam VandenHeuvel
RE: Ord 2019-11 Relating to various amendments to Neenah Code Chapter 2

Attached you will find proposed Ord. 2019-11 amending various provision in Neenah Code Chapter 2 relating to various aspects of City administration related to Council rules of procedure. This memo will summarize those changes:

- Sec. 1: This amendment eliminates the statutory bond requirement, replacing is with statutory dishonesty insurance. In practice, the City has not required bonding and instead has carried the required insurance through CVMIC.
- Sec. 2: This amendment makes the Committee on Rules and the Legislative Review Committee Regular Special Committees.
- Sec. 3: Modifies the duties of the Finance & Personnel Committee regarding budgeting to overseeing the implementation of the annual City budget, since the Committee of the Whole oversees the development of the annual budget.
- Sec. 4: Modifies the attendance requirement for the PSSC by reducing the frequency of police attendance at committee meetings to quarterly attendance, and modifies the committee's jurisdiction relating to environmental disease. It also eliminates obsolete references to the Board of Health and City Physician.
- Sec. 5 & 6: Renumbers several sections to make room for the joint Fire Rescue Finance & Personnel Committee. Also, clarifies the quorum requirement and various other minor changes reflective of actual practice. Sec. 6 also clarifies that the Committee of the Whole supervises the development of the budget, consistent with current practice.
- Sec. 7: Eliminates reference to an "alternate representative" from the Park & Recreation Commission on the Plan Commission. Eliminates the 2/3 vote requirement for the aldermanic and Park and Recreation representative on the Commission.
- Sec. 8: Spells out that the Plan Commission one member of Plan Commission should be a member of the school board.
- Sec. 9: Emergency Government: clarifies that the Emergency Government Committee is composed of City Department Heads in addition to the Mayor.
- Sec. 10: eliminates obsolete language from the initial appointments to the CDA after creation by the City.

Also attached is Chairman Kunz' notes on various provisions in the code relating to Committee / Council procedure.



AN ORDINANCE: by the Rules Committee
Re: Amending Neenah Code §2-21(c)(2), replacing bonding requirements with dishonesty insurance, and further amending various sections of Neenah Code Chapter 2 relating to, procedural matters of the Common Council, Standing Committees, Special Committees, and Boards & Commission

ORDINANCE NO. 2019-11

Introduced: _____

Committee/Commission Action: _____

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

Section 1. Section 2-21(c)(2) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

(2) *Official bonds.* ~~A bond of not less than \$500,000.00 shall be required of the Director of Finance~~ In lieu of the bond required by Wis. Stat. §62.09(4)(b), Common Council elects to obtain the appropriate dishonesty insurance covering the acts of the officers of the City, as permitted by state law, the cost of which shall be borne by the City-

Section 2. Division 2 Title and Section 2-81 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

DIVISION 2. – STANDING & SPECIAL COMMITTEES

Sec. 2-81 *Generally*

(a) Standing Committees. The standing committees of the Common Council shall be the Finance and Personnel Committee; the Public Services and Safety Committee; ~~the Legislative Review Committee; the Committee on Rules~~ and the Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee. The Mayor at the organizational meeting of the Common Council shall make appointments to all standing committees and boards of the

Council, except Council representatives on Boards and Commissions shall be appointed by the Council President. Alderman members shall have one-year assignments on standing committees. The Mayor shall appoint the members of all committees, boards and commissions, other than members named by title, subject to confirmation by majority vote of the Council, unless specifically provided otherwise, except the members of the Board of Public Works who are confirmed by a two-thirds vote of the Council. The standing committees and their jurisdiction are as set forth in this division.

(b) Regular Special Committees. The Regular Special Committees of the Common Council shall be the Legislative Review Committee; and the Committee on Rules. The regular special committees shall be composed of three alderman and shall meet at the call of the committee chair or any two members of the committee.

Section 3. Section 2-82(c) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

(c) *City budget.* The annual City budget shall be developed in accordance with Wis. Stats. § 65.90. The Committee shall supervise the ~~development~~ implementation of the annual City budget, subject to Council direction.

Section 4. Section 2-83 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 2-83. - Public Services and Safety Committee.

(a) *Composition and attendance.* The Public Services and Safety Committee shall be composed of four Aldermen and the Council President. In addition, the Director of Public Works ~~and Police Chief~~ or designees shall attend all meetings of the Committee unless otherwise excused. One of the Police Department Command Staff (Chief, Assistant Chief or Captain) shall attend committee meetings at least quarterly, or as requested by the Committee. The Director of Parks and Recreation, Director of Public Health and Director of Community Development shall attend if requested by the Committee.

(b) *Jurisdiction and duties.* The Committee shall have jurisdiction over the Director of Public Works who shall serve in an advisory capacity to the Committee, with no voting power, and all activities assigned to the Public Works Department. These activities include the following: installation of traffic lights and signs, maintenance and building of streets, sidewalks, sewers and bridges, disposal of garbage and rubbish, elimination and disposal of environmental disease ~~Dutch-Elm disposal~~, snow removal, slough control, construction, repair and improvements of all public land and buildings, including parks; sewer televising and clear water separation programs. The Committee shall have jurisdiction over the ~~Director of Public Health and the~~ Police Department in all matters that are not under the

jurisdiction of the ~~Board of Health or~~ Police Commission, respectively. It shall have jurisdiction over the Director of Community Development and Assessment, Building Inspector, parking lots, parking meters, traffic control and all City inspectors. It shall confer with the Police Chief in regard to methods, equipment and means to increase the efficiency of the police department. ~~It shall have jurisdiction over the City Physician.~~ The Committee shall be responsible for cemetery matters under Council jurisdiction.

(c) *Long-range capital planning, annual capital improvements and annexations.* The Committee shall initiate long-range improvement programs, develop an annual budget for the above programs and provide an impact statement for all areas petitioning for annexation.

