

## **Council and Committee meeting dates and times as set by the council itself:**

### **2.02.070 Meetings—Time and place.**

Except as otherwise provided in this code, the common council shall meet not less than once per month in the City Hall at such dates and times as declared by the common council. In the event the council deems it necessary, it may designate another place of meeting of the council in lieu of the City Hall. Following a regular city election, the first meeting of the new council shall be on the third Tuesday of April. Immediately prior to such meeting the council shall elect its president, plan commission member and representative to the Board of Public Works in accordance with provisions of Section 2.02.150.

*Redline version compared to current code:*

Except as otherwise provided in this code~~Section 2.02.160, below~~, the common council shall meet not less than once per month in the City Hall ~~on the first and third Tuesday of each month at seven thirty p.m., except during the month of August when one common council meeting shall be held on the first Tuesday of the month, and at such other dates and~~ times as ~~may be~~ declared by the common council. ~~In the event that a regular meeting of the council falls on a legal holiday or the evening prior thereto, the council may designate another date of meeting in lieu thereof.~~ In the event the council deems it necessary, it may designate another place of meeting of the council in lieu of the City Hall. Following a regular city election, the first meeting of the new council shall be on the third Tuesday of April. Immediately prior to such meeting the council shall elect its president, ~~and~~ plan commission member and representative to the Board of Public Works in accordance with provisions of Section 2.02.150.

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### **2.02.120 Standing committees—Meeting time and place.**

Except as otherwise provided in this code, the standing committees of the common council shall meet in the City Hall at such dates and times as declared by the common council. In the event that the common council deems it necessary, it may designate another place for committee meetings in lieu of City Hall.

*Redline version compared to current code:*

Except as otherwise provided in this code~~Section 2.02.160, below~~, the standing committees of the common council shall meet in the City Hall ~~on the second and last Tuesday of each month, not earlier than six p.m., except during the month of August when no committee meetings shall be held, except for the financial affairs committee which may meet as necessary during the budgetary process, except for a committee meeting immediately prior to a meeting of the common council, and except as otherwise at~~ such dates and times as declared by the common council. ~~In the event that regular committee meetings fall on a legal holiday or the evening prior thereto, the common council may designate another date for the committee meetings.~~ In the event that the common council deems it necessary, it may designate another place for committee meetings in lieu of City Hall. ~~In the event that anticipated committee calendars appear to present an extended number of items on an agenda, such that regularly scheduled early committee meetings would likely extend into later meeting times on a single evening, the meeting times may be moved between early and late committees to accommodate longer meeting times, as necessary and appropriate.~~

## **Consent agenda at Common Council meetings:**

### **2.02.050 Order of business.**

- A. The order of business hereinafter set forth shall, in all cases, be adhered to; but the same may be temporarily suspended by unanimous consent.
- B. The order of business shall be as follows:
  - 1. The roll of members shall be first called and the absentees noted;
  - 2. Two-thirds of the members shall constitute a quorum;
  - 3. The meeting being organized, the minutes of the proceedings of the last meeting shall be read (if necessary, amended) and approved;
  - 4. Unfinished business appearing on the record;
  - 5. Applications and communications;
  - 6. Consent Agenda
  - 7. Reports of standing committees;
  - 8. Reports of special committees;
  - 9. Resolutions and ordinances;
  - 10. Miscellaneous business;
  - 11. Standing committee agendas.

### **2.02.055 Consent Agenda.**

Items that are considered routine and/or non-controversial may be placed on the consent agenda for adoption. When a consent agenda is used, all items listed upon the consent agenda shall be approved, adopted, enacted or otherwise favorably resolved by a single motion, seconded and adopted by a majority vote of all members of the council. Items on the consent agenda may be individually commented upon or discussed, but must be removed from the consent agenda if a separate vote is requested by any member of the council. A request to remove an item from the consent agenda may occur during the meeting, or in advance of the meeting by written communication to the City Clerk and City Administrator.

*Redline version compared to current code:*

### **2.02.050 Order of business.**

- A. The order of business hereinafter set forth shall, in all cases, be adhered to; but the same may be temporarily suspended by unanimous consent.
- B. The order of business shall be as follows:
  - 1. The roll of members shall be first called and the absentees noted;
  - 2. Two-thirds of the members shall constitute a quorum;
  - 3. The meeting being organized, the minutes of the proceedings of the last meeting shall be read (if necessary, amended) and approved;
  - 4. Unfinished business appearing on the record;

5. Applications and communications;

6. Consent Agenda

~~67.~~ Reports of standing committees;

~~78.~~ Reports of special committees;

~~89.~~ Resolutions and ordinances;

~~910.~~ Miscellaneous business;

~~1011.~~ Standing committee agendas.

