

2025 - 2026 Liquor License Applications

<u>Class A Retail</u>		<u>Tobacco</u>	Agent
A01	Dollar General Store	X	Jacob Moon
A03	Krist Oil Company	X	Krist Atanasoff
A04	Kwik Trip	X	Heather Wegner
A05	APG LLC - BP	X	Aayusha Poudel
A06	GPM - Rstore	X	Nathan Eckhardt
A07	Minors - Super One Foods	X	Patrick Minor
<u>Class B Retail</u>			
B02	American Legion		Joseph Oskvarek
B03	Captain Nemo's	X	William Biel
B04	Jack's Corner Bar		Vanessa Gelina
B05	Flambeau Realty		Daniel Greenwood
B06	Park Falls Area Blue Line Club		Jeremy Pesko
B07A	Third Shift	X	Katie Feit
B08	Tailgators		Dale Langner
B09	Sophia Aryana Incorporated		Vijay Shinde
<u>Class B Beer Only</u>			
B10	Park Theatre		Paul Freiburger
B11	Old Abe's, LLC		Terry Wilson

Printers Affidavit of Publication

CITY OF PARK FALLS

The City of Park Falls will be considering liquor license applications for the following list at their June 9, 2025 Common Council meeting.

(State of Wisconsin)

SS.

(County of Price)

**2025-2026
CITY OF PARK FALLS
CLASS A RETAIL
BEER AND LIQUOR LICENSE
APPLICANTS:**

- A01 Dolgencorp, LLC
Dollar General
Store #10540
1014 4th Avenue South
- A03 Krist Oil Company
Krist Food Mart #64
214 4th Avenue South
- A04 Kwik Trip, Inc.
Kwik Trip #138
1083 4th Avenue South
- A05 APG NWI LLC
Park Falls BP
1130 4th Avenue South
- A06 GPM Southeast, LLC
Rstore #4503
307 4th Avenue North
- A07 Miner's Inc.
Super One Foods,
Store #533
1347 4th Avenue South

**CLASS B RETAIL
COMBINATION BEER AND
LIQUOR LICENSE
APPLICANTS:**

- B02 American Legion
Post 182
Dirrigl-Sawales
Post No. 182
274 3rd Avenue North
- B03 Captain Nemo's Grub &
Pub LLC
William Beil, Agent
214 2nd Avenue North
- B04 Vanessa Gelina
dba Jack's Corner Bar
102 Cedar Street
- B05 Flambeau Realty
Company
dba Park Falls Country
Club
3360 Saunders Avenue
- B06 Park Falls Area Blue Line
Club, Inc.
dba Park Falls Recreation
Arena
301 3rd Avenue North
- B07A Third Shift LLC
dba Vichy's Pub
124 4th Avenue South
- B08 Dale Langner
dba Tailgators
42 4th Avenue South
- B09 Sophia Aryana
Incorporated
dba The Lanes
1127 4th Avenue South

**CLASS B BEER ONLY LI-
CENSE APPLICANTS**

- B10 Park Theatre, LLC
Paul Freiburger, Agent
159 2nd Ave N
- B11 Old Abe's, LLC
Terry Wilson, Agent
339 Division Street

PCR May 22, 2025 WNAXLP

Erin Brunke

, being duly sworn, on oath, says that they is the Ad Manager of the weekly newspaper known as **The Price County Review** and published at Park Falls, WI in Price County and the State of Wisconsin, says that the annexed printed copy of:

25 Liquor License

Which forms part of this affidavit, was published in the said newspaper on the following dates:

May 22, 2025

And further, that the said printed notice so annexed was taken from the said The Price County Review, the newspaper in which the same was published.

By: _____

Title: Ad Manager

Subscribed and sworn to before me on this 22nd day of

May 2025



My term expires on July 7, 2027

Cost: \$53.46 Ad #207375

Temporary Alcohol Beverage License

Municipality

License(s) Requested	Fees	
<input type="checkbox"/> Temporary "Class B" Wine <input checked="" type="checkbox"/> Temporary Class "B" Beer	License Fees	\$ 10.00
	Background Check	\$
	Total Fees	\$ 10.00

