



CITY OF ANTIGO

COMMON COUNCIL MEETING

COUNCIL CHAMBERS

Tuesday, April 16, 2024

CITY HALL, 700 EDISON STREET

6:00 PM

Call to Order

Oath of Offices

1. Oaths of Office for Re-elected Alderpersons: Ward 3-Tim Kassis; Ward 4-Thomas Bauknecht; Ward 6-Joel Wagner; and Ward 8-Reinhardt Balcerzak

Election of Council President

Election of Alderperson to Serve on City Plan Commission

Organizational Resolutions

1. 42-24 Designate the Antigo Daily Journal as the City's Official Newspaper
2. 43-24 Designation of Public Depositories for 2024-2025 to American Deposit Management, Associated Bank, Banner Banks, BMO Harris Bank, Covantage Credit Union, and Local Government Investment Pool

Organizational Meeting Communications and Motions

1. Proposed Council Rules for the 2024-2025 Term
2. Mayor - Committee Appointments for the 2024 - 2025 Term

Adjournment

Upon reasonable notice, efforts will be made to accommodate disabled individuals through appropriate aids and services. For additional information, contact clerk treasure's office, 700 Edison Street, Antigo, Wisconsin 54409. (715) 623-3633 extension 100. Members of and possibly a quorum of members of other governmental bodies may be in attendance to gather information. Any governmental body other than that specifically referred to above will take no action.

DATE MAILED: April 18, 2024

TERENCE BRAND

ORIGIN: Mayor

April 16, 2024

RESOLUTION NO. 42-24

BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, that the Antigo Daily Journal be, and is hereby designated as the official newspaper for the ensuing year.

Mayor

Attest:

Clerk – Treasurer

ORIGIN: Mayor

April 16, 2024

RESOLUTION NO. 43-24

BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, that American Deposit Management, Associated Bank, Banner Banks, BMO Harris Bank, Chase Bank, Covantage Credit Union, and Local Government Investment Pool be authorized as the designated public depositories for the City of Antigo, as identified on the attached resolution designating public depository which will be completed for each.

Mayor

Attest:

Clerk – Treasurer

W.B.A. 100 (10/21/85)

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RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING
WITHDRAWAL OF COUNTY, CITY, VILLAGE, TOWN OR
SCHOOL DISTRICT MONEYS

(Not for use by City or County of Milwaukee.)

Prepared and intended for use by com-
mercial banks in transactions governe
Wisconsin Law.

City of Antigo, Wisconsin
(Municipality)

RESOLVED, that _____ (the "Bank
qualified as a public depository under Ch. 34, Wis. Stats., is hereby designated as a depository in which the funds of this Municipality may from time to ti
be deposited; that the following described account(s) be opened and maintained in the name of this Municipality with the Bank subject to the rules a
regulations of the Bank from time to time in effect; that the person(s) and the number thereof designated by title opposite the following designation
account(s) is hereby authorized, for and on behalf of this Municipality, to sign order checks as provided in s. 66.042, Wis. Stats., for payment or withdrawa
money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Bank any and
checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality; that
endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and that any offic
agent or employee of this Municipality is hereby authorized to make oral or written requests of the Bank for the transfer of funds or money between accoun
maintained by this Municipality at the Bank.

Name or Type of Account	Number of Signatures Required	Type or Print Titles of Authorized Persons
1. See Attached	2	Clerk, Treasurer, /Deputy Clerk-Treasurer and countersigned by Mayor
2.		Clerk, Treasurer, and countersigned by
3.		Clerk, Treasurer, and countersigned by
4.		Clerk, Treasurer, and countersigned by

This Resolution includes all of the provisions on the reverse side.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of the Municipality at an ope
legal meeting held on the 10th day of April, 2024, and said resolutions are now in full force and effect

Signed and sealed this 11th day of
April, 2024
(Clerk)

(NO)*
SEAL

The undersigned member of the governing body not authorized to sign ord
checks certifies that the foregoing is a correct copy of a resolution passed a
therein set forth.