(d) *Licensing.* The Committee shall investigate, as to compliance with State and local laws, and provide a recommendation on all applications for licenses under Council jurisdiction. The Committee shall conduct hearings related to denials or revocations of licenses under Council jurisdiction. Any such hearings shall be conducted in accordance with the requirements of Wis. Stats. ch. 68.

Section 5. Sections 2-84, 2-85 and 2-86 of the Code of Ordinances of the City of Neenah are renumbered as 2-85, 2-86, and 2-87 respectively and current Section 2-87 is renumbered as 2-84 and the title is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 2-~~87~~84. - Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee.

Section 6. Current Section 2-86 (renumbered as 2-87 by Section 5 above) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 2-~~86~~87. - Miscellaneous organizational provisions.

(a) *Committee organization.* At the organizational meeting of the Common Council, each standing committee, except the ~~Board of Public Works~~ Neenah Menasha Fire Rescue Finance & Personnel Committee, shall elect its chair, vice-chair and secretary. The President of the Council shall not be chairman of any standing committees, but shall have voting power on each. The elected chairmen of the standing committees, and the Council President, shall not be appointed to the Plan Commission, the Water Commission or the Park and Recreation Commission unless otherwise eligible Aldermen are unable to serve. The Mayor shall be an ex officio member of all standing committees with no vote on any committee.

(b) *Regular and special meetings; quorum.* Each standing committee shall set specific dates of each month for the transaction of business relating to that committee. A quorum of the committee shall be ~~three of the five~~ a majority of the members. Committee meetings beginning after 6:00 p.m. shall be so planned as to permit adjournment by 10:00 p.m., or shortly thereafter. Each standing committee shall determine its meeting days, times and

frequency. Notification of all special or closed meetings of any committee shall be given to the entire Council and include the agenda for the meeting, strictly adhering to the Open Meetings Law, Wis. Stat. [ch. 19](#), subch. V. Special meetings of any standing committee may be scheduled by the Mayor, the committee chair, or at the request of any two committee members

- (c) *Effect of committee action.* The Council shall approve all committee recommendations before they go into effect, unless otherwise directed or delegated by the Council.
- (d) *Agendas.* Agendas for all matters to be considered in regular session of any committee, board or commission shall be delivered to all members of the Council 48 hours prior to the regularly scheduled meeting. Additional matters may be considered without prior notice by consent of a majority of the Committee, subject to the requirements of the Open Meetings Law, Wis. Stats. Ch. 19, Subch. V (Wis. Stats. § 19.81 et seq.).
- (e) *Minutes.* Minutes of executive sessions are to be delivered to all Aldermen within seven working days following the session. All committees, boards, commissions or other organized City bodies shall file with the City Clerk a true and correct copy of the minutes of each regular, or other, meeting at which minutes shall be taken within five days after the date of each meeting.
- (f) *Committee of the Whole.* The Mayor and the Aldermen shall constitute the Committee of the Whole. The Council President shall serve as the Chair of the Committee of the Whole and the Mayor shall be allowed to vote only in case of a tie. The Committee of the Whole shall make recommendation to the Common Council as to all matters to come before it. [The Committee of the Whole shall supervise the development of the annual and capital budgets for the City](#)
- (g) *Council rules of order.* The Council may provide for such other rules, as it deems advisable for its operation.

Section 7. Section 2-167 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 2-167. - Plan Commission.

- (a) *Composition.* The Plan Commission shall consist of the Mayor, who shall be its presiding officer, the Director of Public Works, a representative of the Park and Recreation Commission (~~or alternate representative who shall be counted for quorum and voting purposes only if the representative was unavailable~~) appointed by the Chairman of the Park and Recreation Commission for a one-year term, an alderman, a member of the Board of Education who is a resident of the City and three residents.

- (b) *Appointment.* The Alderman and the Board of Education members shall be appointed by a ~~two-thirds~~ majority vote of the entire Council each April. The Mayor shall appoint one resident member annually each April for a term of three years. Such appointed members of the Commission shall commence their terms on May 1.
- (c) *Powers and duties.* The Plan Commission shall have such powers as are conferred upon it by law and shall perform such further duties as are imposed upon it by the Council.

Section 8. Section 2-169(a) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 2-169. - Park and Recreation Commission.

- (a) *Composition; organization.* The Park and Recreation Commission shall consist of nine members, appointed by the Mayor, subject to confirmation by a majority of all the members of the Council. One of the commission members shall be a representative from the Common Council; another shall be a member of the Board of Education or designee, who is a resident of the City. The term of office of each member shall be three years, ending on December 31, except for the representatives from the Common Council whose term shall be one year, ending on the third Tuesday of April. All members of the Commission shall serve without salary or other compensation. A majority of such Commission shall constitute a quorum for the transaction of business.

Section 9. Section 2-172(a) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 2-172. - Emergency Government Committee.

- (a) *How constituted.* The Emergency Government Committee shall consist of the Mayor, City Department Heads, and as many additional members as may be determined by the Council by resolution. The members of the Commission shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve without compensation. The Mayor shall serve as Chairman of the ~~Commission~~ Committee and the Civil Defense Director shall serve as Secretary of the ~~Commission~~ Committee.

Section 10. Section 2-203(b) (Community Development Authority) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

- (b) *Appointment.* The Commissioners shall be appointed by the Mayor with the confirmation of the Common Council. Two of the Commissioners shall be members of the Common Council and shall serve during their term of office

as council members. The ~~first appointments of the five noncouncil members shall be for the following terms: two for one year and one each for terms of two, three and four years. Thereafter, the~~ terms of noncouncil members shall be four years and until their successors are appointed and qualify. Vacancies shall be filled for the unexpired term as provided for in this subsection. A certificate of appointment of a Commissioner shall be filed with the City Clerk and shall be conclusive evidence of the due and proper appointment of such Commissioner.

Section 11. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 12. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Approved:

Moved by: _____

Dean R. Kaufert, Mayor

Adopted: _____

Attest:

Approved: _____

Published: _____

Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:
City Attorney James G. Godlewski
211 Walnut Street
Neenah, WI 54956
State Bar No. 1005210

Sec. 2-21. - Generally.