Part A: Organization Information

1. Organization Name Park Falls Young Professionals - Park Falls Area Commuinity Development Corp.		
2. Organization Permanent Address 410 Division Street		
3. City Park Falls	4. State WI	5. Zip Code 54552
6. Mailing Address (if different from permanent address) P.O. Box 408, Park Falls, WI 54552		
7. FEIN 39-1878528	8. Date of Organization/Incorporation 10/01/06	9. State of Organization/Incorporation Wisconsin
10. Phone 715.744.4700	11. Email pfacdc@pctcnet.net	
12. Organization type (check one) <input checked="" type="checkbox"/> Bona Fide Club <input type="checkbox"/> Church <input type="checkbox"/> Fair Association/Agricultural Society <input type="checkbox"/> Veteran's Organization <input type="checkbox"/> Lodge/Society <input type="checkbox"/> Chamber of Commerce or similar Civic or Trade Organization under ch. 181, Wis. Stats.		
13. Is this organization required to hold a Wisconsin Seller's permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
14. Wisconsin Seller's Permit Number (if applicable)		

Part B: Individual Information

List the name, title, and phone number for all officers, directors, and agent of the organization. Include an Individual Questionnaire (Form AB-100) for each person listed below. Attach additional sheets if necessary.

Corporations must also include Alcohol Beverage Appointment of Agent (Form AB-101).

Last Name	First Name	Title	Phone
Greenwood	Shannon	Agent	715.744.4700
Travis	Austin	Agent	715.762.2411
Pritzl	Sam	President	715.661.8053
Zoesch	Sally	Vice President	715.762.3208

Continued →

Temporary Alcohol Beverage License

Municipality
City of Park Falls

License(s) Requested	Fees	
<input checked="" type="checkbox"/> Temporary "Class B" Wine <input checked="" type="checkbox"/> Temporary Class "B" Beer	License Fees	\$
	Background Check	\$
	Total Fees	\$

Part A: Organization Information		
1. Organization Name Park Falls Chamber of Commerce		
2. Organization Permanent Address 154 4th Ave N		
3. City Park Falls	4. State WI	5. Zip Code 54552
6. Mailing Address (if different from permanent address)		
7. FEIN 39-1362998	8. Date of Organization/Incorporation 1945	9. State of Organization/Incorporation Wisconsin
10. Phone 715-762-2703	11. Email chamber@parkfalls.com	
12. Organization type (check one) <input type="checkbox"/> Bona Fide Club <input type="checkbox"/> Church <input type="checkbox"/> Fair Association/Agricultural Society <input type="checkbox"/> Veteran's Organization <input type="checkbox"/> Lodge/Society <input checked="" type="checkbox"/> Chamber of Commerce or similar Civic or Trade Organization under ch. 181, Wis. Stats.		
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Last Name	First Name	Title	Phone
Veitengruber	Kortney	Executive Director	715-661-2141
Palecek	LuAnn	President	715-661-1133
Isham	Darla	Vice President	715-762-3221
Morgan	Anthony	Treasurer	262-229-7198

Continued →

Temporary Alcohol Beverage License

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Morgan	Anthony	Treasurer	262-229-7198

Continued →



410 Division Street
P.O. Box 146
Park Falls, WI 54552
Phone (715)762-2436 Fax (715) 762-2437
www.cityofparkfalls.com

To: Honorable Mayor and Alders

From: Scott J. Kluver, ^{SSK}Administrator

Re: Cell Tower Lease Buyout

Date: May 28, 2025

At the request of the Mayor, the matter of the cell tower lease buyout is back for consideration. The cell tower is located in City property, next to the water tower on Park Lane in the neighborhood of the Tuscobia Trailhead Park. Currently, the City is receiving \$906.71 per month in rent (annual increase of 1.5 percent) with an additional \$400 per month for the two additional providers that are on the tower.

The argument for this is that it would provide the City with an immediate boost to the fund balance, and we are not certain that cell towers will be the way of the future with satellite technology increasing. It is possible that cell towers could be discontinued in the future, prior to our lease expiring in 2067.

On the other hand, the amount offered \$207,500 essentially provides about 13 years of our current lease payments. Last fall, they offered \$212,500, but will not go back to that because they state the market has changed. If cell towers continue through the end of our lease, the City would receive more money in the long-term keeping the lease. There is no crystal ball to see into the future.

To help provide some guidance on this, I did communicate with a noted expert in these types of offers, recommended by a colleague, and provided him our information. In his opinion, the value of our lease is between \$240,000 and \$260,000 (15 to 16 years of our current lease payments); however, the tower owner, American Tower, would need to provide permission to sell the lease on the open market. American Tower is not likely to do that.

I do not have a strong opinion on this matter, but I do believe we are stuck with dealing with American Tower. If you believe that cell towers are going to be around longer than 13 years, we should not take the offer. If you believe that cell towers are going to disappear due to changing technology within the next 13 years, then we should.