Karin Derauf
Title: City Administrator

*(Strike if not applicable)

IMPORTANT

This Form, together with Signature Card WBA 101 (7/79), applies to all counties, cities, villages, towns and school districts except the County of Milwauke
and the City of Milwaukee. For Milwaukee County, see s. 66.042(2), Wis. Stats., and for the City of Milwaukee, see s. 66.042(5) Wis. Stats.

W.B.A. 102 (4/72) resolution should be used in connection with the designation of public depository and authorization for disbursement of all other publi
entities.

MEMO — The original and one copy of this resolution is for the depository bank, and, if the treasurer is under Corporate Surety, one copy is for the Suret
Company, with a copy to be retained by the local clerk.

To be countersigned by the Chief Executive Officer (County Board Chairman, City Mayor or Manager, Town Chairman, Village President, School Distric
President).

The counter-signature on checks of the Chief Executive Officer of the county, city, village or town may be eliminated by ordinance. In such case, a copy of the
ordinance, certified by the clerk, should be attached hereto. School district order checks must carry the signatures of the clerk, treasurer and president. In
school districts having 5 or more school board members, the actual signature of any board member other than the clerk or treasurer may be used in place of
the president's signature.

Attachment: Public Depositories Resolution (43-24 : Public Depositories)

FURTHER RESOLVED, that the Bank be and is hereby authorized and directed to honor, certify, pay and charge to any of the accounts of this Municipality, all order checks for the payment, withdrawal or transfer of funds or money deposited in these accounts or to the credit of this Municipality for whatever purpose or to whomever payable, including requests for conversion of such instruments into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any persons signing such instrument or payable to or for the credit of any other officer, agent or employee of this Municipality, when signed, accepted, endorsed or approved as evidenced by original or facsimile signature by the person(s), and the number thereof, designated by title opposite the designation of the accounts described in the foregoing resolution, and to honor any request(s) made in accordance with the foregoing resolution, whether written or oral, and including but not limited to, request(s) made by telephone or other electronic means, for the transfer of funds or money between accounts maintained by this Municipality at the Bank, and the Bank shall not be required or under any duty to inquire as to the circumstances of the issuance or use of any such instrument or request or the application or use of proceeds thereof.

FURTHER RESOLVED, that the Bank be and is hereby authorized to comply with any process, summons, order, injunction, execution, distraint, levy, lien, or notice of any kind (hereafter called "Process") received by or served upon the Bank, by which, in the Bank's opinion, another person or entity claims an interest in any of these accounts and Bank may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from these accounts and may hold the balance therein until Process is disposed of to Bank's satisfaction.

FURTHER RESOLVED, that any one of the persons holding the offices of this Municipality designated above is hereby authorized (1) to receive for and on behalf of this Municipality, securities, currency or any other property of whatever nature held by, sent to, consigned to or delivered to the Bank for the account of or for delivery to this Municipality, and to give receipt therefor, and the Bank is hereby authorized to make delivery of such property in accordance herewith, (2) to sell, transfer, endorse for sale or otherwise authorize the sale or transfer of securities or any other property of whatever nature held by, sent to, consigned to or delivered to the Bank for the account of or for delivery to this Municipality, and to receive and/or apply the proceeds of any such sale to the credit of this Municipality in any such manner as he/she/they deem(s) proper, and the Bank is hereby authorized to make a sale or transfer of any of the aforementioned property in accordance herewith, and (3) pursuant to s. 34.07, Wis. Stats., to accept such security and to execute such documents as said officer deems proper and necessary to secure the funds of this Municipality and to issue instructions regarding the same.

