

**CITY OF MENASHA
NEW COMMON COUNCIL
First Floor Conference Rooms
100 Main Street
Tuesday, April 18, 2023
6:00 PM
AGENDA**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. OATH OF OFFICE
- D. ROLL CALL
- E. PUBLIC HEARING
- F. REPORT OF DEPARTMENT OFFICERS/DEPARTMENT HEADS/STAFF/CONSULTANTS
 - 1. Deputy Clerk Neuman - the following minutes and communications have been received and placed on file:
 - Minutes to receive:
 - a. Protocol Committee Minutes, 4/13/23
 - Communications:
 - b. April 4, 2023 – Spring Election Results & Board of Canvas Reports
 - c. Racine Street Bridge Reopening Celebration
 - d. Arbor Day Proclamation
 - e. National Library Week Proclamation
- G. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
- H. CONSENT AGENDA
- I. ITEMS REMOVED FROM THE CONSENT AGENDA
- J. ACTION ITEMS
- K. HELD OVER BUSINESS
- L. ORDINANCES AND RESOLUTIONS
 - 1. R-14-23 A Resolution Adopting Rules of the Common Council and Mayor
(Introduced by Ald. Sevenich)

M. APPOINTMENTS

1. Common Council Appointments

- a. Council President (1 year term effective immediately)
- b. An Alderman Member to the Plan Commission (1 year term effective immediately)
- c. An Alternate Alderman Member to the Plan Commission (1 year term effective immediately)

N. RECESS TO COMMITTEES

- 1. Administration Committee, Board of Public Works, Personnel Committee

O. APPOINTMENTS

1. Common Council Appointments

- a. Member of the Protocol Committee
- b. Member of the IT Steering Committee
 - i. (Chair or Vice-Chair of the Administration Committee)
- c. NMFR Joint Finance & Personnel Committee
 - i. Council President (no action necessary)
 - ii. Personnel Committee Chair (or Administration Committee Chair if necessary)
- b. Member to the Sustainability Committee

2. Mayor's Appointments

- a. Approval of Alderman Ted Grade to the Parks & Recreation Board (1 year term effective immediately)
- b. Approval of Alderman Tom Grade to the Landmarks Commission (1 year term effective immediately)
- c. Approval of Alderman Kiersten Lewis to the NMFR Joint Finance and Personnel Committee (1 year term effective immediately)
- d. Reappointment of James Meinke to the Police Commission for the term of 5/1/23 – 5/1/28
- e. Appointment of Angie Demers to the Sustainability Committee for the term of 5/1/23 – 5/1/26

P. CLAIMS AGAINST THE CITY

Q. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

(five (5) minute time limit for each person)

R. ADJOURNMENT

MEETING NOTICE

Monday, May 1, 2023

Common Council Meeting – 6:00 p.m.

Committee Meetings to Follow

Council Social to Follow

The Old Grog – 546 Broad Street (The public is welcome to attend)

CITY OF MENASHA
Protocol Committee
Thursday, April 13, 2022
Minutes

A. CALL TO ORDER

The meeting was called to order at 9:01AM by Ald. Stan Sevenich.

B. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Ted Grade, Ald. Austin Hammond, Mayor Donald Merkes, Ald. Stan Sevenich

Also Present: Ald. Tom Grade, Ald. Rebecca Nichols, Attorney Struve

C. PUBLIC COMMENTS ON ANY MATTER OF CONCERN ON THE AGENDA

No one spoke.

D. MINUTES

1. Motion by Ald. Ted Grade second by Ald. Austin Hammond to approve the minutes of 4/11/2022. Motion carried.

E. COMMUNICATIONS

None.

F. DISCUSSION / ACTION ITEMS

1. Recommendation to Common Council (Rules of the Common Council and Mayor)

a. 1.02 Call to Order

Motion by Mayor Merkes second by Ald. Ted Grade to recommend removing "*by pressing the attendance button on their control console or*" from section 1.02 of the Rules of the Common Council and Mayor.

Motion carried.

b. 1.12 Calling the Question

Motion by Ald. Stan Sevenich second by Ald. Ted Grade to revise section 1.12 to read: "Any member wishing to terminate the debate may move to "call the question" If two-thirds of the members present vote in the affirmative the question before the council shall be taken without further debate"

Motion carried

c. 1.17 Citizens Right to Address the Common Council

General discussion. No action taken

Motion to approve Rules of the Common Council and Mayor as amended by Ald. Stan Sevenich second by Mayor Merkes

Motion carried

Motion to recommend to the Rules of the Common Council and Mayor as amended to the Common Council by Ald. Austin Hammond second by Ald. Ted Grade

Motion carried

G. ADJOURNMENT

Motion by Ald. Austin Hammond seconded by Ald. Ted Grade to Adjourn at 9:40AM.
Motion carried.