- (a) *Elected officials.* Elected officials of the City shall be a Mayor and three Aldermen from each Aldermanic District as provided for in Charter Ordinance 2005-1.
- (b) *Appointed officials.* The appointed officials shall be as provided for in Charter Ordinance 2005-1.
- (c) *Qualifying.*
 - (1) *Oath.* Every person elected or appointed to an office shall take and file the oath within ten days after notice of his election or appointment.
 - (2) *Official bonds.* A bond of not less than \$500,000.00 shall be required of the Director of Finance, the cost of which shall be borne by the City.
 - (3) *Certificate of appointment.* When an appointed official has filed the oath and bond as required, the City Clerk shall issue a certificate of appointment.
- (d) *Removals.*
 - (1) *Elected officers.* Elected officers may be removed by recall as provided in Wis. Stats. § 9.10 or by the Common Council, for cause pursuant to Wis. Stats. §§ 17.12(1)(d) and 17.16.
 - (2) *Appointed officers.* Appointed officers may be removed as provided in Wis. Stats. §§ 17.12(1)(c) and (d) and 17.16, except as provided otherwise by Charter ordinance.
- (e) *Vacancies.*
 - (1) *How occurring.* Vacancies in elected or appointed positions are causes as provided in Wis. Stats. §§ 17.03 and 17.035.
 - (2) *How filled.* Vacancies in elective and appointive offices shall be filled as provided in Wis. Stats. § 17.23.
- (f) *Salary.*
 - (1) Salaries of all elected and appointed officials, including members of boards and commissions, shall be as determined by the Common Council from time to time, provided the salary of the Mayor and members of the Council shall not be increased during their terms of office. (See Wis. Stats. § 66.0505)
 - (2) The Mayor, in addition to the salary as set forth in subsection 2-22(g) of this Code, shall be allowed to participate in the City Hospital-Surgical-Dental Insurance Program. The office of Mayor shall also be covered by the applicable State elected officials retirement program, as well as the State life insurance program. No other fringe benefits shall accrue to the office of Mayor.

(Ord. No. 1283, § 1(1.03), (1.04(1)(b), (c), (2), (3)), (1.05)—(1.08), 3-2-2005; Ord. No. 1338, §§ 1, 2, 8-16-2006)

ARTICLE III. - COMMON COUNCIL [\[2\]](#)

Footnotes:

--- (2) ---

State Law reference— Common councils generally, Wis. Stats. § 62.11.

DIVISION 1. - GENERALLY

Sec. 2-56. - Rules of procedure.

The rules of procedure as used by the Common Council are adopted by reference as a part of this Code as though set forth herein in full.

(Ord. No. 1283, § 1, 3-2-2005)

Sec. 2-57. - Aldermanic districts.

There are hereby created three Aldermanic Districts within the City as described by Ordinance 2011-21 and shown on a map, both on file at City Hall.

(Code 1977, § 1.04(1)(b); Ord. No. 2011-21, § 1, 10-5-2011)

Sec. 2-58. - Aldermen.

- (a) *Number elected.* Three Aldermen shall be elected from each Aldermanic District.
- (b) *Time of taking office.* The regular term of office of the Mayor and Aldermen shall commence on the third Tuesday of April succeeding their election. The regular term of all other elected and appointed officials shall commence on May 1 following their election or appointment, except officers appointed for indefinite terms, who shall take office upon appointment and qualification, and except as otherwise provided by this Code.
- (c) *Aldermanic salaries.* Aldermen shall be compensated \$5,280.00 on an annualized basis for aldermanic terms beginning on or after April, 2018. Aldermanic salaries shall be paid in monthly installments of one-twelfth the annualized pay. The President of the Common Council shall be paid an additional \$60.00 per month.

(Code 1977, § 1.04(1)(b); Ord. No. 1282, § 1(1.04(3), 2-2-2005; Ord. No. 2013-3, § 1, 2-6-2013; Ord. No. 2013-18, § 1, 11-19-2013; Ord. No. 2017-13, § 1, 7-19-2017)

State Law reference— Term of office, Wis. Stats. § 62.09(5); compensation of mayor and Aldermen, Wis. Stats. § 62.09(6).

Secs. 2-59—2-80. - Reserved.

DIVISION 2. - STANDING COMMITTEES

Sec. 2-81. - Generally.

I believe there should only be 2 standing comm. – F&P and PS&S. All other ordinances refer to only 2 standing comm.

The standing committees of the Common Council shall be the Finance and Personnel Committee; the Public Services and Safety Committee; the Legislative Review Committee; the Committee on Rules and the Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee. The Mayor at the organizational meeting of the Common Council shall make appointments to all standing committees and boards of the Council. Alderman members shall have one-year assignments on standing committees. The Mayor shall appoint the members of all committees, boards and commissions, other than members named by title, subject to confirmation by majority vote of the Council, unless specifically provided otherwise, except the members of the Board of Public Works who are confirmed by a two-thirds vote of the Council. The standing committees and their jurisdiction are as set forth in this division.

(Ord. No. 1255, § 2(1.56), 3-17-2004; Ord. No. [2015-4](#), § 1, 3-4-2015)

Is this a statute or a Robert's Rule? committee.

Does the Mayor really appoint all positions? Waterworks say appointed by Council.