FURTHER RESOLVED, that this Municipality assumes full responsibility for any and all payments made or any other actions taken by the Bank in reliance upon the signatures, including facsimiles thereof, of any person or persons holding the offices of this Municipality designated above regardless of whether or not the use of a facsimile signature was unlawful or unauthorized and regardless of by whom or by what means the purported signature or facsimile signature may have been affixed to any instrument if such signatures resemble the specimen or facsimile signatures provided to the Bank, for refusing to honor any signatures not provided to the Bank, for honoring any requests for the transfer of funds or money between accounts or for the instructions from the persons designated in the foregoing resolutions regarding security for the accounts notwithstanding any inconsistent requirements of this Municipality not expressed in the foregoing resolutions, and that this Municipality agrees to indemnify and hold harmless the Bank against any and all claims, demands, losses, costs, damages or expenses suffered or incurred by the Bank resulting from or arising out of any such payment or other action.

FURTHER RESOLVED, that the Clerk of this Municipality be and hereby is authorized and directed to certify to the Bank the foregoing resolutions, that the provisions thereof are in conformity with law, the names, incumbencies and specimen or facsimile signature(s) on signature cards of the officer or officers named therein, and that the foregoing resolutions and signature cards and the authority thereby conferred shall remain in full force and effect until this Municipality notifies the Cashier of Bank to the contrary in writing; and the Bank may conclusively presume that such resolutions and signature cards are in effect and that the persons identified therein from time to time as officers of the Municipality have been duly elected or appointed to and continue to hold such offices.

Approved: 04-20-21
 Updated: 04-19-22 (no change)
 Updated: 05-10-23
 Updated: 03-13-24

**COMMON COUNCIL, CITY OF ANTIGO
 GOVERNING RULES OF PROCEDURE
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Attachment: RULES 2023-24 with change adopted March 13, 2024 (6837 : Council Rules)

COUNCIL MEETING - LOCATION

- RULE 1. All meetings of the Antigo Common Council shall be held at City Hall, except when approved at the previous meeting.

COUNCIL MEETING - TIME

- RULE 2. The regular meeting of the Common Council shall be held the 2nd Wednesday of each calendar month at 6:00 p.m. as specified in Antigo Municipal Code.

COUNCIL MEETINGS - OPEN TO THE PUBLIC

- RULE 3. All meetings of the Common Council and committees shall be open to the public, except as provided for in Sec. 19.81 through 19.98 State Statutes for scheduled or unscheduled closed sessions.

ELECTION OF OFFICERS

- RULE 4. Procedures for electing officers are as follows:
- (a) Annually, at the first meeting of the new Council, the members shall choose a Council President from among their number and authority shall be conferred by Statute 62.09(8)(e).
 - (b) The above elections shall be by affirmative motion.

PRESIDING OFFICER

- RULE 5. The Mayor shall preside at all meetings of the Council, Wis. Statutes 62.09(8)(b) and shall be considered the Chief Executive Officer, Wis. Statutes 62.09(8)(a). The Mayor has no regular administrative or executive duties except those provided by State Statute or customary as the Chief Executive Official. In case of the Mayor's absence or temporary disability, the Council President shall act as Mayor during the continuance of the absence. In case of the absence or temporary disability of the Mayor and the Council President, a Mayor Pro Tempore selected by members of the Council shall act as Mayor during the continuance of the absences or disabilities. The Mayor, Council President, or Mayor Pro Tempore is referred to as "Presiding Officer" from time to time in these Rules of Procedure.

QUORUM

- RULE 6. At all meetings of the Council, six Council members, who are present and eligible to vote, shall constitute a quorum for the transaction of business, Wis. Statutes 62.11(3)(b)

ATTENDANCE, EXCUSED ABSENCES

- RULE 7.
- (a) A Council member may be subject to removal from his/her office by failing to attend regular meetings of the Council without being excused by the Council. (Sec.17.12)(Wis. Statutes). Members of the Council may be so excused by complying with this section. The member shall contact the Presiding Officer prior to the meeting and state the reason

for his/her inability to attend the meeting. If the member is unable to contact the Presiding Officer, the member shall contact the Chief Administrative Official or City Clerk, who shall convey the message to the Presiding Officer. Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and excuse the member's absence. The Clerk will make an appropriate notation in the minutes. If another Council member questions the member's absence, the Presiding Officer shall inquire if there is a motion to excuse the member. This motion shall be non-debatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes. All members of Council, including the Mayor, are expected to arrive at meetings prepared and must not be influenced by alcohol or illegal substances.

