TITLE II

Chapter 4

CITY COUNCIL

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4.01 CITY COUNCIL

The mayor and aldermen shall constitute the City Council and shall be responsible for governing the City. The Council shall be vested with all of the powers as set forth in Chapter 62 of the Wisconsin Statutes and other applicable Wisconsin law, as well as the powers and duties set forth elsewhere in this code.

4.02 MAYOR

(1) The Mayor is the principal executive office of the City Council.

(2) The Mayor shall preside at all meetings of the Council, although his presence does not count toward determining whether or not a quorum is present.

(3) The Mayor shall not be entitled to vote except in the case of a tie vote. His vote then cast shall be the determining vote as to whether or not a measure of proposal shall be passed or defeated.

(4) The Mayor shall have the power to veto all acts of the Council. If the Mayor elects to exercise his veto power, he shall file his objections with the Clerk who shall then present them to the Council at its next meeting. A two-thirds vote of all the members of the Council shall then make the act effective, notwithstanding the objections of the Mayor.

(5) The term of office of the Mayor shall be two years and the mayor shall be elected in the odd numbered year.

(6) The regular term of the Mayor shall commence on the third Tuesday of April in the year of his election.

4.03 ALDERMEN

(1) There shall be six aldermen, two from each of the three wards, elected to serve on the Council.

(2) The term of office of each alderman shall be two (2) years, with one alderman from each ward being elected each year for a two-year term.

(3) Each alderman shall have one vote on any issue presented to the Council. The alderman must be present to cast his vote and may not vote by proxy.

(4) Aldermen shall generally have the powers and duties proscribed for like officers of towns and villages, except as otherwise provided.

4.04 GENERAL POWERS

(1) The City Council shall have the management and control of the city property, finances, highways, navigable waters and public works and service, and shall have the power to act for the government and good order of the City for its commercial benefit and for the health, safety and welfare of the public. The City Council shall carry out its powers by license, regulation, suppression, borrowing of money, tax levy, appropriation, fine or forfeiture, imprisonment, confiscation or other necessary or convenient means. The powers hereby conferred shall be in addition to all grants and shall be limited only by express language.

(2) The City Council may acquire property, real or personal, within or without the City, for parks, libraries, historic places, streets, water works, sewage or waste disposal, improvements of water courses, public grounds, vehicle parking areas, recreation and beautification, or for any other public purpose. Further, the City Council may acquire real property, either within or without the City, by means other than condemnation, for industrial sites and may improve same. The City Council may construct, own, lease and maintain buildings for various public purposes and may sell and convey such property.

(3) In furtherance of the foregoing powers and acquisition and disposal of property, the City Council is expressly authorized to acquire property by gift, purchase or condemnation under Chapter 32 of the Wisconsin Statutes. Such acquisition in land shall include rights of access, easements, restrictive covenants, scenic easements and any rights for the use of property of any nature whatsoever which may be lawfully acquired for the benefit of the public or for any public purpose. Further, the City may sell or convey such easements or property rights when no longer needed for public use or protection.

(4) The City Council may levy and provide for the collection or taxes and special assessments not inconsistent with Wisconsin law and the powers and provisions of this Code or Ordinances.

(5) Consistent with the purpose of giving cities the largest measure of self-government in accordance with the spirit and intent of the Home Rule Amendment to the Wisconsin Constitution, the grant of power to the City Council in this chapter and throughout this Code or Ordinances shall be liberally construed in favor of the right, powers, duties and privileges of cities to promote the general welfare, peace, good order, health, safety and prosperity of the City and its inhabitants.

4.05 STANDING COMMITTEES

(1) The Mayor shall appoint all standing committees of the City Council.

(2) The committees shall be appointed at the annual organizational meeting of the council or any adjournment thereof.

(3) The Mayor shall designate the committees and their functions, as well as the number of aldermen to serve on each one. The Council, upon its affirmative action, may create additional standing committees to be appointed by the Mayor. Standing committees do not include citizen members.