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To: Honorable Mayor and Alders

From: Scott J. Kluver, ^{SK}Administrator

Re: Ad Hoc Committee on Athletic Facility/Track Project

Date: June 4, 2025

For the past several months, the Mayor and I have been involved in informal discussions with the School regarding the athletic facility/track. As you know, the facility is owned by the City; however, the School uses the facility the most and is unable to host track meets because of the condition of the track. The track is some 25 years old, beyond its useful life, and there are portions that are sinking in the NW corner.

In our informal discussions, we believe the time has come to formalize a committee to fully investigate and guide this potential project. We know that this would be a \$1,000,000 + project, and we know that is an amount neither the School nor the City can handle on its own. There is a potential grant that could fund up to 50 percent of the project, and there would certainly be a need for fundraising. In addition, there are other considerations such as the lights in the facility aging out, as well as the concession and restroom areas.

The request of the Council is to formally approve two or three representatives of the City that would work with two or three representatives of the School to help guide the discussion and actions on this project. Amongst the initial steps would be to help guide any grant applications, to issue and RFP for design/engineering services in order to obtain current costs as well as potential phasing of this project, and to help guide fundraising efforts of this project. This committee would report back to both the School Board and Council once key decisions would need to be made. The Mayor will have nominations for this Committee for your approval as well.

Please let me know if you have any questions related to this matter.



City Of Park Falls Admin Email <admin@cityofparkfalls.com>

Athletic field Appointment

1 message

Tara Tervort <mayor@cityofparkfalls.com>

Wed, Jun 4, 2025 at 12:41 PM

To: City Of Park Falls Admin Email <admin@cityofparkfalls.com>

Called Dixie and she is willing to serve.

So it would be

Scott Kluver,

Tara Tervort,

Dixie Weidman

--

Sincerely,

Tara Tervort

Mayor, Park Falls

410 Division St
Park Falls, WI 54552



410 Division Street
P.O. Box 146
Park Falls, WI 54552
Phone (715)762-2436 Fax (715) 762-2437
www.cityofparkfalls.com

To: Honorable Mayor and Alders

From: ^{SK} Scott J. Kluver, Administrator

Re: Draft Elected Officials Manual

Date: May 28, 2025

One of the items that was on the list of projects that was approved early this year was to create a manual for elected officials. The intention is that this manual would be intended to ordinate future new Council members to policies and practices of the City and responsibilities as an alder.

Enclosed for your initial review is a draft manual that I "Frankensteined" together from three samples and modified to fit Park Falls. The intention of this initial discussion is for you to discuss what you would like to add, delete, change, or if you want to go forward with it at all. Assuming that the Council wants to proceed forward with this, and you reach a consensus on the contents, I would suggest a review by our attorney to make sure we got all of the technicalities correct. A table of contents would be added once the document is completed.

This would be a Committee of the Whole discussion, and I look for further direction on this project. Please let me know if you have any questions regarding this document.



City of Park Falls

Handbook for Elected Officials

Draft 052825

I. GOVERNMENT STRUCTURE

A. Authority From State.

Cities in Wisconsin are incorporated municipalities that are created at the request of their inhabitants to perform local services. The Wisconsin Supreme Court has stated that municipalities are “established by law to assist in the civil government of the state and to regulate and administer the internal or local affairs of the territory within their corporate limits.” Because municipalities were created by the state, they have been referred to as “creatures of the state.” As “creatures of the state,” municipalities have no inherent powers and have only the powers given them. Wisconsin cities are fortunate in that they have been granted extensive home rule powers. “Home rule” is the ability of cities to govern themselves in local matters without state interference. Wisconsin municipalities have two sources of home rule authority: (a) Constitutional and (b) statutory or legislative. For more information on home rule, see the Handbook of Wisconsin Municipal Officials located in the Administration Office.

The City of Park Falls is organized as a City of the Fourth Class under Chapter 62 of the Wisconsin State Statutes, which provides for the Mayor/Council form of government. Under this organization, City government has a legislative branch, belonging exclusively to the Common Council, an executive (or administrative) branch, under the direction of the Mayor. Per City ordinance, the day-to-day affairs of the City are managed by the City Administrator who is selected by the Mayor and Council. The City of Park Falls does not have a municipal court.