- (b) Per Resolution No. 132-00, Council members elected to office in 2001 or after shall receive \$75 per month compensation, plus \$30 per diem for committee meetings held on matters referred by Council vote or by the Mayor, or for a special meeting called by the Chairperson of the respective committee.

For each unexcused absence from regular Council meetings in excess of one in any one Mayoral term year, \$25 shall be deducted from an Alderperson's compensation.

All members of the Council, including the Mayor, serving on any department, board, commission, or committee (including Ad Hoc and special), excluding the Library Board and Housing Authority Board, as appointed by the Mayor/Council, shall be compensated per diem as identified above.

All Council members, including the Mayor, when attending all other meetings, as a representative of the City, either within or outside the City, shall be compensated per diem as identified above.

SPECIAL COUNCIL MEETINGS

RULE 8. Procedures for setting a special meeting are as follows:

- (a) A special meeting may be called by the Presiding Officer.
- (b) Notice of the special meeting shall be prepared in writing by the Clerk/Chief Administrative Official. The notice shall contain the following information about the meeting: date, time, place, and business to be transacted.
- (c) The notice shall be delivered by mail, fax, e-mail, or personally to each Council member, applicable department managers, and the business office of the local newspaper and radio station which has on file a written request for notice of special meetings. The notice must be delivered at least twenty-four (24) hours prior to the meeting.
- (d) The notices provided in this section may be dispensed with under the following circumstances: In the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

COUNCIL MEETING AGENDA

- RULE 9. The Mayor/Chief Administrative Official shall arrange a list of such matters according to the order of business and prepare an agenda for the Council. The Presiding Officer or any Council member may have any item placed on the agenda. A copy of the agenda and supporting materials, "Council Packets," shall be prepared for Council members, applicable department managers, and the media on or before 4:30 p.m. two working days before a regular Council meeting. Council Packets shall generally be prepared and distributed the Friday preceding the regular Council meeting.

COUNCIL COMMITTEE OF THE WHOLE

- RULE 10. Council as a Committee of the Whole meetings shall be held as needed, but shall *generally* be held on the 4th Wednesday of the month at 6:00 p.m.

Council as a Committee of the Whole meetings shall be conducted informally so long as such informality is not in conflict with the rules of procedure. The Mayor shall be presiding officer and the Mayor/Chief Administrative Official, shall prepare an agenda for the Council. A copy of the agenda along with any supporting materials shall be forwarded to Council members, applicable department managers, and the media on or before 4:30 p.m. two working days before the meeting.

CHIEF ADMINISTRATIVE OFFICIAL (CAO)

- RULE 11. The Chief Administrative Official shall attend all meetings of the Common Council, unless excused by the Presiding Officer or Council.

SEATING ARRANGEMENT

- RULE 12. Council members shall occupy their respective seats in the Council Chamber assigned to them by the Mayor.

DISSENTS AND PROTESTS

- RULE 13. Any Council member shall have the right to express dissent from or protest against any ordinance or resolution of the Council and have the reason therefore entered in the minutes.

RULES OF ORDER

- RULE 14. Rules of order shall be governed by Robert's Rules of Order. The City Attorney or his/her designee shall serve as parliamentarian and shall advise the Presiding Officer as to correct rules of procedure or questions of specific rule application.

MOTIONS

- RULE 15. All ordinances, resolutions, contracts and items of business that require Council approval prior to the expenditure of funds shall be in the form of an affirmative motion.

All Resolutions considered by Council accepting/approving bids shall have attached to them a summary of all bids received.

A Motion should be used when: (1) modifying or rescinding another motion (2) the subject relates to the conduct of the Council meeting; or (3) when expressing an opinion.