April 4, 2023 Spring Election						
	Senior Center (District 1 & 2)	Boys and Girls Club (District 3 & 4)	UWO Fox Cities (District 5 & 7)	Winnegamie Dog Club (District 6, Ward 13 Winnebago County)	Winnegamie Dog Club (District 6 & 8, Ward 14-16, Calumet County)	Total
# of Voters	1089	1054	1062	239	1029	4473
# of Provisional Ballots	0	0	0	0	0	0
Judicial						
Justice of the Supreme Court						
Janet C. Protasiewicz	638	661	287	144	552	2282
Daniel Kelly	449	389	191	92	473	1594
write-in	1	2	2	2	0	7
Circuit Court Judge, Branch 2						
Scott C. Woldt	475	447	222	101		1245
LaKeisha D. Haase	529	524	221	115		1389
write-in	2	1	2	1		6
Circuit Court Judge, Branch 6						
Daniel Bissett	769	774	317	174		2034
write-in	13	15	5	3		36
Municipal						
Aldersperson, District 1						
Rebecca Nichols	479					479
write-in	12					12
Aldersperson, District 3						
Stanley P. Sevenich		410				410
write-in		18				18
Aldersperson, District 5						
write-in			48			48
Aldersperson, District 7						
Ted J. Grade			442			442
write-in			6			6
School District						
Menasha Joint School District, School Board Member						
Maria Vera	602	656	365	138	178	1939
Heidi J. Quick	623	665	377	150	217	2032
write-in	24	29	4	4	8	69
Appleton Area School District, School Board Member						
Kristine Sautner					395	395
Deb Truymen					274	274
Nick Ross					257	257
Jason Kolpack					293	293
Sam Blackwell					184	184
write-in					13	13
Referendum						
Question 1						
Yes	652	646	385	161	467	2311
No	384	360	173	71	198	1186
Question 2						
Yes	670	671	378	155	475	2349
No	371	337	179	75	191	1153
Question 3						
Yes	801	799	446	181	541	2768
No	248	213	116	50	133	760

	Total residents of voting age	Registered at polls	No. Voters	Voter %	Absentees
Total City Percentage	14,421	81	4,472	31%	25%

	Pre- registered voters	Registered at Polls	No. Voters	Voter %	Absentees
Districts 1&2	2,502	23	1,089	43%	254
Districts 3&4	2,595	24	1,054	40%	253
Districts 5&7	2,343	15	1,062	45%	326
District 6	1,187	7	239	20%	62
District 8	1,524	12	1,029	67%	243
Total City	10,151	81	4,473	43%	1,138

Summary Statement and Certification of the Board of Canvassers
Spring Election – April 4, 2023

We, the undersigned, certify that we are the members of the Board of Canvassers for the City of Menasha, Wisconsin.

We certify that the attached Tabular Statement of Votes Cast and Summary Statement of the Board of Canvassers, canvassed and prepared by us, are correct and true as compiled from the original returns made to the City Clerk.

We further determine and certify that the following persons received the greatest number of votes for the respective office for which each was a candidate on April 4, 2023.

The total number of votes cast for District 1 Alderman was 493, of which

Rebecca Nichols	received 479
Write-ins	received 14

Rebecca Nichols, having received the highest number of votes cast, was declared elected District 1 Alderman for the City of Menasha for a two year term expiring April 2025.

The total number of votes cast for District 3 Alderman was 428, of which

Stanley P. Sevenich	received 410
Write-ins	received 18

Stanley P. Sevenich, having received the highest number of votes cast, was declared elected District 3 Alderman for the City of Menasha for a two year term expiring April 2025.

The total number of votes cast for District 5 Alderman was 48, of which

Kiersten Lewis (registered write-in)	received 28
All other Write-ins	received 20

Kiersten Lewis, having received the highest number of votes cast, was declared elected District 5 Alderman for the City of Menasha for a two year term expiring April 2025.

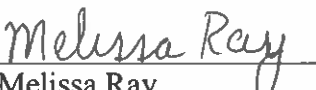
The total number of votes cast for District 7 Alderman was 448, of which

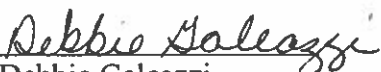
Ted J. Grade	received 442
Write-ins	received 6

Ted J. Grade, having received the highest number of votes cast, was declared elected District 7 Alderman for the City of Menasha for a two year term expiring April 2025.

Dated at the office of the City Clerk at City Hall, City of Menasha, Winnebago & Calumet Counties, Wisconsin, this 5th day of April, 2023.