- (a) *Composition and attendance.* The Finance and Personnel Committee shall be composed of four Aldermen and the Council President. In addition, the Director of Finance and City Attorney or designee shall attend all meetings of the Committee unless otherwise excused.
- (b) *Jurisdiction and duties.* The Finance and Personnel Committee shall have jurisdiction over the activities of the City Attorney, City Clerk, Director of Finance, Director of Human Resources and Safety, City Assessor and Director of Information Systems. It shall make recommendations on all bills and claims of the City, recommend to the Council wage and salary adjustments for represented employees, recommend all insurance and review all City contracts, rebates and claims with the City Attorney, consistent with claims policies approved by the Council. It shall investigate all sales and purchase of property involving the City, promote the development of the City and supervise all financial matters of the City for the purpose of keeping expenditures within the budget. The functions of the Committee shall also include, but not be limited to, monitoring adjustments to the nonrepresented employee salary plan, hear and review individual grievances of nonunion personnel, and other salary and personnel related functions that may from time to time be assigned to said Committee by the Council.
- (c) *City budget.* The annual City budget shall be developed in accordance with Wis. Stats. § 65.90. **The Committee shall supervise the development of the annual City budget, subject to Council direction.**
- (d) *Director of Human Resources and Safety.* There is created the office of Director of Human Resources and Safety. The Director of Human Resources and Safety shall regularly survey personnel rules and regulations currently practiced in private industry and governmental entities pertaining to benefit plans, sick leave, vacations, health insurance and similar matters and determine all controversies and disputes in such matters existing between the City and its employees, officers and officials subject to review by the Committee and the approval of the Council.
- (e) *Annexations.* Before the Council takes action on an annexation, a report from the Finance and Personnel Committee setting forth its recommendation following study and consideration of the financial and services impact submitted in accordance with this Code shall be presented.

(Ord. No. 1255, § 2(1.56(6)), 3-17-2004; Ord. No. 2013-6, §§ 1, 2, 3-6-2013)

Sec. 2-83. - Public Services and Safety Committee.

- (a) *Composition and attendance.* The Public Services and Safety Committee shall be composed of four Aldermen and the Council President. In addition, the Director of Public Works and Police Chief or designees shall attend all meetings of the Committee unless otherwise excused. The Director of Parks and Recreation, Director of Public Health and Director of Community Development shall attend if requested by the Committee.
- (b) *Jurisdiction and duties.* The Committee shall have jurisdiction over the Director of Public Works who shall serve in an advisory capacity to the Committee, with no voting power, and all activities assigned to the Public Works Department. These activities include the following: installation of traffic lights and signs, maintenance and building of streets, sidewalks, sewers and bridges, disposal of garbage and rubbish, Dutch Elm disposal, snow removal, slough control, construction, repair and improvements of all public land and buildings, including parks; sewer televising and clear water separation programs. The Committee shall have jurisdiction over the Director of Public Health and the Police Department in all matters that are not under the jurisdiction of the Board of Health or Police Commission, respectively. It shall have jurisdiction over the Director of Community Development, Building Inspector, parking lots, parking meters, traffic control and all City inspectors. It shall confer with the Police Chief in regard to methods, equipment and means to increase the efficiency of the police department. It shall have jurisdiction over the City Physician. The Committee shall be responsible for cemetery matters under Council jurisdiction.
- (c) *Long-range capital planning, annual capital improvements and annexations.* The Committee shall initiate long-range improvement programs, develop an annual budget for the above programs and provide an impact statement for all areas petitioning for annexation.

- (d) *Licensing.* The Committee shall investigate, as to compliance with State and local laws, and provide a recommendation on all applications for licenses under Council jurisdiction. The Committee shall conduct hearings related to denials or revocations of licenses under Council jurisdiction. Any such hearings shall be conducted in accordance with the requirements of Wis. Stats. ch. 68.

(Ord. No. 1255, § 2(1.56(7)), 3-17-2004)

Sec. 2-84. - Legislative Review Committee.

- (a) *Composition, meeting and attendance.* The Mayor, the Council President and the chair of the Personnel and Finance Committee shall constitute the Legislative Review Committee. The Committee shall meet at the call of the Mayor, the Council President or at the request of any two Aldermen and may compel the attendance of any department head or City officer necessary for the Committee to complete its work.
- (b) *Duties.* The Legislative Review Committee shall review proposed legislation of interest to the City being considered by the Wisconsin Legislature or the U.S. Congress and make recommendations to the Council for official position.

(Ord. No. 1255, § 2(1.56(8)), 3-17-2004)

Sec. 2-85. - Committee on Rules.

- (a) *Composition, meeting and attendance.* Three Aldermen shall constitute the Committee on Rules. The Committee shall meet at the call of the Chair, Mayor, the Council President or at the request of any two Aldermen and may compel the attendance of any department head or City officer necessary for the Committee to complete its work.
- (b) *Duties.* The Committee on Rules shall review and recommend changes to all procedural rules applicable to the operation of the Common Council and committee, commissions and boards of the City.

(Ord. No. 1255, § 2(1.56(9)), 3-17-2004)

Sec. 2-86. - Miscellaneous organizational provisions.

NMFR also would not elect it chair at the organization meeting. And no committee elects a secretary.

- (a) *Committee organization.* At the organizational meeting of the Common Council, each standing committee, except the Board of Public Works, shall elect its chair, vice-chair and secretary. The President of the Council shall not be chairman of any standing committees, but shall have voting power on each. The elected chairmen of the standing committees, and the Council President, shall not be appointed to the Plan Commission, the Water Commission or the Park and Recreation Commission unless otherwise eligible Aldermen are unable to serve. The Mayor shall be an ex officio member of all standing committees with no vote on any committee.

More than 2 standing comm.

impossible

- (b) *Regular and special meetings; quorum.* Each standing committee shall set specific dates of each month for the transaction of business relating to that committee. A quorum of the committee shall be three of the five members. Committee meetings beginning after 6:00 p.m. shall be so planned as to permit adjournment by 10:00 p.m., or shortly thereafter. Each standing committee shall determine its meeting days, times and frequency. Notification of all special or closed meetings of any committee shall be given to the entire Council and include the agenda for the meeting, strictly adhering to the Open Meetings Law, Wis. Stat. ch. 19, subch. V. Special meetings of any standing committee may be scheduled by the Mayor, the committee chair, or at the request of any two committee members.

Another issue with standing comm – some only have 3 members

Mentioned below in Agendas

- (c) *Effect of committee action.* The Council shall approve all committee recommendations before they go into effect, unless otherwise directed or delegated by the Council.