ORDER OF BUSINESS

RULE 16. The business of all regular meetings of the Council shall be transacted as follows; provided, however that the Presiding Officer may, during a Council meeting, re-arrange items on the agenda to conduct the business before the Council more expeditiously.

- (a) Call to order by the Presiding Officer.
- (b) Roll Call.
- (c) Pledge of Allegiance and Moment of Silent Meditation.
- (d) Approval of Minutes of Previous Meeting.
- (e) Public Hearings as governed by applicable State Statutes and City Ordinances.
- (f) Citizen Comments
 - (1) Subjects on the current agenda. Any member of the public who wishes to address the Council regarding an item on the current agenda shall sign in prior to the meeting. The Presiding Officer will call each speaker to the floor during this portion of the meeting. The Presiding Officer may determine the order of speakers so that testimony is heard in the most logical groupings, e.g. proponents, opponents, adjacent owners, vested interests, etc.
 - (2) Subject not on the current agenda. Any member of the public who wishes to address the Council regarding an item that is not on the current agenda shall sign in prior to the meeting. The Presiding Officer shall rule on the appropriateness of public comments at this time, may place the matter on a future agenda, or could refer the matter to staff or committee for investigation and report.
 - (3) Any member of the public may request to be placed on the agenda by contacting the Mayor's or Clerk-Treasurer's Office with his/her name, address, and subject of comments prior to the agendas being distributed. The Presiding Officer shall rule on the appropriateness of public comments at this time, may place the matter on a future agenda, or could refer the matter to staff or committee for investigation and report.
 - (4) Speakers are subject to a time limitation of 5 minutes, unless otherwise extended by Council. The Presiding Officer may place the matter on a future agenda or refer the matter to staff or Council committee for investigation and report.
 - (5) Any ruling by the Presiding Officer relative to the preceding subsections may be overruled by a vote of a majority of members present.
- (g) Committee Reports
- (h) Consent Agenda.

- (1) The Presiding Officer, in consultation with the Chief Administrative Official, shall place matters on the Consent Agenda which have been: (a) previously discussed by the Council, or (b) based on the information delivered to members of the Council by administration that can be reviewed by a Council member without further explanation, or (c) are so routine or technical in nature that passage is likely, or (d) routine expenditure of funds by Resolution.
- (2) The Clerk of the Council shall, if requested, read the Consent Agenda. Council members may ask questions for clarification, but not debate, items listed on the consent agenda.
- (3) The proper Council motion on the Consent Agenda is as follows: "I move for adoption of the Consent Agenda". This motion shall be non-debatable and will have the effect of moving to adopt all items on the Consent Agenda. A roll call vote shall be used when expenditures or committee appointments exist on the Consent Agenda. Any member of the Council shall have the right to move for the removal of any item from the Consent Agenda.

Therefore, prior to the vote on the motion to adopt the Consent Agenda, the Presiding Officer shall inquire if any Council member wishes an item to be withdrawn from the Consent Agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda.

- (i) New Business
 - (i) Licenses and Permits
 - (ii) Communications and Petitions
 - (iii) Resolutions
 - (iv) Ordinances
- (j) Miscellaneous Business
 - (i) Payment of bills
 - (ii) Committee Referrals
 - (iii) Closed Session (as required)
 - (iii) Adjournment

VOTING

RULE 17. The votes during all meetings of the Council shall be transacted as follows:

- (a) Any alderperson may demand an aye and no vote on any matter. However, the vote shall be by ayes and noes if the Council is: a) confirming appointments; b) adopting any measure that assesses or levies taxes; c) appropriating or disbursing money; or d) creating any liability or charge against the City or any fund of the City. All aye and no votes shall be recorded in the minutes by the Clerk. An electronic voting system will be utilized for roll call votes with all alderpersons voting at the same time. When all votes have been cast, the Clerk shall indicate this, display the votes, and announce the results. No member may explain his or her vote during the calling of the ayes and noes.
- (b) In case of a tie in votes on any proposal, the proposal shall be considered lost, except when the Mayor elects to break the tie. The Mayor cannot be compelled to break a tie vote.