Gary Coopman


Melissa Ray


Debbie Galeazzi

CITY OF MENASHA
BOARD OF CANVASSERS
100 MAIN STREET
APRIL 5, 2023
MINUTES

A. CALL TO ORDER

Meeting called to order by Deputy Clerk Neuman at 1:06 p.m.

B. ROLL CALL

PRESENT: Gary Coopman, Melissa Ray, and Debbie Galeazzi

ALSO PRESENT: Deputy Clerk Neuman and Clerk Krautkramer

C. DISCUSSION/ACTION ITEMS

1. Spring Election Canvas of Official Results – Alderpersons District 1, 3, 5, 7

The Board compared the ImageCast Evolution (ICE) machine results tape with the return sheets filed and determine and certified the Alderperson for Districts 1, 3, 5, 7 races of the April 4, 2023 Spring Election are as follows:

Alderperson, District 1

Rebecca Nichols	479
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Write-in	14
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Upon inspection of the results tape in comparison to the write-in tally count, the election workers at the Senior Center found two (2) more for write-in than what was determined by the ICE Machine that was read – voter intent indicated as such. The Board of Canvassers agreed with the results.

Alderperson, District 3

Stanley P. Sevenich	410
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Write-in	18
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Votes and scattering amounts were correct with what was determined by the ICE Machine. The Board of Canvassers agreed with the results.

Alderperson, District 5

Kiersten Lewis (registered write-in)	28
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Write-in	20
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The write-ins for this contest were all added together by the ICE Machine for a total of 48 votes. Of the 48 votes, Kiersten Lewis received 28 of the votes, per the inspection of the ballots entered into the tabulator for this polling location. Kiersten Lewis is declared the winner; the Board of Canvassers agreed with the results.

Alderperson, District 7

Ted J. Grade	442
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Write-in	6
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Votes and scattering amounts were correct with what was determined by the ICE Machine.

D. ADJOURNMENT

Moved by Debbie Galeazzi seconded by Gary Coopman to adjourn sine die at 1:16 p.m.

Motion carried on voice vote.

Valerie Neuman
Deputy Clerk

WITNESS OUR HANDS at the office of the City Clerk at City Hall - City of Menasha, Winnebago and Calumet Counties, Wisconsin, this 5th day of April, 2023.



Gary Coopman



Melissa Ray



Debbie Galeazzi



FOR IMMEDIATE RELEASE

Contact:

Donald Merkes
Mayor, City of Menasha
100 Main Street Suite 200
Menasha, WI 54952
Phone: 920-967-3608
<http://www.menashawi.gov>
dmerkes@menashawi.gov

DOT ANNOUNCES RACINE STREET BRIDGE OPENING DATE CITY OF MENASHA TO HOST RIBBON CUTTING CELEBRATION

MENASHA, WI – April 12, 2023. The City of Menasha is pleased to announce the reopening of the Racine Street Bridge connecting Downtown Menasha to Doty Island on Wednesday April 19th, 2023.

The Common Council's decision to recommend replacing the bridge in 2015 recognizes that safety, traffic flow, boat access, and pedestrian access are an important part of the city's image and economic development planning. Just as the Marina was an investment in Menasha's future, so is an improved Racine Street Bridge. This bridge is a statement about the future of Menasha and an investment for the next generation to ensure Menasha remains a vibrant Community. The City of Menasha has made tremendous impacts throughout the downtown, marina, and riverfront; living up to the challenge of being 'Your Place on the Water'.

The \$33 million project has reinvested our money that was sent to Washington and Madison back to Menasha to enhance our community. In addition, over \$20 million in new development has occurred in the downtown and Doty Island areas since the announcement of the new bridge.

The new bridge provides numerous benefits to the community including:

- Improved safety – a desirable width and profile will improve safety for all users. The new bridge features 11' vehicular traffic lanes, 5' bike lanes, and 6' sidewalk on both sides.
- Improved boat passage – the new bridge includes an auxiliary navigation channel with greater clearance just south of the bascule span allowing more boats to pass under the bridge without opening the bascule span, which results in less delays for both boats and vehicles in the downtown.
- Improved multi-modal opportunities providing more suitable accommodations for bicycle and pedestrian travel and connections to the planned river walks on both shores as well as overlooks for pedestrian enjoyment.
- Additional landscaping and concrete work to enhance the walkability of the project will continue this summer as well as installation of decorative lighting.

The Ribbon Cutting Ceremony will be held Wednesday April 19, 2023 at 5:30 PM. The ceremony will include the Menasha High School Marching band, remarks from Mayor Merkes and Northeast Region Director Wisconsin DOT Tom Buchholz, and the VFW & Menasha Police Department Honor Guard. There will be an opportunity to walk the bridge following the ribbon cutting with the first vehicles crossing the bridge around 6:30 PM.

