



**City of Racine, Wisconsin
Common Council**

AGENDA BRIEFING MEMORANDUM

COMMITTEE: Public Safety and Licensing **ORDINANCE 0029-25**

AGENDA DATE: Common Council Agenda – December 2, 2025

DEPARTMENT: City Attorney's Office

Prepared By: City Attorney Scott R. Letteney

Reviewed By: N/A

SUBJECT: Communication sponsored by Alderman Weidner presenting Ordinance 0029-25, Communications.

EXECUTIVE SUMMARY:

Proposed Ordinance 0029-25 – Would amend and expand the procedure under Racine Ordinances section 2-117 for Communications to be submitted to various City of Racine governmental bodies.

BACKGROUND AND ANALYSIS:

As Racine Ordinances section 2-117 currently exists, the mayor and any alder may submit a communication to the Common Council for referral to any standing committee. The proposed ordinance, principally Parts 1 and 2, which would amend subsections 2-117(a) and (b), would expand that authority to allow communications to be submitted for referral by the Common Council to any City of Racine governmental body, including standing committees of the Common Council and any City of Racine authority, board, or commission. The proposed ordinance would also allow City of Racine administrative managers to be submitted for referral by the Common Council to any City of Racine governmental body.

Part 3 of the proposed ordinance would create a new subsection 2-117(c), would place a limit of 90 days for any communication referred to a governmental body to be deferred. Any deferred communication not timely recalled to an agenda by the governmental body would be placed on the agenda of the regular meeting of the governmental body immediately preceding the expiration of 90 days from the date of deferral.

Part 4 of the proposed ordinance would amend the existing subsection 2-117(c) and subsection 2-117(d) and would amend the procedure for recalling communications referred to a governmental body, but not placed on the agenda of such governmental body, after 90 days have passed. Principally, it would allow a majority of aldermanic members of the common council—rather than ten—to direct such communication be placed on the agenda of the next meeting of such governmental body.

Part 5 of the proposed ordinance would repeal the existing Section 2-117(d), which provides a procedure for 250 citizens to petition the Common Council to place an item on a standing committee agenda.

Part 6 of the proposed ordinance relates to communications received by the City Clerk but not acted upon by the Common Council. As the ordinance currently exists, if communications received by the City Clerk prior to December 31 of a year are not acted upon by the Common Council by the third Monday in April of the next year, the communication is deemed to have expired. Part 6 of the proposed ordinance would require the City Clerk to notify the Common Council, no later than January 15 of each year, of communications received prior to December 31 of the prior year but not yet acted.

A red-line version of the proposed changes to Section 2-117 follows. Text in red would be modified. Text in black remains unchanged from the currently-existing ordinance. Stricken text would be deleted. Underlined text would be added.

Sec. 2-117. - Action on petitions and communications.

(a) Except as otherwise provided herein, all communications shall be in writing, with the name of the mayor or of the alder presenting the same endorsed thereon, and shall be delivered to the clerk. Notwithstanding the foregoing, communications from administrative managers may be presented without endorsement by the mayor or an alder. The elected official or administrative manager presenting the communication may recommend a standing committee, or other authority, board, or commission that has responsibility relevant to the communication. to which to refer the communication. If the elected official or administrative manager does not include a committee, authority, board, or commission, recommendation, the clerk shall recommend a standing committee to which to refer the communication based upon the guidance provided in section 2-77 and elsewhere in this Code of Ordinances.

(b) ~~The clerk shall present all~~ All communications, ~~which that~~ are received by the office of the city clerk no later than 12:00 noon on the Thursday prior to a common council meeting, ~~to~~ shall be included on the agenda of the next meeting of the common council for the common council's consideration and referral to a standing committee, authority, board, or commission. The mayor or any alder may request the common council refer a communication to any standing committee, authority, board, or commission. The

common council may refer communications to any standing committee, authority, board, or commission by the majority vote of all alders present.

(c) No communication placed on an agenda of any standing committee, authority, board, or commission may be deferred for more than 90 days. Any deferred communication that has not been affirmatively recalled by the standing committee, authority, board, or commission, shall be placed on the agenda of the regular meeting of the standing committee, authority, board, or commission immediately preceding the expiration of 90 days from the date of deferral.