- (c) Every member who was in the Council Chambers when the question was put, shall give their vote unless the Council, for special reasons, shall excuse the member by motion or unless the Council member is excused in accordance with these rules. If any Council member declines to vote "aye" or "no", their vote shall be counted as an "aye" vote.
- (d) Except as otherwise provided by law, a majority of the votes cast shall be necessary for all Council action, provided a quorum has voted.

COMMITTEES

RULE 18. The Committee structure of the Council and the procedures governing all committees shall be as follows:

- (a) Finance, Personnel, and Legislative Committee. The Mayor shall chair and appoint five members of the Council. The Clerk/Chief Administrative Official shall be responsible for ensuring there is someone present at each meeting to serve as secretary and record the minutes. The secretary will be responsible for taking legible notes to be used during the preparation of minutes.

It shall be the duty of this committee to draft or have submitted to it, resolutions for expenditures of money and make recommendations thereon to the City Council any recommended transfer of funds within departments.

It shall assist in the determination of budget objectives and review of the annual budget prior to submission to the Common Council for consideration. All petitions for appropriations shall be filed with the City Clerk not later than the 15th day of October in any year.

It shall provide direction for the Mayor, Chief Administrative Official, and department managers in matters regarding union and non-union labor negotiations. No contract or labor agreement shall be considered adopted without City Council approval. It shall also provide consideration for matters related to Public Safety, Building, Licensing, Permits, and like events.

It shall generally supervise all financial matters of the City, including the periodic review of the budget and contracts.

All new positions must be approved by the Finance, Personnel, and Legislative Committee and approved by a two-thirds vote of the Council before hiring by the Chief Administrative Official. This includes employees funded by other governmental units.

The committee shall generally meet on the 3rd Wednesday of each month generally at 6:00 p.m., unless at committee discretion it is changed for a future meeting.

- (b) Public Works Committee. The Mayor shall appoint four members of Council and one additional member to serve as chairperson. The Clerk/Chief Administrative Official shall be responsible for ensuring there is someone present at each meeting to serve as secretary and record the minutes. The secretary will be responsible for taking legible notes to be used during the preparation of minutes.

It shall be the duty of this Committee to provide initial consideration for matters relating to Public Right of Ways, Public Lands, water and sewer operations, Utility expansion/replacement projects, and storm water management.

It shall consider development projects, municipal or private, and provide a recommendation to the Plan Commission or Common Council, as applicable, for consideration.

It shall provide oversight in the development of the Capital Improvements and Capital Equipment Program, forwarding a recommendation to the Finance, Personnel & Legislative Committee.

The Committee shall generally meet on the fourth Wednesday of each month.

(c) Standing Committees.

The Economic Development Committee shall consist of three Council members and three citizen members in addition to the Mayor who shall act as chairperson of the committee.

The Parks, Cemetery, & Recreation Commission shall consist of three Council members appointed to a mayoral term and four citizen members appointed to five year terms. The Mayor shall appoint a Chairperson at the onset of his/her term.

The Insurance Review Committee shall consist of the Chief Administrative Official, the Deputy Clerk-Treasurer, and the City Attorney.

(d) Special Ad Hoc Citizen Advisory Committees. Special ad hoc citizen advisory committees may be created by the Mayor for a particular purpose. Committee members shall be appointed by the Mayor. The Mayor shall appoint the chair of the Committee. Citizen Advisory committees shall sunset at the end of their mission, but no later than the end of the mayoral term unless specifically continued by the Council thereafter for a specified time period. One Council member, and one alternate Council member, may be appointed as a member and liaison of a Citizen advisory committee.

(e) Committees may make recommendations on proposed programs, services, and ordinances, within their area of responsibility before action is taken by Council. The Committee Chair may present the recommendations of the committee during the discussion of the item of business. Committees may take action to purchase items previously approved within the annual budget.

(f) Minutes of action taken at committee meetings must be submitted to the City Clerk within 5 days of adjournment.