4.06 SPECIAL COMMITTEES

(1) The Council may approve and designate special committees.

(2) The Mayor shall select the members of the special committees.

(3) Special committees may include citizen members. The Council may confirm or reject the citizen members selected.

4.07 VACANCIES

(1) A vacancy may be created by resignation, removal from office, death or other due causes as enumerated in Section 17.03 of the Wisconsin Statutes. As to the neglect or refusal to perform the duties of any office or other cause, the City Council shall be the judge as to whether or not a vacancy exists.

(2) Temporary vacancies may exist by virtue of the inability of the office holder to perform his duties by reason of illness, injury, disability or other cause. The Council shall be the judge as to whether or not a temporary vacancy exists. If the Council determines that a temporary vacancy exists, it shall resume his duties, but no longer than the balance of the term of office.

(3) Vacancies other than temporary vacancies shall be filled pursuant to Section 17.23 of the Wisconsin Statutes.

4.08 MEETINGS

(1) The annual meeting of the Council shall be held on the third Tuesday of April for the purpose of organizing after the spring election.

(2) Regular meetings shall be held on the first Monday of each month, unless a conflict occurs, then on the first Thursday of the month, commencing at 6:00 pm in the Council chambers of City Hall.

(3) If for any reason a regular meeting cannot be held at its scheduled time, the Council may set an alternate date, location, and time at its preceding meeting or by written notice.

(4) Meetings may be adjourned upon motion, including meetings, which may not be convened for lack of a quorum.

(5) All meetings, including special meetings, shall be open to the public.

(6) Procedures, rules and orders for conducting meetings are set forth elsewhere in the Code.

4.09 SPECIAL MEETINGS

(1) A special meeting may be called by the mayor by appropriate notice given personally, or leaving such notice at the usual place of abode of each council member.

(2) Notice of a special meeting must be at least six hours before the meeting.

(3) Notice shall also be given to the official city newspaper and all other media requesting same.

(4) Notice shall also be posted in three public places likely to give notice to persons affected.

4.10 PRESIDING OFFICER

(1) At the organizational meeting, the Council shall select a council president from its members.

(2) In the absence of the Mayor, the president shall preside at meetings of the Council.

(3) As presiding officer, the president shall have powers and duties of the Mayor, except he shall not have the power to approve an act of the Council, which the mayor has disapproved of or vetoed.

4.11 PROCEDURE

(1) The Council shall be the judge of the election and qualifications of its members.

(2) The Council may compel attendance of its members and may take action against a member for refusal or neglect of duty.

(3) At least four members of the Council must be present to constitute a quorum. The mayor shall not be counted in order to determine of a quorum is present.

(4) The Council shall comply with the open meetings law, Sub-Chapter IV of Chapter 19, Wis. Stat., unless otherwise modified herein.

(5) At all meetings, the order of business shall be as follows:

(A) Call to order and roll call

(B) Reading of the minutes of previous meeting

(C) Reports of committees

(D) Unfinished business from previous meeting

(E) New business

(F) Approval of bills and disbursements

(G) Adjournment

The Clerk shall prepare an agenda and make it available to council members and other interested persons. Such agenda shall adhere to the foregoing order of business.

(6) Public hearings on various questions may be held with appropriated advance notice at a time and place fixed by the Council. A public hearing may be held prior to or during a regular or special meeting.

(7) Business may be introduced in the following manner:

(A) Ordinances to be considered must be in writing.

(B) Motions or resolutions may be presented orally.

(C) All written material introduced or prepared shall be read by the Clerk unless such reading is waived by the consent of the Council.

(D) Business items introduced out of order may be considered by the consent of the Council.

(8) Procedure with regard to motions shall be as follows:

(A) Motions may be offered orally or in writing and must be seconded to be considered.

(B) Debate shall be allowed before a vote is taken.

(C) The motion shall be stated by the presiding officer prior to the vote.