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Arbor Day



April 28, 2023

WHEREAS, Arbor Day has contributed to the public's awareness of the importance of trees; and

WHEREAS, the National Arbor Day Foundation has been a leader in promotion of the education and planting of trees in communities across America; and

WHEREAS, the planting of new trees is an expression of our commitment and dedication of instilling a beautiful future of our community for future generations; and

WHEREAS, the City of Menasha is being recognized for the 40th consecutive year as a Tree City U.S.A. by the National Arbor Day Foundation and desires to continue its tree-planting ways; and

WHEREAS, the students of the UWO-Fox Cities Campus will participate in an Arbor Day program, held as the City of Menasha's Barker Farm Park, on this day, as a way to help bolster awareness of sustainability in our community; and

WHEREAS, the City of Menasha, Menasha Utilities, and the UWO-Fox Cities Campus wish to be recognized as a Tree City, Tree Line Utility, and Tree Campus by the National Arbor Day Foundation.

NOW, THEREFORE, IT BE PROCLAIMED, that I Donald Merkes, Mayor of the City of Menasha, do hereby proclaim April 28th, 2023 to be:

Arbor Day

in the City of Menasha

And urge all citizens to support the protection of our trees and woodlands and support our urban forestry program, as well as show their gratitude towards the professionals who dedicate their time in caring for our community trees,

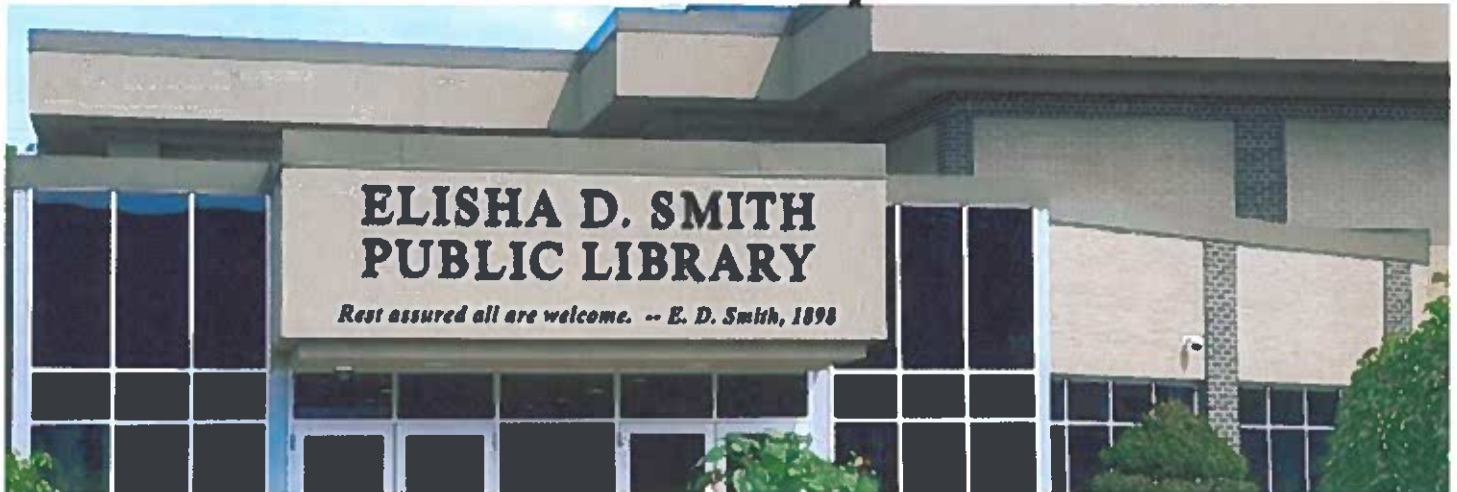
FURTHER, I encourage all citizens to actively support tree planting and protections as a means to improve our community, the quality of our lives, and promote the well-being of future generations.

Dated this 13th day of April, 2023




Donald Merkes, Mayor

National Library Week



April 23 — 29, 2023

WHEREAS, First sponsored in 1958, National Library Week is a national observance sponsored by the American Library Association and libraries across the county each April;

WHEREAS, is the time of year to celebrate our nation's libraries, library staff and volunteers, and the resources they provide to people of all ages throughout Menasha; and

WHEREAS, special events for this week focus on the importance of the value of the people and community outreach and initiatives libraries provide for our Nation.

Tuesday: National Library Workers Day
Wednesday: National Library Outreach Day
Thursday: Take Action for Libraries Day

WHEREAS, this year's theme, "There's More to the Story", conveys how libraries are more than just about book and media borrowing; and,

WHEREAS, we celebrate and celebrate how libraries in our Nation, like the Elisha D. Smith Public Library, strive to provide our community with opportunities of togetherness and collaboration through their innovative programming such as the Library of Things (LoT), the SMITHworks creation lab, storytimes, movie nights, lectures, and other educational facets; and

NOW THEREFORE BE IT PROCLAIMED, that I Donald Merkes, Mayor of the City of Menasha, proclaim the week of April 23rd — 29th, 2023 to be:

National Library Week

in the City of Menasha, and encourage all residents to visit their local library to take advantage of the wonderful resources and world knowledge and opportunity offered to them.