**2.02.055 Consent Agenda.**

Items that are considered routine and/or non-controversial may be placed on the consent agenda for adoption. When a consent agenda is used, all items listed upon the consent agenda shall be approved, adopted, enacted or otherwise favorably resolved by a single motion, seconded and adopted by a majority vote of all members of the council. Items on the consent agenda may be individually commented upon or discussed, but must be removed from the consent agenda if a separate vote is requested by any member of the council. A request to remove an item from the consent agenda may occur during the meeting, or in advance of the meeting by written communication to the City Clerk and City Administrator.

**Ordinances passed upon only one reading at council:**

**2.02.100 Action upon ordinances and reports.**

Action on any ordinance or the report of any committee which is before the council for the first time shall be deferred until the next regular meeting of the council upon request of four members of the council.

*Redline version compared to current code:*

**2.02.100 Action upon ordinances and reports.**

~~No ordinance shall be finally acted upon at the same meeting at which such ordinance is introduced.~~

Action on any ordinance or the report of any committee which is before the council for the first time shall be deferred until the next regular meeting of the council upon request of four members of the council.

## Zoning matters directly from Plan Commission to Common Council:

### **2.24.030 Items under consideration.**

A. Items considered by the plan commission shall be referred directly to the full common council for approval.

B. Following a referral from plan commission to the common council pursuant to subsection A., above, and prior to any action by the common council, any five alderpersons may require that an item be referred to the committee on community affairs by submitting a written request to the common council president with a copy provided to the city clerk.

*Redline version compared to current code:*

### **2.24.030 Items under consideration.**

A. ~~The following i~~Items considered by the plan commission shall be referred directly to the full common council for approval: ~~conditional use permits; introduction of zoning ordinances; certified survey maps and subdivision plats; matters not otherwise specified within these subsections.~~

B. ~~The following items considered by the plan commission shall be referred to the committee on community affairs for further action: adoption of zoning ordinance changes following public hearings; planned unit developments; development agreements; designation of historic buildings and sites; other items referred by the city attorney pertaining to zoning and development matters.~~

~~C. —~~Following a referral from plan commission to the common council pursuant to subsection A., above, and prior to any action by the common council, any five alderpersons may require that an item be referred to the committee on community affairs by submitting a written request to the common council president with a copy provided to the city clerk.

~~D. —~~The plan commission may schedule public hearings before the common council without the requirement of further action by the common council.

### **Zoning text amendment public hearings at plan commission:**

*NOTE: Amendments necessary to table in Sec. 24.16.010 -move brackets indicating location of public hearing*

#### **24.16.020 Zoning Ordinance Text Amendments.**

- A. Authority to Initiate. Amendments to the text of this zoning ordinance may be initiated by the common council or the plan commission.
- B. Notice of Hearing. Class 2 notice of the required public hearing on a zoning ordinance text amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
- C. Plan Commission Recommendation. Proposed zoning ordinance text amendments must be referred to the plan commission. Following their review of the proposed text amendment, the plan commission must hold the required public hearing. Following the public hearing the plan commission shall act by simple majority vote of those members present and voting to recommend that the proposed text amendment be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.
- D. Public Hearing and Decision.
  - 1. Following the close of the public hearing, the plan commission may recommend to the common council that the council act to approve, approve with modifications or deny the proposed text amendment. If the plan commission's recommendation has not been forwarded to the common council within 60 days of referral of the proposed text amendment to the plan commission, the common council may take action without receipt of the recommendation.
  - 2. Final action on a zoning ordinance text amendment by the common council requires a simple majority vote of those members present and voting.
- E. Review Criteria and Standards. Zoning ordinance text amendments are legislative decisions of the common council based on their consideration of the public, health, safety and general welfare.

*Redline version compared to current code:*

#### **24.16.020 Zoning Ordinance Text Amendments.**

- A. Authority to Initiate. Amendments to the text of this zoning ordinance may be initiated by the common council or the plan commission.
- B. Notice of Hearing. Class 2 notice of the ~~common council's~~ required public hearing on a zoning ordinance text amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
- C. Plan Commission Recommendation. Proposed zoning ordinance text amendments must be referred to the plan commission. Following their review of the proposed text amendment, the plan commission must hold the required public hearing. Following the public hearing the plan commission shall act by simple majority vote of those members present and voting to recommend that the proposed text amendment be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.