(D) A motion, once presented and seconded, shall not be withdrawn except by consent of the Council.

(E) A motion presented in writing, may nevertheless be amended orally.

(F) A motion to adjourn shall always be in order, unless the Council is engaged in voting, and shall be decided without debate

(9) Debate shall be allowed without restriction as to duration, except that the debate must be confined to the subject matter under consideration. The Council may, by resolution, restrict debate in general or on specific questions.

(10) Voting must be done in person and not proxy vote may be cast. In addition:

(A) A majority vote is required to adopt any measure or matter under consideration.

(B) Ayes and noes may be required upon the request of any member of the Council.

(C) Ayes and noes shall be taken upon:

1.) Questions of finance
2.) Assessing or levying taxes
3.) Appropriations and disbursements of money

4.) Any other matter required by resolution of the council or required by state law

(11) The mayor, or presiding officer in his absence, shall decide all questions of order.

(12) The Council, by resolution, may establish such other rules for the conduct of business, provided that the rules do not conflict with the provisions of this chapter. In the absence of an express procedure rule governing Council meetings and conduct, the board shall be guided by Robert's Rules of Order

4.12 DESTRUCTION OF PUBLIC RECORDS

(1) This Ordinance is adopted pursuant to the authority granted to City Councils in Section 19.21(4) Wis. Stat.

(2) City officers may destroy the following non-utility financial records of which they are the legal custodians and which are considered obsolete, after completion of any required audit by the Bureau of Municipal Audit or an auditor licensed under Chapter 442 of the Wisconsin Statutes, but no less than seven (7) years after payment or receipt of any sum involved in the particular transaction, unless a shorter period has been fixed by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stat., and then after such shorter period:

(A) Bank statements, deposit books, slips and stubs;

(B) Cancelled checks, duplicates and check stubs;

(C) License and permit applications, stubs and duplicates;

(D) Payrolls and other time and employment records of personnel included under Wisconsin Retirement Fund;

(E) Receipt forms;

(F) Special assessment records;

(G) Vouchers, requisitions, purchase orders and all other supporting documents.

(3) City officers may destroy the following utility records of which they are the legal custodians and which are considered obsolete after completion of any required audit by the Bureau of Municipal Audit or an auditor licensed under Chapter 442 of the Wisconsin Statutes, subject to state Public Service Commission regulations, but not less than seven (7) years after the record was effective, unless a shorter period has been fixed by the state Public Records Board pursuant to §16.61(3)(e), Wis. Stat., and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after two (2) years.

(A) Contracts;

(B) Excavation permits;

(C) Inspection records.

(4) City officers may destroy the following records of which they are the legal custodian and which are considered obsolete, but not less than seven (7) years after the record was effective, unless another period has been set by statute, and then after such a period, or unless a shorter period has been fixed by the state Public Records Board pursuant to §16.61(3)(e), Wis. Stat. and then after such a shorter period:

(A) Assessment rolls and related records;

(B) Contracts and papers relating thereto;

(C) Correspondence and communications;

(D) Financing reports other than annual financial reports;

(E) Insurance policies;

(F) Oaths of office;

(G) Building permits;

(H) Exception: Election materials governed by State Statutes.

(5) Prior to destruction of any public record described in Sections (2), (3) or (4), at least sixty (60) days' notice in writing shall be given the State Historical Society of Wisconsin.

(6) Any tape recordings of a governmental meeting of the city may be destroyed, erased or reused no sooner than one (1) year after the minutes of the meeting have been approved and published, if the purpose of the recording was to make minutes of the meeting.

January 9, 2012 – repeal subsection (13) and (14) of Section 4.11
January 9, 2012 – repeal and recreate Section 4.12
May 4, 2020 – repeal and recreate subsection (2) of Section 4.08
August 16, 2023 – amended Section 4.08(2) and (3)
April 23, 2025 – amended Section 4.08 (2)