Dated this 13th day of April, 2023



Donald Merkes, Mayor



MEMORANDUM

To: Common Council
From: Don Merkes, Mayor
Date: 13 April 2033

RE: Rules of the Common Council and Mayor

Background

Each year the Protocol Committee reviews and provides recommended updates to the Rules of the Common Council and Mayor before the Organizational Meeting of the Common Council the third week of April. The Protocol Committee recommended two changes to the Rules of the Common Council and Mayor for the 2023-4 term.

Analysis

The following items have been recommended for revision

1.02 CALL TO ORDER

The Mayor or Council President shall call the meeting to order. The Council members will indicate their attendance ~~by pressing the attendance button on their control console or~~ through a voice roll call. If a quorum is present (Wisconsin Statutes quorum is two-thirds of Council membership) the Council shall proceed to business; if there is no quorum present the members present may compel the attendance of absent members or adjourn. In the absence of the Mayor or Council President any member may call the Common Council to order, and thereupon the Common Council shall appoint one of its members to preside at such meeting.

1.12 CALLING THE QUESTION

Any member wishing to terminate the debate may move to **"call the question"** ~~the previous question as "shall the question before us now be put?"~~ If two-thirds of the members present vote in the affirmative the question before the council shall be taken without further debate.

Recommendation

Recommend approval of the revised Rules of the Common Council and Mayor as included as R-14-23



RESOLUTION R-14-23

A RESOLUTION ADOPTING RULES OF THE COMMON COUNCIL AND MAYOR

INTRODUCED BY Ald. Sevenich

WHEREAS, it is desirous that ground rules be laid prior to the New Council session begins; and

WHEREAS, it is desirous that city government operate in the most open and transparent method practicable.

NOW, THEREFORE, BE IT RESOLVED by the City of Menasha Common Council and Mayor adopt the following rules;

1.01 MEETINGS

- 1) The meetings of the City of Menasha Common Council shall be held at Menasha City Center, 100 Main Street, rooms 132,133,134 at 6PM on the first and third Monday of the month, excluding the organizational meeting. If the regularly scheduled meeting falls on a holiday the meeting shall be held on the next regular business day.
- 2) The organizational meeting shall be held the third Tuesday of April or as regulated by state statutes.
 - 1) Prior to the organizational meeting, each newly elected alderperson shall receive copies of the City's policies regarding ethics and code of conduct; as well as the proposed rules of the Common Council and Mayor.
 - 2) Following calling the meeting to order, it shall be the duty of the clerk to swear in all new members of the common council before calling roll
 - 3) A quorum being present the Common Council shall proceed
 - 4) The rules of the Common Council and Mayor for the one year term of the body shall be presented and adopted by a majority vote of the Common Council and Mayor.
 - 5) Council members shall occupy the respective seats upon the dais by district from right to left as viewed from the gallery with the Mayor, Clerk, and Attorney at the center.
 - 6) The rules of the Common Council and Mayor shall be amended during the one-year period only by a two-thirds vote of the membership of the Common Council and Mayor.
 - 7) Election of the common council president and chairman and vice-chairman for standing committees shall be by majority vote. Ballots shall be cast by voice vote, in the event that no alderperson gain a majority vote of those present the lowest vote getter shall be deleted from each subsequent ballot until only two candidates remain on the ballot. In the event of a tie vote, the mayor shall not have the ability to break any tie, and the common council will vote again. If there are three subsequent tie votes the two candidates' names will be placed in a hat and the

winner drawn. The Common Council shall recess to standing committees to select chairpersons.

- 8) The Common Council shall make their representative appointments to: Plan Commission, IT Steering Committee, Protocol Committee, and Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee.
- 3) Budget Review Sessions shall be on the first Wednesday and first Thursday in November, and the second Wednesday and Thursday in November of each year. Such review session shall start at 5:00 PM; the Mayor shall distribute a listing of the individual budgets to be reviewed on each date. The Mayor will prepare and submit a proposed budget to the Common Council on or before October 15 of each year.
- 4) Special meetings may be called by the Mayor or Council President by notifying members in a manner likely to give each member notice of the meeting and providing the notice at least 24 hours, and a minimum of 6 hours for emergency meetings, before the meeting. The notice shall specify the time, place, and purpose of the meeting.
- 5) The Common Council shall be in continuous session from day to day until adjournment to a day certain or sine die.