D. ~~Common Council~~Public Hearing and Decision.

1. ~~Upon receipt of recommendations from the plan commission, the common council must hold a public hearing on the proposed text amendment.~~ Following the close of the public hearing, the ~~common council~~plan commission may recommend to the common council that the council act to approve, approve with modifications or deny the proposed text amendment. If the plan commission's recommendation has not been forwarded to the common council within 60 days of referral of the proposed text amendment to the plan commission, the common council may ~~hold the required hearing and~~ take action without receipt of the recommendation.

2. Final action on a zoning ordinance text amendment by the common council requires a simple majority vote of those members present and voting.

E. Review Criteria and Standards. Zoning ordinance text amendments are legislative decisions of the common council based on their consideration of the public, health, safety and general welfare.

**Zoning map amendment public hearings at plan commission:**

**24.16.030 Zoning Map Amendments (Rezoning).**

- A. Authority to Initiate. Amendments to the official zoning map may be initiated by the common council, the plan commission or by petition of an eligible applicant or an eligible applicant's authorized agent (See Section 24.16.010C.1).
- B. Application Filing. Zoning map amendment applications must be filed with the zoning administrator.
- C. Notice of Hearing.
  - 1. Notice of the plan commission's meeting must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.
  - 2. Class 2 notice of the required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
  - 3. Notice must be mailed to all of the following at least 7 days before the required public hearing:
    - a. the subject property owner;
    - b. all owners and occupants (when data available) of property within 300 feet of the subject property; and
    - c. the clerk of any municipality with corporate limits that abut the subject property.
  - 4. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.
- D. Plan Commission Recommendation. Proposed zoning map amendments must be referred to the plan commission. Following review of the proposed zoning map amendment, the plan commission must hold the required public hearing. Following the public hearing the plan commission shall act by simple majority vote of those members present and voting to recommend that the proposed zoning map amendment be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.
- E. Public Hearing and Decision.
  - 1. Following the close of the public hearing, the plan commission may recommend that the common council approve, approve with modifications (e.g., reducing the land area involved in the rezoning or recommending another less intensive zoning classification) or deny the proposed zoning map amendment. If plan commission recommendation has not been forwarded to the common council within 60 days of referral of the proposed zoning map amendment to the plan commission, the common council may take action without receipt of the recommendation.



2. Final action on a zoning map amendment by the common council requires a simple majority vote of those members present and voting.

F. Review Criteria and Standards. Zoning map amendments are legislative decisions of the common council based on their consideration of the public health, safety and general welfare.

G. Successive Applications. Upon disapproval of a zoning map amendment by the common council, no zoning map amendment petition requesting the same or more intensive zoning on the same or similar property may be filed for or accepted for processing by the city for 6 months from the date of final action by the common council.

*Redline version compared to current code:*

#### **24.16.030 Zoning Map Amendments (Rezoning).**

A. Authority to Initiate. Amendments to the official zoning map may be initiated by the common council, the plan commission or by petition of an eligible applicant or an eligible applicant's authorized agent (See Section 24.16.010C.1).

B. Application Filing. Zoning map amendment applications must be filed with the zoning administrator.

C. Notice of Hearing.

1. Notice of the plan commission's meeting must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.

2. Class 2 notice of the ~~common council's~~ required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.

3. Notice must be mailed to all of the following at least 7 days before the ~~common council's~~ required public hearing:

a. the subject property owner;

b. all owners and occupants (when data available) of property within 300 feet of the subject property; and

c. the clerk of any municipality with corporate limits that abut the subject property.

4. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.

D. Plan Commission Recommendation. Proposed zoning map amendments must be referred to the plan commission. Following review of the proposed zoning map amendment, the plan commission must hold the required public hearing. Following the public hearing the plan commission shall act by simple majority vote of those members present and voting to recommend that the proposed zoning map amendment be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.