B. Legislative Branch.

A. Powers of the Common Council

Cities are governed by a Common Council consisting of Alders elected from districts. The Common Council serves as the legislative arm of City government. Individual Alders are not empowered to act on behalf of the City, and can only exercise power when a quorum of the Council is present. At the annual re-organizational meeting, the Council shall elect from its membership a President who shall preside in the absence of a Mayor.

The Council ratifies appointments, by the Mayor, to various boards and committees. The Council also approves department head level staff. It has authority for the management and control of City property; management and control of City finances and roads; the power to act for the government and good order of the City, for its commercial benefit, and for the health, safety, and welfare of the public. The Council enacts ordinances, resolutions and motions; creates committees, boards and commissions; approves and amends the annual budget; levies taxes, approves the paying of claims made against the City; grants licenses issued by the City; and enters into contracts on behalf of the City. It may

carry out its powers by license, regulation, suppression, borrowing of money, taxation, special assessment, appropriation, fine, imprisonment, confiscation, and other necessary and convenient and legal means.

B. Committees, Commissions, and Boards

There are various committees, commissions, and boards that have a variety of functions and various levels of responsibility and authority. Some are required under state law and have specific duties, and others are created under City ordinance and duties are discretionary.

Committee of the Whole (Entire Council) – Used for conceptual policy discussions

Plan Commission – Some statutory responsibility and some discretionary responsibility

Library Board – Autonomous, and oversees Library operations

Board of Review – Statutory to hear appeals to property assessments

Board of Health – (Entire Council)

Zoning Board of Appeals – Statutory to hear zoning decision appeals and variance cases

Parks, Recreation, and Historic Landmarks Advisory Committee – Discretionary

Safety Advisory Committee – Discretionary (not active)

Board of Public Works – Of Council members only (not active)

Public Services Committee – Of Council members only (not active)

Personnel and Planning Committee – Of Council members only (not active)

Finance Committee – Of Council members only (active)

C. Executive/Administrative Branch

A. Powers of the Mayor

The Mayor is the Chief Executive officer of the city and has a two-year term per ordinance. Among the duties of the Mayor is to make sure that state statutes and ordinances are observed and enforced, provide information and recommendations to the Council that would be advantageous to the City, and the Mayor is the head of the police and fire departments with the authority to appoint all police officers. In addition, the Mayor has veto authority of acts of the Council except where prohibited by law. Procedures for Council overrides of vetoes are outlined in state statutes and ordinance. Unofficially, Mayors in Wisconsin typically serve as the “cheerleader or advocate” for the City and participate in many ceremonial duties.

B. City Administrator

At a time when municipal government had become increasingly more complex, the position of City Administrator was created in order to provide the City of Park Falls with a more efficient, economical, coordinated, responsible and responsive municipal government under a system of part-time Mayor and part-time Alders. Many municipalities have found it expedient to employ full-time administrative personnel to oversee the day-to-day operations of the City government in accordance with policies and procedures adopted by the elected representatives. The municipal administrator is not a

statutorily created position, rather it was created by the City of Park Falls under its home rule authority.

The Mayor and Common Council appoint the City Administrator on the basis of merit, who serves for an indefinite term at the pleasure of the Council. The City Administrator is the head of City administration, and possesses and exercises executive and administrative powers outlined in ordinance and the job description. The City Administrator is removable by a majority vote of the entire membership of the Common Council.

C. City Clerk

The clerk duties are set forth by statute, although the duties for city clerks vary somewhat from municipality to municipality with additional items in job descriptions. Generally speaking, the clerk is entrusted with the care and custody of the corporate seal and all papers and records of the City. The clerk is required to attend governing body meetings and keep a full record of the proceedings. The clerk is responsible for maintaining a minute book, and “ordinance book,” and is also required to keep a record of all licenses and permits granted and record all bonds, in appropriate books. The clerk shall draw and sign all orders upon the treasury in the manner provided by Sec 66.0607, Stats., and keep a full account thereof in appropriate books. The clerk shall carefully preserve all receipts filed with the clerk. The clerk shall keep an accurate account with the treasurer and charge the treasurer with all tax lists presented for collection and with all moneys paid into the treasury. The clerk shall keep all records in the clerk’s office open to inspection at all reasonable hours. The clerk is authorized to administer oaths and affirmations required by the state. This list of responsibilities of the clerk is not all-inclusive, but summarizes the duties as set forth in Sec. 62.09(11) of the Wisconsin State Statutes.