1.02 CALL TO ORDER

The Mayor or Council President shall call the meeting to order. The Council members will indicate their attendance through a voice roll call. If a quorum is present (Wisconsin Statutes quorum is two-thirds of Council membership) the Council shall proceed to business; if there is no quorum present the members present may compel the attendance of absent members or adjourn. In the absence of the Mayor or Council President any member may call the Common Council to order, and thereupon the Common Council shall appoint one of its members to preside at such meeting.

1.03 NOTIFICATION OF ABSENCE OF MEMBERS

Any Alderman who cannot attend a Council meeting shall notify the Mayor, City Clerk, President of the Council, or in the case of a committee meeting, the Committee Chair in advance if he/she is unable to attend such meeting except in the case of an emergency. Aldermen shall be recorded present or absent on the official minutes. If an Alderman enters a meeting after it convenes or leaves before it adjourns the time shall be noted in the official minutes. An Alderman's absence from more than three consecutive meetings shall be referred to the Protocol Committee for imposition of a penalty, consisting of a monetary fine of \$200.00. *(Amended April 2022)*

1.04 QUORUM

A two-thirds (2/3) majority of the members-elect of the Common Council shall constitute a quorum. A less number may compel the attendance of absent members and adjourn. The Mayor shall not be counted in computing a quorum. No action shall be taken unless a quorum is present. A majority of all the members shall be necessary to a confirmation. In case of a tie the Mayor shall have a casting vote as in other cases.

1.05 ORDER OF BUSINESS

At all regular meetings, the order of business shall be according to the tentative agenda prepared by the City Clerk and provided to the Mayor and each member of the Common Council no later than the Friday preceding the regular meeting.

The order of business of Council meetings shall be as follows:

Without objection, the presiding officer may re-order any agenda item within the prescribed order of business or may temporarily set aside an agenda item for action later in the meeting for the convenience of the Common Council.

- 1) Call to order.
- 2) Pledge of Allegiance.
- 3) Roll Call/Excused Absences.
- 4) Public Hearing
- 5) Report of Department Officers/Department Heads/Staff/Consultants (Minutes to receive and Communications)
- 6) Public Comment on any matters of concern to the City (five (5) minute time limit for each person).
- 7) Consent Agenda
- 8) Items Removed from Consent Agenda
- 9) Action Items
- 10) Ordinances and resolutions.
- 11) Appointments.
- 12) Held Over Business
- 13) Claims against the City
- 14) Citizen Reprise (people from the gallery to be heard, only pertaining to matters on the agenda; five (5) minute time limit for each person).
- 15) Items for next meeting agenda (by majority vote)
- 16) Adjournment

1.06 SPECIAL RECOGNITION

The City of Menasha will consider requests for moments of silence at the beginning of Common Council meetings that relate to persons or events of community-wide, state-wide, or national significance involving Menasha residents. All requests should be made to the chair prior to the meeting and the Alderman making the request shall be recognized at the appropriate point within the agenda.

1.07 INTRODUCTION OF BUSINESS

- 1) No items may be removed from an agenda without approval from the chairperson after the initial approval of the agenda by the chairperson.
- 2) Ordinances can only be introduced by the request of the Mayor or any Alderman. All ordinances submitted to the Council shall be in writing and shall begin with a brief statement of the subject matter, a title and the name of the Alderman or Mayor introducing

the same. Any written material introduced may be referred to the appropriate committee pursuant to Section 2-2-5. Any member of the Council may require the reading in full of any ordinance or resolution at any time it is before the Council.

- 3) The Mayor or any Alderman may introduce an ordinance at any Council meeting simply by stating, "I desire to introduce the following ordinance." An ordinance may also be introduced by the Mayor or an Alderman directing the City Attorney to draft such ordinance and file it with the Clerk to be placed on the next Council agenda. The Clerk shall cause such proposed ordinance to be printed in the official City newspaper if any Alderman so requests. Such notice shall state the date the proposed ordinance will be considered by the Council or any committee. The public will be permitted to address the Council or any committee when the Council or committee considers any such ordinance. A specific public hearing shall be scheduled to consider any such ordinance upon request of any Council member. No second is required to introduce any ordinance, to request its publication, or to request a public hearing.
- 4) Each ordinance shall be related to no more than one (1) subject. Amendment or repeal of ordinances shall only be accomplished if the amending or repealing ordinance contains the number and title of the ordinance to be amended or repealed, and title of amending and repealing ordinances shall reflect their purpose to amend or repeal.
The Common Council may take action on an ordinance only if it appears on the written agenda for the meeting at which action is requested. No ordinance may be passed by the Common Council until the next Council meeting following its introduction at either a Committee or Council level. When said ordinance on its face does not adequately advise the public of its contents, the City Attorney shall add a brief note of explanation.