Several committees can take action without Council input

- (d) *Agendas.* Agendas for all matters to be considered in regular session of any committee, board or commission shall be delivered to all members of the Council 48 hours prior to the regularly scheduled meeting. Additional matters may be considered without prior notice by consent of a majority of the Committee, subject to the requirements of the Open Meetings Law, Wis. Stats. Ch. 19, Subch. V (Wis. Stats. § 19.81 et seq.).
- (e) *Minutes.* Minutes of executive sessions are to be delivered to all Aldermen within seven working days following the session. All committees, boards, commissions or other organized City bodies shall file with the City Clerk a true and correct copy of the minutes of each regular, or other, meeting at which minutes shall be taken within five days after the date of each meeting.
- (f) *Committee of the Whole.* **The Mayor and the Aldermen shall constitute** the Committee of the Whole. The Council President shall serve as the Chair of the Committee of the Whole and the Mayor shall be allowed to vote only in case of a tie. The Committee of the Whole shall make recommendation to the Common Council as to all matters to come before it.
- (g) *Council rules of order.* The Council may provide for such other rules, as it deems advisable for its operation.

(Ord. No. 1255, § 3, 3-17-2004; Ord. No. 2013-6, § 3, 3-6-2013)

Sec. 2-87. - Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee.

- (a) *Organization and appointment.* The Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee shall consist of six Aldermen, three from Neenah and three from Menasha and shall include the Council Presidents of both cities, a member of the Neenah Finance and Personnel Committee, **the Chair of the Menasha Finance and Personnel Committee**, and two Aldermen at large, one appointed by the Mayor of Neenah from the Neenah Common Council and one appointed by the Mayor of Menasha from the Menasha Common Council. The at-large Aldermen shall be appointed for one-year terms that may be renewed. **In the event that the Chair of either the Neenah Finance and Personnel Committee or the Menasha Finance and Personnel Committee is also the President of the respective Council, then the Mayor of that city shall appoint one additional at-large Alderman so that at all times each city shall have three representatives to this Committee.**
- (b) *Powers and duties.* The oversight of the day-to-day operations and budgetary matters of the Neenah-Menasha Fire Rescue shall be conducted by the Neenah-Menasha Fire Joint Finance and Personnel Committee. The Committee shall review budgetary issues, labor contracts, position vacancies, proposed new positions, capital outlay items and expenses of \$5,000.00 or more and make recommendations to the Common Councils of the Cities of Neenah and Menasha. The recommendations of the Committee shall be acted upon separately by the Common Councils of both Neenah and Menasha and shall be effective only upon the concurrence of both Councils.

Inconsistent with other rules - eliminate

(Ord. No. [2015-4](#), § 2, 3-4-2015)

Secs. 2-88—2-110. - Reserved.

ARTICLE V. - BOARDS, COMMISSIONS AND AUTHORITIES

DIVISION 1. - GENERALLY

Sec. 2-141. - Minutes of committees, boards and commissions to be filed.

All committees, boards, commissions shall take minutes of their meetings. Draft unsigned minutes shall be filed in electronic format with the office of the City Clerk within five days after the date of each such meeting. The electronic file shall be in Word and Portable Document File (.pdf) formats and saved in

a system folder designated by the Clerk. Draft minutes shall be approved at the next meeting of the committee, board or commission. Any changes made when the minutes are approved shall likewise be electronically filed with the Clerk within five days after approval. Approved minutes shall be signed with a scanned signature by the individual taking the minutes. The signed minutes in .pdf format shall be considered the official minutes.

(Ord. No. 1283, § 1(1.30), 3-2-2005; Ord. No. 2017-10, § 1, 7-19-2017)

Secs. 2-142—2-165. - Reserved.

DIVISION 2. - BOARDS AND COMMISSIONS

Sec. 2-166. - Library Board.

- (a) *Appointments and terms of office.* Appointments and terms of office are as provided by the relevant subsection of Wis. Stats. §§ 43.54 and 43.60. The Library Board shall consist of nine members, appointed by the Mayor and confirmed by the Common Council for three-year terms. Each term shall commence May 1 in the year of appointment. Not more than one member of the Council shall, at any one time, be a voting member of the Board and shall be appointed for a one-year term at the April organizational meeting. The Mayor shall appoint the Superintendent of Schools, or designee, as a member of the Library Board. In addition to the members appointed by the Mayor, Winnebago County shall appoint up to two additional voting members of the Library Board as representatives of the County, based on the requirements of Wis. Stats. § 43.60(3).
- (b) *Duties and powers.* The Library Board shall have the duties and powers as prescribed by Wis. Stats. ch. 43.

(Ord. No. 1283, § 1(1.31), 3-2-2005)

Sec. 2-167. - Plan Commission.

- (a) *Composition.* The Plan Commission shall consist of the Mayor, who shall be its presiding officer, the Director of Public Works, a representative of the Park and Recreation Commission (or alternate representative who shall be counted for quorum and voting purposes only if the representative was unavailable) appointed by the Chairman of the Park and Recreation Commission for a one-year term, an alderman, a member of the Board of Education who is a resident of the City and three residents.

Is there meant to be an alternative for B of Ed member?

- (b) *Appointment.* The Alderman and the Board of Education members shall be appointed by a two-thirds vote of the entire Council each April. The Mayor shall appoint one resident member annually each April for a term of three years. Such appointed members of the Commission shall commence their terms on May 1.

Residents require Council approval, not Ald and B of Ed

- Powers and duties.* The Plan Commission shall have such powers as are conferred upon it by law and shall perform such further duties as are imposed upon it by the Council.

(Ord. No. 1283, § 1(1.32), 3-2-2005; Ord. No. 2013-4, § 1, 2-6-2013)

Do we want to spell out some of these powers?

Sec. 2-168. - Board of Review.

- (a) *Composition.* The Board of Review shall consist of seven residents of the City, five regular members and two alternate members, none of whom shall occupy any public office or be publicly employed. The alternate members shall be authorized to act as full members of the Board only in the event of the resignation or absence of a regular member and shall count towards quorum requirements only

when acting as a regular member. The quorum for the Board of Review shall be three regular members.