D. City Treasurer

The treasurer’s duties are set forth in sections 62.09(9)(c) of the Wisconsin State Statutes. Generally speaking, the treasurer is responsible for collecting all city, school, county and state taxes, receiving all moneys belonging to the municipality or which by law are directed to be paid to the treasurer, and paying over the money in the treasurer’s hand according to law. The treasurer must deposit municipal funds upon receipt into the public depository designated by the governing body and keep a detailed account in suitable books in such manner as the governing body shall direct. The treasurer shall keep in separate books an account of all fees received. The treasurer must make, at times specified by statute and as required by the governing body, a verified report to the governing body of moneys received and disbursed and of the condition of the treasury per Sec. 62.09(9)(c) of the Wisconsin State Statutes.

II. CHAIN OF COMMAND

All individual department heads and staff employees of the City of Park Falls, with the exceptions noted below, report to and are responsible to the City Administrator. The City Attorney generally

reports to the Mayor and City Administrator on executive and administrative matters, and to the Common Council on legislative matters. The Police Chief is appointed by the Mayor with confirmation by the Common Council. The Police Chief generally reports to the City Administrator for day to day matters. The Library Director reports to the Library Board, but it is expected that there is a good working relationship between the Library Director and the City Administrator and they keep each other informed on pertinent matters.

The members of Boards report to the Chair or President of such Board. All members of all Boards regardless of who appointed them and what function they serve within the City's governmental structure, are part of the executive branch, making the Mayor and Administrator an appropriate resource and informational source for all Boards and the appropriate final stop for questions and concerns. If a legal concern or need should arise, the boards should vote on whether it needs to seek the services of the City Attorney, who will then represent the Boards, unless prohibited from doing so due to a conflict of interest.

The Common Council members are responsible to the constituents. If a problem arises, a Council member may report to the Mayor, President of Council, the Council as a whole, or contact the City Administrator who will conduct a response to the problem through the proper chain of command. The City Attorney represents the Common Council in all areas wherein the Council has exclusive or final authority.

A. Illustration.

The chain of command is important to a good Council member. Sometimes the chain of command of an organization can be a little confusing. This simple question/answer illustration of the chain of command might help you:

1. *Who manages the people you serve?* Your direct line staff.
2. *Who manages the direct line staff?* Supervisor / Department Heads.
3. *Who manages supervisors / department heads?* The Administrator.
4. *Who manages the administrator?* The Mayor/Council.
5. *Who guides the Council?* The Mayor/Council President.

A good Council member learns to respect this chain of command. For example, if you want to arrange a meeting directly with the people you serve, it would be best to contact your administrator—who will make arrangements through supervisors and direct line staff.

B. The Board/Staff Connection.

The following examples are true incidents of what the board/staff relationship should not be. This example was NOT in Park Falls.

- One board member got a letter from a staff member complaining about the administrator. He took the letter to the Mayor who promptly called a Council meeting to discuss the complaints—without informing the administrator. The Council later solicited complaints from other staff members while the administrator was out of the city.
- Another Council decided to examine staff personnel files. They simply wanted to understand more about what staff were accomplishing so they would be “assured that the administrator was doing a good job.”

C. What is the Council’s Relationship to Staff?

Two simple rules of thumb for Council / Staff relations are:

1. All communication between the staff and the Council should be channeled through the administrator.
2. Boards do not manage staff, administrators do.

Here are some basic dos and don’ts for individual Council members in your relationship with staff...

- Don’t make commitments to staff. Only the **Full Council** can do that.
- Don’t act as a superior or supervisor to staff (that’s your administrator’s job)
- Do keep visits with staff pertinent to City business and be respectful of staff time. Requests for information should not become burdensome, and staff may need to prioritize other tasks or direction of the Council above individual requests for information. Staff are under no obligation to follow directives of individual Council members. Making an appointment is a good practice.
- Do volunteer to help your organization—but in the same capacity and power as any other volunteer.
- Do go through proper channels—your administrator—when volunteering to help or guide staff with internal operations or the functions of day-to-day operating procedures.
- Do show concern for the well-being of staff.
- Do remind staff members, when they contact you, that they should follow the chain of command when they have a problem—and that they should not take their problems directly to the board members.

How Should You Handle Staff Grievances?

QUESTION: “Do staff have a right to appeal grievances to the board?”