1.08 PRESERVATION OF ORDER

- 1) Presiding Officer. It shall be the duty of the presiding officer to preserve decorum; and if any member transgresses the rules of the Common Council, the presiding officer shall, on his or her own or at any members' request, call such offending member to order. The Common Council if appealed to shall decide the matter.
 - 1) When a question is pending, a member can condemn the nature of likely consequences of the proposed measure in strong terms, but the member must avoid personalities and under no circumstances can the member attack or question the motives of another member or the entire Common Council.
 - 2) Points of Order may be used to draw attention to a breach in rules, an irregularity in procedure, the irrelevance or continued repetition of a speaker, the breaching of established practices, or contradiction of previous decision. The chair shall immediately acknowledge the Point of Order and rule on it. A Point of Order is non-debatable, however, may be overruled by a two-thirds vote of the body. Points of Order which are recognized shall be recorded in the official minutes.
- 2) Member Complaints. Any member of the common council or a standing committee may file a complaint with the Chair (or City Attorney) for violations of council rules, Healthy Workplace Policy, Anti-Harassment Policy, relevant ordinance or state statute by any other member no later than forty-five (45) days following the occurrence.

- 1) Complaint Filing.
 - a) A complaint must be in writing on the approved form; and
 - b) A complaint must, with specificity, identify the rule, policy, ordinance or statute alleged to have been violated; and
 - c) A complaint form must be fully completed.
- 2) Complaint Procedure.
 - a) Within ten (10) days of the filing of a completed complaint, the Chair shall attempt to resolve the complaint to the satisfaction of both the Chair and the Complainant.
 - b) If the complaint is not resolved it shall be forwarded to the Protocol Committee for its consideration within ten (10) days of receipt.
 - c) Protocol Committee must act finding the complaint valid or not valid within 30 days of the complaint being forwarded to the committee.
 - d) If there is a conflict of interest with one or more members of the protocol committee the matter will be referred directly to the Common Council.
- 3) Frivolous Complaints.
 - a) A complaint is considered frivolous if it does not specifically reference a violation of Council rules, city policy, city ordinance or state statute, or
 - b) It is found to be frivolous by the Protocol Committee or Common Council.
 - c) As a sanction for filing a frivolous complaint, if a person files more than two (2) within a legislative year (April – April), no additional complaints will be accepted for filing from that person for the remainder of the legislative year.
- 4) Penalties and Sanctions. The Common Council may impose any one or more of the following penalties and/or sanctions upon a member found by the Common Council to have committed a violation:
 - a) The inability to be recognized to speak for one or more meetings attended, but not losing the ability to vote;
 - b) An informal censure made as part of a motion at a public meeting;
 - c) A formal censure made as part of a motion at a public meeting and published in the City newspaper;
 - d) Mandatory community service. [Wis. Stat. §62.11(3)(e)];
 - e) Attendance at counseling or mediation sessions. [Wis. Stat. §62.11(3)(e)]
 - f) Imposition of a monetary fine up to \$500.00. [Wis. Stat. §62.11(3)(a) & (c)]
 - g) Any other sanction available by law.

1.09 MOTIONS

- 1) When a motion is made and seconded it shall be deemed to be in possession of the Common Council, and shall be stated by the presiding officer.
- 2) After a motion is stated by the presiding officer it shall not be withdrawn except by the unanimous consent of the Common Council.

1.10 MOTION TO RECESS

Any member or the chair may recess at any point during the meeting with a majority vote.

1.11 MOTION TO ADJOURN

A motion to adjourn shall always be in order unless the Common Council is engaged in voting and shall be decided without debate, pursuant to Roberts Rules of Order.

1.12 CALLING THE QUESTION

Any member wishing to terminate the debate may move to “call the question” if two-thirds of the members present vote in the affirmative the question before the council shall be taken without further debate.

1.13 DIVISION OF QUESTION

Any member may call for a division of the question when the question is one that may be divided.

1.14 DEBATE

- 1) In the debate, each member has the right to speak unlimited times for an unlimited length of time.
- 2) A member who wishes to abstain must announce so at the start of debate, including reason(s) for abstaining to be included in the minutes and should consider leaving the room during the debate. A member who participates in debate cannot abstain from voting.
- 3) Upon the request of a member of the Common Council or Committee for any staff member to supply the body such information as requested the member must first be recognized by the presiding officer for that person to speak.
- 4) No officer, elected official or staff member may distribute, hold a loft, or place on the dais for public view additional information during or immediately before a Common Council meeting.

