



City of Racine, Wisconsin  
Common Council

**AGENDA BRIEFING MEMORANDUM**

**COMMITTEE:** Public Safety and Licensing      **ORDINANCE 0001-25**

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**AGENDA DATE:** Common Council Agenda for referral to committee – February 18, 2025

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**DEPARTMENT:** City Attorney's Office

**Prepared By:** City Attorney Scott R. Letteney

**Reviewed By:** Alder Kaprelian and Alderman Weidner

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**SUBJECT:** Communication sponsored by Alder Kaprelian and Alderman Weidner presenting Ordinance 0001-25 – Common Council Committee Structure.

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**EXECUTIVE SUMMARY:**

Proposed Ordinance 0001-25 – Common Council Committee Structure, would amend the Code of Ordinances regarding committees of the Common Council. Specifically, it would amend Chapter 2, Article II, Divisions 3, 4, and 5, of the Code of Ordinances as described in the Background and Analysis section of this Agenda Briefing Memorandum.

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**BACKGROUND AND ANALYSIS:**

As it currently exists, Chapter 2, Article II, *Division 3*, of the Code of Ordinances provides for the election of a president of the Common Council. It also indicates currently that the Common Council's Organizational Meetings, i.e., the first meeting of the "new" council of the year, commences as 7:00 p.m., which differs from all other regular Common Council meetings, which commence at 6:00 p.m.

As relevant to proposed Ordinance 0001-25 – Common Council Committee Structure, Chapter 2, Article II, *Division 5*, section 2-119, currently declares that proposed amendments to the Code of Ordinances must pass through a standing committee for consideration.

29 If approved, proposed Ordinance 0001-25 – Common Council Committee Structure,  
30 would amend Chapter 2, Article II, *Division 3* of the Municipal Code of the City of Racine. First,  
31 it would bring the time of the Common Council’s Organizational Meeting to 6:00 p.m., to be  
32 consistent with all other regular Common Council meetings. Further, it would provide for the  
33 creation of a common council vice president, to preside at committee of the whole meetings in  
34 the absence of the president and for the election of a common council vice president. Also, if the  
35 mayor is not able to serve as presiding officer at a meeting of the common council, currently the  
36 president would preside. If this ordinance change is approved, if both the mayor and president  
37 are not able to serve as presiding officer at a meeting of the common council, the vice president  
38 would preside.

39 If approved, proposed Ordinance 0001-25 – Common Council Committee Structure,  
40 would amend Chapter 2, Article II, *Division 5* of the Municipal Code of the City of Racine to  
41 provide that proposed amendments to the Code of Ordinances may be directed to the Committee  
42 of the Whole or may be referred to the Committee of the Whole by another standing committee  
43 or by the Common Council.

44 As relevant to proposed Ordinance 0001-25 – Common Council Committee Structure,  
45 Chapter 2, Article II, *Division 4*, of the Code of Ordinances, it currently exists,

- 46 1) defines the standing committees of the City of Racine to be the Finance and Personnel  
47 Committee, the Public Safety and Licensing Committee, the Public Works and  
48 Services Committee, and the Executive Committee;
- 49 2) provides that the mayor appoints alders to the standing committees;
- 50 3) provides for the naming of the chair and vice chair of each standing committee, but  
51 without any limits on terms as service as chair and vice chair; and
- 52 4) provides that the mayor shall be a member, ex officio, of all standing committees.

53 If approved, proposed Ordinance 0001-25 – Common Council Committee Structure,  
54 would amend Chapter 2, Article II, *Division 4* of the Municipal Code of the City of Racine.

55 First, this ordinance change would designate the Committee of the Whole as one of the  
56 standing committees of the City of Racine, in addition to the Finance and Personnel Committee,  
57 the Public Works and Services Committee, the Public Safety and Licensing Committee, and the  
58 Executive Committee. Further, it would make clear that proposed amendments to the Code of  
59 Ordinances may be directed to the Committee of the Whole or may be referred to the Committee  
60 of the Whole by another standing committee or by the Common Council.

61 Second, this ordinance change would substitute the common council president for the  
62 mayor as the office holder who appoints all standing committees. It also would provide that no  
63 alder may serve for more than two consecutive years as chair or vice chair of a standing  
64 committee.