ANSWER: Personnel management is the administrator’s job. Unless there’s a policy to the contrary, staff grievances should not go to the Council. When the Council listens to staff grievances, you may actually be settling one problem and creating a couple of serious new problems:

- Grievances that go to the Council give staff mixed signals about who’s in charge. If they can appeal any administrative decision to the board, the administrator’s authority with staff is greatly weakened.
- If the administrator makes a decision on a staff grievance and the Council reverses that decision, the relationship between the Council and the administrator will be strained. The Council/Administrator team must speak with one voice that says “the administrator manages staff.”
- Here are some answers to questions about the Council/staff relationship that Council members frequently ask.
 - “How can Council members know what’s going on if we can’t work with staff?” You can work with staff through the administrator. Ask your administrator to report-or ask him/her to invite staff members to a Council meeting to explain their programs and answer your questions.
 - “What part should the board play in hiring staff?” The Council hires the best person to administer the organization and then delegates all other staff interviewing to the administrator except for department head level staff. The Council should not interview or evaluate staff. These are the administrator’s jobs.

The Council’s Relationship to Staff Can Be Tricky

Question: “As Council members, a couple of us decided to attend a few staff meetings-mainly to show that we are interested in what goes on in the organization we govern. But we seemed to have stirred up a hornet’s nest because the administrator says it’s inappropriate for us to get involved directly with staff. Why can’t we do this?”

Answer: Nobody ever said that it was easy to be a good Council member. Sometimes an issue comes along that reaffirms how hard it really is-like the question of a Council member's relationship to staff.

On one hand, you're told you should get more involved because Council members are responsible for the organization. But then you're told you shouldn't short-circuit the chain of command by bypassing your administrator when you go directly to staff.

The point is not that Council members shouldn't have any relationship to staff. The point is that the staff/council relationship is so sensitive, Council members have to be alert to problems, which can quickly grow out of this relationship.

Responsibility Chart for the Administrator and Board

The Council works best when everyone understands who's responsible for what. Some decisions can only be made by the Council. Other decisions should be delegated to the administrator. Still others should be joint decisions by both the Council and administrator.

The most important point for Council members to learn is to stand back and give the administrator the opportunity to manage and fulfill the responsibilities of the administrator's role within your organization.

Who's Responsible-The Council or Administrator?

Here are some recommendations for who should be responsible for the various activities and decisions made by your organization...

AREA	COUNCIL	ADMINISTRATOR
Long-Term goals (more than 1 year)	Approves	Recommends and provides input
Short-Term goals (less than 1 year)	Monitors	Establishes and carries out
Day-To-Day Operations	No Rule	Makes all management decisions
Budget	Approves	Develops and recommends
Capital Purchases	Approves	Prepares Requests
Decisions on building, Renovation, leasing and Expansion	Makes decisions and Assumes responsibility	Recommends (could also sign contracts if given authority)
Supply Purchases	Establishes policy and Budget for supplies	Purchases according to board policy and

		maintains an adequate audit trail
Major Repairs	Approves	Obtains estimates and prepares recommendation
Minor Repairs	Policy should include amount that can be spent without board approval	Authorizes repairs up to prearranged amount
Emergency Repairs	Works with Administrator	Notifies Mayor and acts with concurrence from Mayor and Council
Cleaning and Maintenance	No Role (oversight only)	Sets up Schedule
Fees	Adopts Policy	Develops Fee Schedule
Billing, Credit and Collections	Adopts Policy	Proposes policy and implements policy
Hiring of Staff	Approves department heads	Approves below department heads
Staff Deployment and Assignment	No Role	Establishes
Firing of Staff	Approves department head level	Makes Final Termination Decisions below department head level
Staff Grievances	Considers extreme cases per policy	The Grievances stop at the administrator. Extreme cases go to the Board
Personnel Policies	Adopts	Recommends and administers
Staff Salaries	Allocates line item for salaries in budget. Approves annual resolution.	Approves salaries with recommendations from supervisory staff and per union contracts
Staff Evaluation	Evaluates only the Administrator Position	Evaluates all other staff

Council members should be sensitive to public appeals and complaints. But they should also give the administrator a chance to handle the problem first.

The administrator, not Council members, is ultimately responsible for correct and timely financial reports. Administrators should also be given the chance to correct problems within the organization. Remember, the Council hired an administrator to manage day-to-day activities and to fix things.

How Many Bosses Should Your Administrator Have

“There are seven Council members,” an administrator told me recently, “and I feel like I have seven different bosses!” “Council members are always on the phone telling me to do this or do

that. One says I should wait to purchase a computer system and have the full Council review it first. But another tells me to go ahead and buy it now while the price is right, without waiting for Council approval.”

Council members cannot act as individuals. They must speak with one voice so the administrator can have one boss, not seven.