(ed) If more than 90 days have passed from the date a communication was made available to a standing committee, authority, board, or commission chair, if the communication has not been placed on a standing committee, authority, board, or commission agenda or no committee, authority, board, or commission action has been taken on a communication placed on a standing committee, authority, board, or commission agenda, any alderperson may request the common council direct a standing committee consider such communication as follows:

(1) The clerk shall directly refer any request to the next common council meeting, consistent with the requirements of the Wisconsin Open Meetings Law.

(2) Upon the affirmative vote of ~~ten~~ a majority of the aldermanic members of the common council members, the communication shall be placed on the agenda of the next meeting of the relevant standing committee, authority, board, or commission for consideration.

~~(d) Notwithstanding anything else herein, upon the petition of no fewer than 250 qualified electors of the City of Racine, a communication shall be referred to a standing committee. Based upon the guidance provided in section 2-77 and elsewhere within this Code of Ordinances, within 14 days of receipt and verification by the clerk, the clerk shall determine the most appropriate standing committee to which the communication should be directed and shall cause such communication to be placed on the next committee agenda, consistent with the requirements of the Wisconsin Open Meetings Law.~~

(e) Notwithstanding anything else herein, any communication received by the clerk by December 31 that has not been acted upon by the common council by the third Monday in April of the subsequent year, shall be deemed to have expired, and no further action shall be taken. No later than January 15 of each year, the clerk shall notify the common council of all communications received by the clerk by December 31 of the previous that had not yet been acted upon by the common council.

If all proposed changes were approved, Section 20-117 would read as follows:

Sec. 2-117. - Action on petitions and communications.

(a) Except as otherwise provided herein, all communications shall be in writing, with the name of the mayor or of the alder presenting the same endorsed thereon, and shall be delivered to the clerk. Notwithstanding the foregoing, communications from administrative managers may be presented without endorsement by the mayor or an alder. The elected official or administrative manager presenting the communication may recommend a standing committee, or other authority, board, or commission that has responsibility relevant to the communication, to which to refer the communication. If the elected official or administrative manager does not include a committee, authority, board, or commission, recommendation, the clerk shall recommend a standing committee to which to refer the communication based upon the guidance provided in section 2-77 and elsewhere in this Code of Ordinances.

(b) All communications that are received by the office of the city clerk no later than 12:00 noon on the Thursday prior to a common council meeting, ~~to~~ shall be included on the agenda of the next meeting of the common council for the common council's consideration and referral to a standing committee, authority, board, or commission. The mayor or any alder may request the common council refer a communication to any standing committee, authority, board, or commission. The common council may refer communications to any standing committee, authority, board, or commission by the majority vote of all alders present.

(c) No communication placed on an agenda of any standing committee, authority, board, or commission may be deferred for more than 90 days. Any deferred communication that has not been affirmatively recalled by the standing committee, authority, board, or commission, shall be placed on the agenda of the regular meeting of the standing committee, authority, board, or commission immediately preceding the expiration of 90 days from the date of deferral.

(d) If more than 90 days have passed from the date a communication was made available to a standing committee, authority, board, or commission chair, if the communication has not been placed on a standing committee, authority, board, or commission agenda or no committee, authority, board, or commission action has been taken on a communication placed on a standing committee, authority, board, or commission agenda, any alderperson may request the common council direct a standing committee consider such communication as follows:

(1) The clerk shall directly refer any request to the next common council meeting, consistent with the requirements of the Wisconsin Open Meetings Law.

(2) Upon the affirmative vote of a majority of the aldermanic members of the common council members, the communication shall be placed on the agenda of the next meeting of the relevant standing committee, authority, board, or commission for consideration.

(e) Notwithstanding anything else herein, any communication received by the clerk by December 31 that has not been acted upon by the common council by the third Monday

in April of the subsequent year, shall be deemed to have expired, and no further action shall be taken. No later than January 15 of each year, the clerk shall notify the common council of all communications received by the clerk by December 31 of the previous that had not yet been acted upon by the common council.

BUDGETARY IMPACT: None.

OPTIONS/ALTERNATIVES:

To approve, modifying the procedures for communications.

To deny, declining to modify the procedures for communications.

To amend the proposed ordinance in some way.

RECOMMENDED ACTION BY ALDERMAN WEIDNER: To approve.

ATTACHMENT(S): None.