65 Finally, if approved, proposed Ordinance 0001-25 – Common Council Committee  
66 Structure, would remove the status of the mayor as a member, ex officio, of the Finance and

Personnel Committee, the Public Works and Services Committee, and the Public Safety and Licensing Committee.

The full text of all the proposed changes included in proposed Ordinance 0001-25 are set forth, below. Language that is stricken through would be deleted. Language that is underlined would be added. Language that is neither stricken through nor underlined is existing language that would not change. For emphasis, the proposed changes are in red.

### DIVISION 3. MEETINGS

#### Sec. 2-61. - Organizational meeting.

(a) Date. Following a regular city election, the new common council shall meet at ~~7:00~~ 6:00 p.m. on the third Tuesday in April for the purpose of organization.

(b) Election of president and vice president. The common council shall, at its organizational meeting, elect one of its members to be president and one of its members to be vice president for the ensuing year.

(1) The mayor shall accept nominations for council president from the floor. Once nominations are complete, each nominee shall be afforded not more than five minutes to present reasons he/she should be appointed. A vote shall be taken by open ballot.

(2) If there are more than two nominations, and no nominee receives enough votes to constitute a majority of the aldermanic members of the common council present, the two nominees receiving the most votes shall be voted upon. If more than two nominees tie for the largest number of votes, the aldermanic members of the common council present shall vote again. If no nominee receives a majority and there are still more than two who tie for the largest number of votes, the names of those nominees shall be written by the city clerk on individual pieces of paper, and the mayor shall draw two names to be voted upon.

(3) In the event that there is a tie between the two nominees, or no nominee receives enough votes to constitute a majority of the aldermanic members of the common council present, after five successive votes, the mayor shall select the council president by choosing between the two final nominees.

(4) Following the election of the council president, the procedures set forth in (1), (2), and (3) above shall be followed for the election of council vice president.

#### Sec. 2-65. - Presiding officer.

The mayor, or in the event of ~~his~~ the mayor's absence or inability to act, the president, or in the event of both the mayor's and the president's absence or inability to act, the vice president, shall, at the hour of meeting, call the common council to order. ~~He~~ The

presiding officer shall preserve order and decorum, and decide all questions of order, subject to an appeal to the common council. In the case of the absence of ~~both~~ the mayor, ~~and the~~ president, and the vice president at the time of the meeting, the clerk shall call the common council to order; thereupon, the common council shall elect one of its own number president pro tem.

#### DIVISION 4. COMMITTEES

Sec. 2-76. Standing committees—Appointment.

Except for the committee of the whole, which shall be comprised of all the aldermanic members of the common council, ~~All~~ all standing committees shall be appointed by the ~~mayor~~ president of the common council annually at the organizational meeting of the common council.

Sec. 2-77. Same—Designated, matters referred.

The following are the standing committees of the common council:

(1) Finance and personnel: Finance, accounts, claims, insurance, personnel.

(2) Public works and services: Streets, waterfront, harbors, bridges, traffic, parking, utilities, water, sanitation, lighting and buildings.

(3) Public safety and licensing: Licenses, permits, parks, recreation, cemetery, education, welfare, board of health, fire, police, and emergency government services.

(4) Executive committee:

a. The executive committee shall consist of the mayor, president of the common council, the chairman of each of the three standing committees and one alderman at-large appointed by the mayor set out in subsections (1) through (3) of this section. It shall meet at the call of the mayor, or acting mayor, to consider such matters as may be referred to it by the mayor or common council, and its report shall be made to the council in accordance with sections 2-84 through 2-96 of this Code.

b. In the absence of the chairman of any of the three standing committees at any scheduled meeting, the vice-chairman of the committee should be in attendance and shall have the right to vote. In the absence of both the chairman and vice-chairman of any standing committee at any scheduled meeting, the alderman next named to such standing committee should be in attendance at such scheduled meeting and shall have the right to vote. It is the intent of this provision that at all executive committee meetings there should be in attendance at least one representative of each of the three standing committees with the right to vote on any matter brought before the executive committee.

144 (5) Committee of the whole.

145 Sec. 2-78. Same—Membership.

146 Each of the three standing committees set out in section 2-77(1) through (3) shall consist  
147 of five members. Each alderman shall be a member of one committee.