The Administrator is the Manager, Even in a Crisis

Sooner or later your board Council find itself in the middle of a crisis, a building fire, a staff scandal, a liability lawsuit. When a crisis strikes, unwanted public attention is sure to follow on its heels. And just as quickly, Council members will become the focus of public pressure to get the problem solved. The temptation for Council members to take immediate action is strong.

But a crisis shouldn't suddenly change the way your Council operates. It is not the time to make new policies in the midst of crisis. It is time to fall back on policies you already have and let them work. Council members should ask themselves, can the Council really do anything about this situation by holding a quick meeting to try to make emergency decisions as a group?

What should the Council do when a crisis strikes?

- Keep yourself informed from the right source, your city administrator. Of course there will be public pressure on the Council to do something about the problem, this just means that the Council members need to make sure that they are accurately informed about the issue so they can tell the public what's being done.
- Support your Administrator. Get questions out of the way at Council meetings and then back the administrator during the crisis. Tell the administrator you appreciate the work being done to solve the problem and make sure the public sees the support.
- The administrator was hired to manage at all times, not just when things are going well. It doesn't make sense to pull that responsibility away. You need to support the administrator, not create more problems.
- Operate as a Council not as individuals. Designate one person, probably the administrator or the Mayor, to be the media spokesperson. When you speak to the public, voice the official Council stand, not your own individual opinion. Council members can influence the public and help keep a crisis in hand or under control.

The Golden Rule of the Council/Administrator Team

Support of the administrator is the responsibility of the Council. Communication is the responsibility of the Administrator.

Good relations between the Council and the Administrator can break down when you neglect this golden rule. It will help you to remember:

- Council Members support their administrators by letting them know what they want by providing direction.

- Council Members support their administrators by ensuring that money is available to carry out policies.
- Administrators carry out the Council's plans, they're the managers of the organization.
- Administrators must provide feedback and recommendation for new actions so the Council may know how things are going.

Support and Communication.... they're necessities for every municipality.

Insert Organization Chart here.

III. GENERAL PROVISIONS

A. Stipends.

- A. Each Alder shall be paid \$70 for every Council meeting and for every committee meeting where authorized. Some Committees/Board are prohibited from receiving payment per statute (e.g. Library Board). Attending a meeting for which an Alder is not a voting member shall not result in payment.
- B. The Common Council may, prior to the next election cycle and by a 2/3rds vote, adjust the compensation for the alders next to be elected. The Council may also adjust the compensation for the Mayor.

B. Reimbursement.

- A. Alders shall follow the same policy as employees for approved mileage, lodging, and meal reimbursements (employee handbook Section 6.6):

SEC. 6.6 TRANSPORTATION REIMBURSEMENT

Prior approval must be obtained for transportation reimbursement for private vehicles used for travel on City business. Police personnel shall obtain the approval of the Chief of Police; all other employees shall obtain approval of the City Administrator.

Private vehicles used for travel on City business: reimbursement is limited to the Internal Revenue Service (IRS) reimbursement schedule (for rural areas) applicable for that year, plus tolls, parking, and garage charges. See also Sec. 5.3(a).

When two (2) or more people travel in the same private vehicle, reimbursement shall be paid to the owner of the vehicle. Reimbursement for mileage is limited to actual miles traveled on City business.

When authorized functions away from the City include one or more meals, the maximum for the meals involved will be: the daily maximum prescribed by IRS schedules for that given year (rural areas). Paid receipts must be submitted for reimbursement.

All paid receipts for the items for reimbursement must be filed with the City Treasurer within one (1) week of incurring the expense to receive reimbursement.