COUNCIL COMMUNICATIONS

RULE 19. All statutory boards, commissions, and Council citizen advisory bodies over which the Common Council has jurisdiction shall provide the Council with copies of minutes taken. Communications from such boards, commissions and bodies to the City Council shall include all action taken by that body and be recorded in their minutes.

ENACTED ORDINANCES, RESOLUTIONS, AND MOTIONS

RULE 20. An enacted ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality. Council action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty.

An enacted resolution is an internal legislative act, which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

Motion is a form of action taken by the Council to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

ORDINANCES

RULE 21. The procedure for ordinances is as follows:

- (a) With the exception of Franchise Ordinances as provided below, an ordinance may be put to its final passage on the same day on which it was introduced. The title of each ordinance shall in all cases be read prior to its passage; provided, should a majority of the Council members present request that the entire ordinance or certain of its sections be read, such requests shall be granted. Printed copies shall be made available for review upon request to any person attending a Council meeting.
- (b) Franchises. All resolutions and ordinances granting a franchise require two readings prior to adoption. The second reading must be at least five days after the first reading. All franchise ordinances and resolutions may be passed only at a regular meeting of the council; and at least a majority of the governing body must vote in favor of the franchise.
- (c) Emergency Ordinances. By vote of one more than the majority, the City Council may without notice or hearing adopt an emergency ordinance authorizing expenditures for a public emergency.
- (d) A Council member may, in open session, request of the Presiding Officer that the Council study the wisdom of enacting a particular ordinance. By affirmative motion, the Council may assign the proposed ordinance to a specific committee for study and consideration. The committee shall report its findings to the Council.
- (e) If a Motion to pass an ordinance fails, the ordinance shall be considered lost.
- (f) Any ordinance amending or repealing any portion of the Antigo Municipal Code shall also amend or repeal the respective portions of any underlying ordinance(s).

SUGGESTIONS TO COUNCIL

RULE 22. When citizen suggestions are brought before the City Council in writing, other than for items already on an agenda, the Presiding Officer shall first determine whether the issue is legislative or administrative in nature and then:

- (a) If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Council finds such complaint suggests a change to an ordinance or resolution of the City, the Council may refer the matter to a committee, Administration, or the Council as a Committee of the Whole for study and recommendation.
- (b) If administrative and a complaint regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the

Chief Administrative Official, the Presiding Officer should then refer the complaint directly to the CAO for his/her review if said complaint has not been so reviewed. The City Council may direct that the CAO brief or report to the Council when his/her response is made.

FILLING COUNCIL VACANCIES

- RULE 23. If a vacancy occurs in the office of Council member, the Council will follow the procedures outlined in the State Statutes.

PHOTOGRAPHS, MOTION PICTURES, VIDEO TAPE -- PERMISSION REQUIRED FOR ARTIFICIAL ILLUMINATION

- RULE 24. No photographs, motion pictures, or video tapes that require the use of flash bulbs, electronic flashes, flood lights, or similar artificial illumination shall be made at City Council Meetings without the consent of the Presiding Officer.

CHECKLISTS FOR GOVERNING BODY ACTION

Appendix 1

There are a number of risk reduction checklists that governing body members should use when considering legislative actions. Legislators, administrators, and legal counsel who draft ordinances and other proposed legislative actions should review the proposed ordinance, etc. against the appropriate checklists.

Equal Protection Checklist:

1. Does the action treat different groups of people differently?
2. If so, what standard will the classification be judged?
3. Is the classification justifiable under the appropriate standard?
4. Will an ordinance or policy which is neutral on its face have a discriminatory impact when applied?
5. Does the local government have a sufficient basis in fact in support of the action and/or classification?

Substantive Due Process Checklist:

1. Does the City have a legitimate goal in pursuing its proposed course of action?
2. What is the nature of the "right" being affected by the agency's decision?
3. Is it a right which is deemed to be fundamental? If so, does the agency have a compelling interest for taking the action?
4. If a fundamental right is involved, is there another, less drastic way for the local government to achieve its goal which will create less interference with the constitutional right?
5. If it is an economic, social or business regulation, is there a rational relationship between the regulation and the governmental goal?