1.15 PRESENCE REQUIRED AT MEETINGS; ELECTRONIC COMMUNICATIONS AND DEVICES

- 1) Common Council and committee meetings’ purpose is to conduct official business of the City of Menasha, therefore, business casual attire is expected. With the exception of the City’s logo, business casual attire does not include apparel with advertising or logos, hats, shorts, flip flops, clogs, and the like.
- 2) No member shall be allowed to vote by proxy, nor shall meetings be conducted telephonically or electronically.
- 3) Use of cell phones during a meeting shall not be allowed except in the case of an emergency while the Common Council or Committee is in session.

1.16 RECONSIDERATION OF THE QUESTION

- 1) A motion for reconsideration can be made on any matter before the Common Council by a member who voted with the prevailing side. It must be made on the day the Common Council acted or at the next regular meeting. It does not require a second.
- 2) When a member who voted with the prevailing side moves to reconsider, such matter is automatically placed at the head of the calendar at the next Council meeting. This is a non-debatable motion and requires a two-thirds (2/3) vote of the members present. The effect of a motion to reconsider shall be to put the matter back in its original condition or status before the main motion was voted upon.
- 3) Reconsideration cannot be held, whenever the Council takes an action and something is done which cannot be undone by a motion to reconsider, such as a property right or where money has exchanged hands or other consideration given, such a motion is invalid.

1.17 CITIZENS RIGHT TO ADDRESS THE COMMON COUNCIL

- 1) The agenda for regular Common Council meetings shall include items “Public Comment on any matters of concern to the City (five minute time limit for each person)” and “Citizen Reprise (people from the gallery to be heard, only pertaining to matters on the agenda (five minute time limit for each person).” The meeting chair may provide limited answers to public questions but no debate and no action may be taken.
- 2) The agenda for special Common Council meetings shall include an item on the agenda “People from the gallery to be heard on matters pertaining to this agenda (five minute time limit for each person).”
- 3) Persons addressing the Common council during the two public participation forums shall be required to state their name and address before addressing the Common Council or Committee. A sign-up sheet will also be provided for those persons who do speak to sign in.

1.18 WRITTEN COMMUNICATIONS TO THE COMMON COUNCIL

- 1) Written communications to individual Common Council members may be mailed to the member’s home address as listed in the City Directory or delivered to City Hall. Items received at City Hall will be forwarded to the appropriate Common Council member with their next Common Council packet.
- 2) All communications to Common Council members are considered open records and shall be maintained by the guardian and made available by request.

1.19 PUBLIC HEARINGS

- 1) The appropriate Department Head will draft an explanation sheet that shall accompany any required notice to residents of any Public Hearing. The explanation sheet shall also be attached to the Public Hearing agenda. A brief explanation of the requested action shall be made by the appropriate Department Head at the Public Hearing. An explanation sheet as to the rules for any Public Hearing will be attached to the Public Hearing notice.

- 2) Persons addressing the Common council during a public hearing shall be required to state their name and address before addressing the Common Council. A sign-up sheet will also be provided for those persons who do speak to sign in.

1.20 ROBERTS RULES OF ORDER TO GOVERN COUNCIL

In the absence of a standing rule, ordinance, or statute, the Common Council shall be governed by Roberts Rules of Order.

1.21 CONFIDENTIAL INFORMATION

No official may use or disclose confidential information, including knowledge imparted orally, recordings, and written documents or records, concerning the property, government or affairs of the City gained in the course of or by reason of such official position or activities unless the release is ordered by a court or the informed consent of the subject, as applicable; or authorized by the legal custodian or other proper legal authorization is given. This includes confidential information received in a closed session of the governmental body. Inappropriate disclosure of such confidential information may subject the official to penalties including a fine or public censure. Other potential consequences for violating this restriction is criminal prosecution under §946.12, Wis. Stats., misconduct in public office or removal from office under Chapter 17 of the Wisconsin Statutes for cause.

NOW, THEREFORE, BE IT RESOLVED that the Common Council does hereby adopt the Rules of the Common Council and Mayor.

Passed and approved this 18th day of April, 2023.

Recommended by:
Common Council

Motion/Second:

Passed:

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Requires: Majority Vote

Donald Merkes, Mayor

ATTEST:

Valerie Neuman, Deputy City Clerk

Greetings,

I am extremely interested in joining the City of Menasha Sustainability Committee. I was a non-voting member of the Fox Crossing Sustainability Committee for several years, which stemmed from our participation in the Schildt Park Community Garden for many years, and were part of the team that proposed the creation of the second community garden located at Wittmann Park. I am passionate about keeping our community green and organic as possible, and I also feel that my employment with Fox Cities Habitat shows my commitment to repurposing items and keeping items out of the landfill. I would love the opportunity to educate our community and be part of the decision making process to ensure we do our best to protect our environment.

Thank you for your consideration.

Sincerely,
Angie Demers
356 Lisbon Ave., Menasha