148 Sec. 2-79. Same—Chairman, vice-chairman.

149 The alder~~man~~ first named on each standing committee, other than the committee of the  
150 whole and the executive committee, shall be its chair~~man~~, and the alder~~man~~ next named  
151 shall be its vice-chair~~man~~. No alder may serve as chair or vice chair for more than two  
152 consecutive one-year terms.

153 Sec. 2-80. ~~Same—Ex officio members.~~

154 ~~The mayor shall be an ex officio member of all standing committees and shall have all of~~  
155 ~~the privileges of membership except the right to vote.~~

156 Sec. 2-81. Same—Meetings.

157 (a) Except the committee of the whole and the executive committee, each  
158 standing committee shall meet during the week preceding regular common  
159 council meetings. However, during any month containing five Tuesdays, each  
160 standing committee may meet during the week containing the fourth Tuesday.  
161 The chair of each standing committee shall propose an annual committee meeting  
162 schedule to the common council to be adopted when establishing the common  
163 council meeting schedule under section 2-62. No standing committees shall  
164 commence its meetings on the same day and time as another standing committee.

165 (b) All persons, including aldermen, interested in committee agenda items shall be  
166 permitted to provide input. Immediately after calling each agenda item, the chair  
167 shall permit input from any person, including aldermen, which input shall be  
168 limited to such agenda item. The chair may limit each person providing input to a  
169 reasonable time, based upon the circumstances.

170 (c) The chair of a standing committee may cancel any regular meeting of such  
171 standing committee due to lack of committee business or because the chair has  
172 been notified that three or more committee members will be unable to attend such  
173 meeting. Public notice of such cancellation of a committee meeting shall be given  
174 at least 24 hours prior to the scheduled commencement of such meeting unless for  
175 good cause such notice is impossible or impractical, in which case shorter notice  
176 may be given, but in no case may the notice be provided less than two hours in  
177 advance of 106 the scheduled commencement of the meeting.

178 (d) Notwithstanding anything else in this section, the committee of the whole  
179 shall meet pursuant to section 2-83.

180 Sec. 2-82. Authority to call on city officials.

Any committee of the common council shall be authorized to call upon any city official or employee to assist it in performing its duties.

Sec. 2-83. Committee of the whole.

The president of the common council shall be the presiding officer of the committee of the whole, which shall meet at the call of the president. The rules of procedure of the common council shall be observed in the committee of the whole so far as such rules may be applicable.

## DIVISION 5. RULES OF PROCEDURE

Sec. 2-119. Action on ordinances.

(a) All requests for amendments to the Code of Ordinances, including new ordinances, shall be in writing, made by the mayor or of the alderman, and shall be delivered to the clerk. The clerk forthwith shall direct such request to the city attorney.

(b) The city attorney shall draft proposed amendments to the Code of Ordinances, in consultation with the requesting official. Alternatively, the requesting official may draft a proposed amendment to the Code of Ordinances, or request another city department draft a proposed amendment to the Code of Ordinances, to be forward to the city attorney for legal review and further drafting as necessary to comply with relevant law. When the requesting official is satisfied with the proposed amendments to the Code of Ordinances as drafted, the city attorney forthwith shall so notify the clerk.

(c) Based upon the guidance provided in section 2-77 and elsewhere within this Code of Ordinances, within 14 days of notification by the city attorney to the clerk, the clerk, in consultation with the mayor, shall determine the most-appropriate standing committee to which such proposed amendment to the Code of Ordinances should be directed and shall place the proposed ordinance amendment on such committee agenda. Proposed amendments to the Code of Ordinances may be directed to the committee of the whole or may be referred to the committee of the whole by another standing committee or by the common council.

(d) The standing committee shall consider such proposed ordinance amendment and report its recommendation to the common council for final action.

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**BUDGETARY IMPACT:** None.

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**OPTIONS/ALTERNATIVES:**

217 To approve, whereby allowing the proposed amendments modifying the structure of City of  
218 Racine Common Council committees.

219 To deny, whereby disallowing the proposed amendments modifying the structure of City of  
220 Racine Common Council committees.

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222 **RECOMMENDED ACTION BY ALDER KAPRELIAN AND ALDERMAN WEIDNER:** To  
223 approve.

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225 **ATTACHMENT(S):** None.