- (b) *Appointment.* The Mayor, subject to confirmation by the Council, shall appoint the members of the Board. Each member of the Board shall be appointed for a five-year term in such a manner so as to effect the appointment of one member every year.
- (c) *Compensation.* Each member of the Board shall receive compensation as shall be established by the Council from time to time.
- (d) *Proceedings.* At the first annual meeting of the Board, the members of the Board shall elect a Chairman for that annual session. The City Clerk shall be the Clerk of the Board and shall keep an accurate record of all its proceedings and shall give such notices of meetings and adjournments as provided by State law.
- (e) *Duties and confidentiality.*
 - (1) *Duties:* The duties and functions of the Board of Review shall be as prescribed in Wis. Stats. § 70.47, which is incorporated by reference.
 - (2) *Confidentiality:* In accordance with the requirements of [Wis. Stats.] § 70.47(7)(af), income and expense information provided by a property owner to an assessor for the purposes of establishing the valuation for assessment purposes by the income method shall be confidential and not a public record open to inspection or copying under Wis. Stats. § 19.35(1).
 - (3) *Exceptions:* An officer may make disclosure of such information under the following circumstances:
 - a. The assessor has access to such information in the performance of his/her duties;
 - b. The board of review may review such information when needed, in its opinion, to decide upon a contested assessment;
 - c. Another person or body has the right to review such information due to the intimate relationship to the duties of an office or as set by law;
 - d. The office is complying with a court order;
 - e. The person providing the income and expense information has contested the assessment level at either the board of review or by filing a claim for excessive assessment under Wis. Stats. § 74.37, in which case the base records are open and public.

(Ord. No. 1283, § 1(1.33), 3-2-2005; Ord. No. 1338, §§ 3, 4, 8-16-2006)

Sec. 2-169. - Park and Recreation Commission.

- (a) *Composition; organization.* The Park and Recreation Commission shall consist of nine members, appointed by the Mayor, subject to confirmation by a majority of all the members of the Council. One of the commission members shall be a representative from the Common Council. The term of office of each member shall be three years, ending on December 31, except for the representative from the Common Council whose term shall be one year, ending on the third Tuesday of April. All members of the Commission shall serve without salary or other compensation. A majority of such Commission shall constitute a quorum for the transaction of business.
- (b) *Power and duties.*
 - (1) The Commission shall have complete charge, supervision and management of all public parks, municipal swimming pool, recreational buildings and grounds upon which the same are situated or adjacent thereto, public playgrounds, public ice rinks, public centers and other similar public property and functions as shall be assigned to such Commission by the Council for the development, maintenance and operation of all public recreational facilities and activities as it shall from time to time determine are for the best interests of the City and its citizens.

No mention of a school board rep non-voting member.

- (2) The Commission shall adopt such rules and regulations to govern the organization and conduct of its work as it shall deem advisable.
 - (3) The Commission shall employ a Recreation Supervisor, Superintendent of Recreation and such other assistants and persons as may be determined necessary for the efficient administration, maintenance and development of such recreational facilities and activities within the limitation of available funds provided by the Council for such purposes. Wherever possible the Commission shall utilize existing City employees, equipment and facilities.
- (c) *Finances.*
- (1) *Expenditures.* All expenditures shall be made by order of the Director of Finance drawn upon the Treasury to pay bills that have been audited and approved by such Commission and presented to the Director of Finance. The Commission shall not contract any liability in excess of the budget for such Commission authorized by the Council and all such other income as shall be received by the Commission.
 - (2) *Receipts.* All receipts of any kind and all monies that may be received by the Commission as donations, gifts, legacies, bequests, etc., shall, unless otherwise provided by the terms of such donations, gifts, legacies or bequests, be deposited in the Treasury and the Director of Finance shall act as Treasurer of such Commission without additional compensation.
 - (3) *Budget and report to council.* Prior to October 1 of each year, the Commission shall submit to the Council an estimate of the expenditures during the ensuing year. Such amount as approved by the Council shall be included in the City budget.
- (d) *Board of Harbor Commissioners.* The Park and Recreation Commission, except for the representative of the Common Council, shall act as the Board of Harbor Commissioners. As so constituted, they shall have all powers conferred on the Board by Wis. Stats. §30.38.

(Ord. No. 1283, § 1(1.34), 3-2-2005; Ord. No. 1370, 2013)

Are the P&R member really also the Board of Harbor Comm? There is only one rep from P&R

Sec. 2-170. - Police Commission.

- (a) *Organization and appointment.* The Board of Police Commissioners shall consist of five citizens, three of whom shall constitute a quorum. The Mayor shall annually, between the last Monday of April and the first Monday of May, appoint, in writing, to be filed with the Secretary of the Board, one member for a term of five years. No appointment shall be made which shall result in more than three members of the Board belonging to the same political party.
- (b) *Powers and duties.* The powers and duties of the police commission shall be as provided in Wis. Stats. § 62.13.

(Ord. No. 1283, § 1(1.35(1)), 3-2-2005)

Sec. 2-171. - Neenah-Menasha Joint Fire Commission.

- (a) *Organization and appointment.* The Board of the Neenah-Menasha Joint Fire Commission shall consist of six citizens, four of whom shall constitute a quorum. Three members shall be appointed by the Mayor of Neenah and three shall be appointed by the Mayor of Menasha. Each Mayor shall annually, between the last Monday of April and the first Monday of May, appoint, in writing to be filed with the Secretary of the Board, one member for a term of three years. Appointments to the initial Joint Fire Commission shall provide for two members (one from each City) appointed for one year, two members (one from each City) appointed for two years; and two members (one from each City) appointed for three years. No appointment shall be made which shall result in more than three members of the Board belonging to the same political party. The Chair of the Commission shall be

elected by the Board annually at its organizational meeting in May for a one-year term. The Chair of the Commission shall rotate annually between the Cities of Neenah and Menasha. The Vice-Chair of the Commission shall be from the opposite City than the Chair.