E. ~~Common Council~~Public Hearing and Decision.

1. ~~Upon receipt of recommendations from the plan commission, the common council must hold a public hearing on the proposed zoning map amendment.~~ Following the close of the public hearing, the ~~plan commission may recommend that the~~ common council ~~may act to~~ approve, approve with modifications (e.g., reducing the land area involved in the rezoning or recommending another less intensive zoning classification) or deny the proposed zoning map amendment. If plan commission recommendation has not been forwarded to the common council within 60 days of referral of the proposed zoning map amendment to the plan commission, the common council may ~~hold the required hearing and~~ take action without receipt of the recommendation.

2. Final action on a zoning map amendment by the common council requires a simple majority vote of those members present and voting, ~~except when a valid protest petition is filed with the city clerk before the date of the meeting that the common council takes final action on the amendment, approval of the zoning map amendment requires at least a 60% majority vote of those common council members present and voting.~~

F. ~~Protest Petitions. A valid protest petition must be signed and acknowledged by the owners of:~~

- ~~1. — more than 50% of the land area included in the proposed zoning map amendment;~~
- ~~2. — more than 50% of the land area immediately adjacent and extending 100 feet from the subject property; or~~
- ~~3. — more than 50% of the land directly opposite from the subject property and extending 100 feet from the street frontage of the opposite land.~~

~~G. —~~ Review Criteria and Standards. Zoning map amendments are legislative decisions of the common council based on their consideration of the public health, safety and general welfare.

~~H.G.~~ Successive Applications. Upon disapproval of a zoning map amendment by the common council, no zoning map amendment petition requesting the same or more intensive zoning on the same or similar property may be filed for or accepted for processing by the city for 6 months from the date of final action by the common council.

**Planned Unit Development zoning map amendment public hearings at plan commission:**

**24.16.050 Planned Unit Developments.**

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C. Preliminary Development Plans. At the option of the applicant, the preliminary development plan may serve also as the preliminary subdivision plat if such intention is declared before the plan commission's public hearing and if the plans include all information required for preliminary plats and preliminary development plans.

1. Preapplication Meetings. Before submitting a PUD application, the applicant must schedule a meeting with the zoning administrator to discuss the proposed plan and the required process. The zoning administrator is responsible for coordinating the involvement of other relevant city departments in the preapplication meeting. The applicant must also hold a neighborhood meeting, with invitations mailed to all property owners within 200 feet of the subject property, alderpersons of the district, and the zoning administrator.
2. Application Contents. An application for a preliminary development plan must contain all items of information specified in the pre-application meeting including proof of holding a neighborhood meeting prior to application submission.
3. Application Filing. Complete applications for preliminary development plan approval must be filed with the zoning administrator at the same time that the /PUD zoning map amendment application is filed. Preliminary development plan applications may be filed only by the common council, the plan commission or by petition of an eligible applicant or an eligible applicant's authorized agent (See Section 24.16.010C.1).
4. Notice of Hearing.
  - a. Notice of the plan commission's public hearing must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.
  - b. Class 2 notice of the plan commission's required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
  - c. Notice must be mailed to all of the following at least 7 days before the plan commission's required public hearing:
    1. the subject property owner;
    2. all owners and occupants (when data available) of property within 300 feet of the subject property; and
    3. the clerk of any municipality with corporate limits that abut the subject property.
  - d. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.

5. PUD preliminary development plans must be referred to the plan commission with the /PUD zoning map amendment, if such map amendment is required. Following review of the proposed zoning map amendment and/or preliminary development plan, the plan commission must act by simple majority vote of those members present and voting to recommend that the proposed zoning map amendment and/or preliminary development plan be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.

6. Common Council Hearing and Decision.

a. Upon receipt of recommendations from the plan commission, following the public hearing on the proposed preliminary development plan and/or /PUD zoning map amendment, as required, the common council may act to approve, approve with modifications (e.g., reducing the land area involved in the rezoning or recommending another less intensive zoning classification) or deny the proposed preliminary development plan and/or /PUD zoning map amendment, as required. If plan commission recommendation has not been forwarded to the common council within 60 days of referral of the proposed preliminary development plan and/or /PUD zoning map amendment to the plan commission, the common council may take action without receipt of the recommendation.

b. Final action on a /PUD zoning map amendment by the common council requires a simple majority vote of those members present and voting, except when a valid protest petition is filed with the city clerk before the date of the meeting that the common council takes final action on the amendment, approval of the zoning map amendment requires at least a 60% majority vote of those common council members present and voting.

7. Review Criteria. Zoning map amendments are legislative decisions of the common council based on their consideration of the public, health, safety and general welfare.