Procedural Due Process Checklist:

1. Will the proposed action or ordinance deprive a person of a "liberty" or "property" interest?
2. If so, has that person been afforded due process?
3. Has the person been given notice?
4. Has the person been given an opportunity to be heard?
5. Has the person been given a statement of reasons for the agency's decision?
6. Has the local government complied with applicable statutory, ordinance or contract provisions requiring due process?
7. Does an ordinance give sufficient notice to persons of its requirements?

8. Are the terms used in an ordinance defined?
9. Does the ordinance provide clear standards for the conduct of the officials who must enforce it?

Due Process Checklist: Licenses and Permits

1. Is there an ordinance dealing with the granting or revocation of the license or permit?
2. Is the ordinance clear and unambiguous?
3. Has the applicant for a license or permit been given reasonable information as to the items which (s)he must submit to the agency prior to issuance?
4. Does the local government have the authority to legislate in the area for which the license or permit is to be granted?
5. Are the requirements for issuance of a license or permit reasonable and have they been consistently applied?
6. Do the items required prior to the issuance of a license or permit bear some reasonable relationship to the activity to be allowed?
7. Has the local government sought to limit the number of persons who can receive the license or permit?
8. If there is a limitation in the number of persons who may receive the license or permit, is there statutory authority for such a limitation?
9. Has an applicant for a license or permit been given an opportunity to have a hearing if the granting of a license or permit has been denied?
10. Has a hearing been held prior to the suspension or revocation of an existing license or permit?
11. If in an area with a limited number of licenses or permits, can the agency present a reason for the reduction, and has the identity of the business which will lose its license or permit been determined in a non-discriminatory manner?
12. Is the refusal to issue, or revocation of, the license or permit justified, or solely in response to public pressure?
13. Has the inspection or regulatory system of the agency been enforced in a non-discriminatory manner, or is the person being singled out for enforcement?
14. Do the fees charged for licenses and permits bear a reasonable relation to the cost of enforcement?

General Ordinance Adoption Checklist:

1. Have the statutory or local procedural requirements been followed?
2. Is the ordinance a subject upon which the City has Federal or State constitutional or statutory authority to act?

3. As drafted, does the ordinance treat all similarly situated persons in the same way?
4. Are the terms of the ordinance clear enough so that people do not have to guess at its meaning?
5. Does the ordinance clearly state what a person must do in order to comply with it?
6. Does the ordinance define special or broad terms which it uses?
7. Does the ordinance set sufficient standards for the officials who must enforce it, or does it give the enforcing agent too much discretion in making a decision whether or not to do something?
8. Does the ordinance require that notice or hearing be given to a person whose rights are affected by it?
9. Does the ordinance require the official who is making a decision under it to give notice of that decision and the reasons for it within a reasonable time?
10. Can the local government achieve its goal by using a less restrictive or intrusive means?
11. Do the ordinance provisions constitute a "prior restraint" on a person's First Amendment rights?
12. Has the agency created an adequate record or compiled sufficient evidence in order to support its findings and conclusions for enacting the ordinance?
13. Is the ordinance too broad?
14. Does the ordinance so heavily burden a person's use of his property that it might be considered a taking?
15. If an ordinance is changing an existing local regulation, does it give persons a reasonable amount of time to comply with the changes?
16. Has the Attorney and Risk Manager been consulted before taking action which might result in claims against the agency or litigation?
17. Have similar ordinances been upheld elsewhere?
18. If an ordinance is challenged, would you consider suspending it pending a judicial determination?



To: Mayor and City Council
From: Kaye Matucheski, Clerk-Treasurer/Finance Director
Date: April 16, 2024
Re: Mayor - Committee Appointments for the 2024 - 2025 Term

Mayor Brand will be distributing Committee assignments at the meeting.