- (b) *Powers and duties.* The powers and duties of the Board shall be as provided in Wis. Stats. § 62.13.

(Ord. No. 1261, § 1, 4-20-2004; Ord. No. 1283, § 1(1.35(2)), 3-2-2005)

Sec. 2-172. - Emergency Government Committee.

Is this a sufficient description?

- (a) *How constituted.* The Emergency Government Committee shall consist of the Mayor and as many additional members as may be determined by the Council by resolution. The members of the Commission shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve without compensation. The Mayor shall serve as Chairman of the Commission and the Civil Defense Director shall serve as Secretary of the Commission.
- (b) *Duties.* The Emergency Government Committee shall be an advisory and planning group and shall advise the Mayor, the Emergency Government Director and the Council on all matters pertaining to emergency government. The Committee shall meet upon call of the Chairman.

(Ord. No. 1283, § 1(1.36), 3-2-2005; Ord. No. 1338, § 5, 8-16-2006; Ord. No. [2015-4](#), § 3, 3-4-2015)

Editor's note— Ord. No. 2015-4, § 3, adopted March 4, 2015, repealed § 2-172 in its entirety and renumbered § 2-173 as § 2-172. Former § 2-172 pertained to Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee and derived from Ord. No. 1261, § 1, adopted April 20, 2004; and Ord. No. 1283, § 1(1.35(3)), adopted March 2, 2005.

Sec. 2-173. - Waterworks Commission.

- (a) *Composition.* The Waterworks Commission shall consist of the Mayor, an Alderman and three citizens.
- (b) *Appointment; term.* The citizen members of the Commission shall be appointed by the Council for a five-year term commencing October 1 in the year which they were appointed. The Mayor shall be a Commissioner so long as he/she is Mayor. The Aldermanic member shall be appointed by the Council for a one-year term commencing the third Tuesday of April of each year. The citizen members and the alderman member shall serve on the Commission until his/her successor is elected and qualified.

(Ord. No. 1283, § 1(1.38), 3-2-2005; Ord. No. [2015-4](#), § 3, 3-4-2015)

Editor's note— Ord. No. 2015-4, § 3, adopted March 4, 2015, renumbered §§ 2-175—2-178 as §§ 2-173—2-176. Former §§ 2-175—2-178 pertained to Waterworks commission; Neenah-Menasha Sewerage Commission; Board of Zoning Appeals and Board of Public Works, respectively, and derived from Ord. No. 1283, §§ 1(1.38—1.41), adopted March 2, 2005; and Ord. No. 2014-15, § 1, adopted Aug. 18, 2014.

Sec. 2-174. - Neenah-Menasha Sewerage Commission.

This is a tricky Commission with no detail at all.

Pursuant to Wis. Stats. § 66.0301 on September 15, 1982, by Ordinance No. 628, a copy of which is on file in the office of the City Clerk, the Neenah-Menasha Sewerage Commission was created. Such ordinance is hereby continued in full force as if set out at length in this Code.

(Ord. No. 1283, § 1(1.39), 3-2-2005; Ord. No. [2015-4](#), § 3, 3-4-2015)

Editor's note— See § 2-173 editor's note.

This language does not appear anywhere else

Sec. 2-175. - Board of Zoning Appeals.

- (a) *Organization.* The Board of Zoning Appeals shall consist of five members appointed by the Mayor, subject to confirmation by the Council, for terms of three years.
- (b) *Appointment.* The members of the Board shall serve without compensation and shall be removable by the Mayor for cause upon written charges and after public hearing. The Mayor shall designate one of the members Chairman. The Board may employ a secretary and other employees. The Mayor may appoint, for three years, one or two alternate members of such Board, in addition to the five members, who shall act with full power only when a member of the Board refuses to vote because of interest or when a member is absent. Vacancies shall be filled for the unexpired terms of members whose terms become vacant.

(Ord. No. 1283, § 1(1.40), 3-2-2005; Ord. No. [2015-4](#), § 3, 3-4-2015)

Editor's note— See § 2-173 editor's note.

Sec. 2-176. - Board of Public Works.

- (a) *Composition and attendance.* The Board of Public Works shall be composed of the Mayor, City Attorney, Directors of Public Works, Finance, Community Development, and two Aldermen who are also members of the Public Services and Safety Committee. The Mayor shall serve as Chair of the Board and one of the Alderman members shall serve as Vice-Chair. In addition to the members of the Board, the Board may compel the attendance of any City department head or officer necessary for the Board to complete its work.
- (b) *Meeting and quorum.* The Board shall meet at the call of the Mayor or at the request of any two Aldermen and a majority of its members, including at least one aldermanic member, shall constitute a quorum for conducting business. The Board may establish a regular meeting time in addition to any on-call meetings.
- (c) *Jurisdiction and duties.* The Board shall implement and supervise the annual capital improvement program for the City as recommended by the Public Services and Safety Committee and approved by the Council. In addition, it shall have the duties assigned to the Board by Wis. Stat. § 62.14. The Council shall approve all Board recommendations before they go into effect, unless otherwise directed or delegated by the Council.
- (d) *Public works contracts.* The Board shall supervise the bidding of public works projects and recommend the award of public works contracts to the council and review the same; it shall approve contract change orders and approve interim contract payments; it shall review and recommend action to the Council on contract final payments. It shall regularly report any change orders approved to the Council. Change orders on public works contracts which increase the original contract price by 15 percent or more require Council approval.
- (e) *Development agreements.* The Board shall review the terms of proposed development agreements involving the development of land within the City of Neenah to insure consistency with the ordinances and policies adopted by the Council.

Does this allow for approval of payments with no Council input?

(Ord. No. 1283, § 1(1.41), 3-2-2005; Ord. No. 2014-15, § 1, 8-18-2014; Ord. No. [2015-4](#), § 3, 3-4-2015)

Editor's note— See § 2-173 editor's note.