*Redline version compared to current code:*

#### **24.16.050 Planned Unit Developments.**

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C. Preliminary Development Plans. At the option of the applicant, the preliminary development plan may serve also as the preliminary subdivision plat if such intention is declared before the plan commission's public hearing and if the plans include all information required for preliminary plats and preliminary development plans.

1. Preapplication Meetings. Before submitting a PUD application, the applicant must schedule a meeting with the zoning administrator to discuss the proposed plan and the required process. The zoning administrator is responsible for coordinating the involvement of other relevant city departments in the preapplication meeting. The applicant must also hold a neighborhood meeting, with invitations mailed to all property owners within 200 feet of the subject property, alderpersons of the district, and the zoning administrator.

2. Application Contents. An application for a preliminary development plan must contain all items of information specified in the pre-application meeting including proof of holding a neighborhood meeting prior to application submission.
3. Application Filing. Complete applications for preliminary development plan approval must be filed with the zoning administrator at the same time that the /PUD zoning map amendment application is filed. Preliminary development plan applications may be filed only by the common council, the plan commission or by petition of an eligible applicant or an eligible applicant's authorized agent (See Section 24.16.010C.1).
4. Notice of Hearing.
  - a. Notice of the plan commission's ~~meeting-public hearing~~ must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.
  - b. Class 2 notice of the ~~common council's~~plan commission's required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.
  - c. Notice must be mailed to all of the following at least 7 days before the ~~common council's~~plan commission's required public hearing:
    1. the subject property owner;
    2. all owners and occupants (when data available) of property within 300 feet of the subject property; and
    3. the clerk of any municipality with corporate limits that abut the subject property.
  - d. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.
5. PUD preliminary development plans must be referred to the plan commission with the /PUD zoning map amendment, if such map amendment is required. Following review of the proposed zoning map amendment and/or preliminary development plan, the plan commission must act by simple majority vote of those members present and voting to recommend that the proposed zoning map amendment and/or preliminary development plan be approved, approved with modifications, or denied. The plan commission's recommendation must be transmitted to the common council.
6. Common Council Hearing and Decision.
  - a. Upon receipt of recommendations from the plan commission, ~~the common council must hold a following the~~ public hearing on the proposed preliminary development plan and/or /PUD zoning map amendment, as required. ~~At the meeting subsequent to the close of the public hearing,~~ the common council may act to approve, approve with modifications (e.g., reducing the land area involved in the rezoning or recommending another less intensive zoning classification) or deny the proposed

preliminary development plan and/or /PUD zoning map amendment, as required. If plan commission recommendation has not been forwarded to the common council within 60 days of referral of the proposed preliminary development plan and/or /PUD zoning map amendment to the plan commission, the common council may ~~hold the required hearing and~~ take action without receipt of the recommendation.

b. Final action on a /PUD zoning map amendment by the common council requires a simple majority vote of those members present and voting, except when a valid protest petition is filed with the city clerk before the date of the meeting that the common council takes final action on the amendment, approval of the zoning map amendment requires at least a 60% majority vote of those common council members present and voting.

7. Review Criteria. Zoning map amendments are legislative decisions of the common council based on their consideration of the public, health, safety and general welfare.

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D. Final Development Plans.

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NOTE: THE FOLLOWING SUBSECTION IS DELETED BECAUSE IT DESCRIBES PROCEDURES FOR A PUBLIC HEARING IN A SECTION WHERE NO PUBLIC HEARING HAS PREVIOUSLY BEEN OR IS CURRENTLY REQUIRED

~~6. Notice of Hearing.~~

~~a. Notice of the required hearing must be mailed to all owners and occupants (when data available) of property within 300 feet of the subject property at least 7 days before the hearing.~~

~~b. Class 2 notice of the common council's required public hearing on a zoning map amendment must be published in accordance with chapter 985 of the Wisconsin Statutes.~~

~~c. Notice must be mailed to all of the following at least 7 days before the common council's required public hearing:~~

~~1. the subject property owner;~~

~~2. all owners and occupants (when data available) of property within 300 feet of the subject property; and~~

~~3. the clerk of any municipality with corporate limits that abut the subject property.~~

~~d. The applicant must post signage in a format provided by the city in a prominent location on the development site for the duration of the approval process.~~

[NOTE: NO CHANGES PROPOSED TO COMMON COUNCIL HEARING REQUIREMENTS FOR HISTORIC DISTRICT DESIGNATIONS]