Secs. 2-177—2-200. - Reserved.

DIVISION 3. - COMMUNITY DEVELOPMENT AUTHORITY^[4]

Footnotes:

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State Law reference— Housing and community development authorities, Wis. Stats. § 66.1335.

Sec. 2-201. - Findings and declaration of necessity.

- (a) The Neenah Housing Authority is a public body corporate and politic created by resolution 4063 of the Common Council on June 7, 1967. In support of its creation, the Common Council found that there was a shortage in the City of safe and sanitary dwelling accommodations available to persons with low income. These findings are hereby affirmed and incorporated herein.
- (b) In addition, the Common Council hereby finds and declares a need for blight elimination, slum clearance, urban renewal land community development programs and projects and housing projects, and that a housing and Community Development Authority functioning within the City would constitute a more effective, efficient means for carrying out such programs and projects.

(Ord. No. 1257, § 1(1.42(1)), 4-20-2004)

Sec. 2-202. - Creation of Community Development Authority.

Pursuant to Wis. Stats. § 66.1335, there is hereby created a housing and development authority to be known as the Community Development Authority of the City. The Community Development Authority shall be deemed a separate body corporate and politic for the purpose of carrying out blight elimination, slum clearance, urban renewal programs and projects and housing projects.

(Ord. No. 1257, § 1(1.42(2)), 4-20-2004)

Sec. 2-203. - Composition and procedures of Community Development Authority.

- (a) *Composition.* The Community Development Authority shall consist of seven resident persons having sufficient ability and experience in the fields of urban renewal, community development and housing. These persons shall serve as Commissioners of the Community Development Authority.
- (b) *Appointment.* The Commissioners shall be appointed by the Mayor with the confirmation of the Common Council. Two of the Commissioners shall be members of the Common Council and shall serve during their term of office as council members. **The first appointments of the five noncouncil members shall be for the following terms: two for one year and one each for terms of two, three and four years. Thereafter, the terms of** noncouncil members shall be four years and until their successors are appointed and qualify. Vacancies shall be filled for the unexpired term as provided

Eliminate as no longer necessary?

for in this subsection. A certificate of appointment of a Commissioner shall be filed with the City Clerk and shall be conclusive evidence of the due and proper appointment of such Commissioner.

- (c) *Officers.* The Community Development Authority shall annually elect a Chairperson and Vice-Chairperson from among the Commissioners. The Community Development Director shall not be a member of the Community Development Authority but shall act as its Executive Director. The Community Development Director shall be the Chief Administrative Officer of the Authority and shall direct, manage and supervise administrative operations and technical activities. He shall serve as the Secretary of the authority and shall perform such other duties and have such other powers and responsibilities as may, from time to time, be delegated by the authority. The Community Development Department shall assist in performing duties required by the Community Development Authority.
- (d) *Compensation.* The Commissioners shall receive no compensation for their services, but shall be entitled to reimbursement for their actual and necessary expenses, including local travel expense included in the discharge of their duties.
- (e) *Meetings, quorum and bylaws.* All meetings of the Community Development Authority shall be held in compliance with the provisions of the Open Meeting Law of the State (Wis. Stats. ch. 19, subch. V—Wis. Stats. § 19.81 et seq.) Four Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the Community Development Authority upon the affirmative vote of a majority of the Commissioners present at any meeting. The Community Development Authority may adopt and from time to time amend or repeal such bylaws or other rules or regulations not inconsistent with the applicable laws and this division, as it deems necessary in the performance of its functions and duties.
- (f) *Budget and annual report.* An annual budget shall be prepared by the Community Development Authority which budget shall be subject to approval by the Common Council. The Community Development Authority shall also prepare and file with the Mayor and Common Council a report of its activity for preceding calendar year on or before February 15 of the following year.

(Ord. No. 1257, § 1(1.42(3)), 4-20-2004)

Sec. 2-204. - Powers and duties.

The Community Development Authority shall have all powers, duties and functions set out in Wis. Stats. §§ 66.1201 and 66.1333 for housing and redevelopment authorities and as to all housing projects initiated by the Community Development Authority, it shall proceed under Wis. Stats. § 66.1201, and as to all projects relating to blight elimination, slum clearance, urban renewal and redevelopment programs it shall proceed under Wis. Stats. §§ 66.1301 to 66.1327, 66.1331, 66.1333, 66.1337 or 66.1105, as determined appropriate by the Common Council on a project by project basis. As to all community development programs and activities undertaken by the City under the Federal Housing and Community Development Act of 1974, the Community Development Authority shall proceed under all applicable laws and ordinances not inconsistent with the laws of this State. In addition, the Community Development Authority may act as agent of the City to perform all acts, except the development of the general plan of the City, which may otherwise be performed by the Plan Commission under Wis. Stats. §§ 66.1301 to 66.1327, 66.1331, 66.1333 and 66.1337 or 66.1105. In addition to all other powers, duties and functions the Community Development Authority shall have such other powers, duties and functions related to community development as are conferred upon the Authority by the Common Council from time to time, which shall include any powers and duties previously conferred on the Neenah Housing Authority.

(Ord. No. 1257, § 1(1.42(4)), 4-20-2004)

Sec. 2-205. - Termination of Housing Authority.

Upon the adoption of the ordinance from which this division derives, the Neenah Housing Authority is hereby terminated. The powers and duties of the Neenah Housing Authority shall be assumed by the Community Development Authority pursuant to the terms of Wis. Stats. § 66.1335(5). It is the intention of the Common Council that the ordinance from which this division derives supercedes Resolution 4063.

(Ord. No. 1257, § 1(1.42(5)), 4-20-2004)

Still necessary?

Sec. 2-206. - Controlling statute.

This division of the Municipal Code is enacted pursuant to Wis. Stats. § 66.1335. Insofar as this division may be inconsistent with Wis. Stats. § 66.1335, the statute shall control.

(Ord. No. 1257, § 1(1.42(6)), 4-20-2004)

Secs. 2-207—2-230. - Reserved.