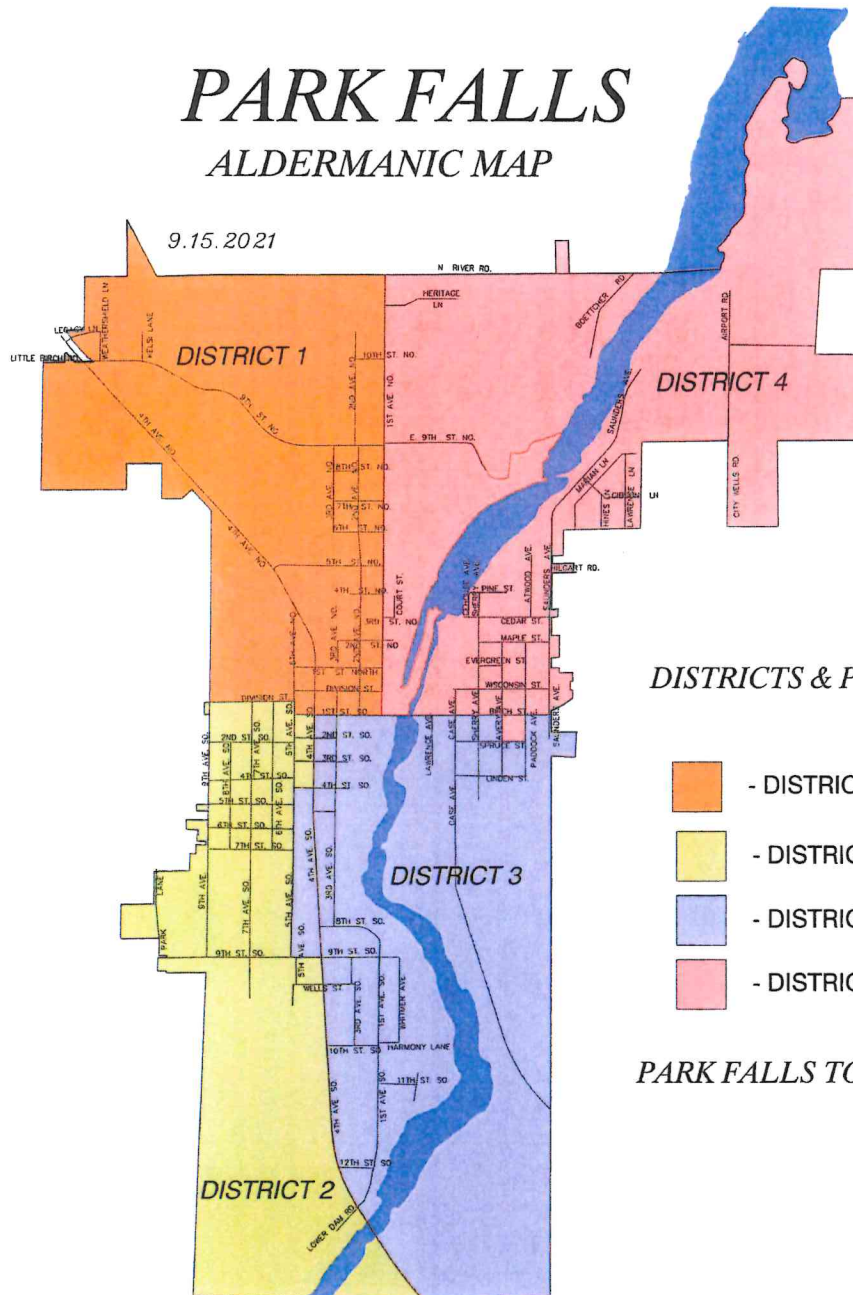
C. Ethics.

- A. No alder shall receive any employment or contract payment from the City of Park Falls in excess of \$15,000 per year. Alders should review requirements under Wis. Stats. 946.13.

PARK FALLS

ALDERMANIC MAP

9.15.2021



DISTRICTS & POPULATION

- DISTRICT 1 = 654
- DISTRICT 2 = 564
- DISTRICT 3 = 606
- DISTRICT 4 = 586

PARK FALLS TOTAL = 2410

IV. OPEN MEETING/OPEN RECORD REQUIREMENTS

A. Declaration of policy

The State of Wisconsin has had a longstanding commitment to supporting access to governmental meetings and records. For example, Section 19.81 of the Wisconsin Statutes reaffirms Article IV, Section X of the Wisconsin Constitution that access to governmental meetings must be provided except when the public welfare requires secrecy.

B. Open Meetings Law

- A. A general description of the policy of open governmental meetings is set forth in Chapter 19 of the Wisconsin Statutes, specifically Sections 19.81 and following.

- B. Application of Open Meetings Law

The open meetings law applies only to “governmental bodies”. Governmental bodies include municipal public entities such as the Village and all boards, agencies and commissions of the municipality.

- C. The law only applies to gatherings of a public entity where there is a purpose to engage in governmental business and the number of the members present is sufficient to determine the governmental bodies course of action. (i.e. a quorum)

- 1. If members do not conduct business, the gathering does not constitute a meeting however.
 - 2. The courts have held that a governmental body is engaged in governmental business even when it is simply hearing information from a third party.

- D. In deciding whether any governmental meeting is taking place, the following rules apply:

- 1. A quorum of any governmental body, board or commission must be present.
 - 2. When the gathering of individuals is less than a quorum, the requirements under the law may still be triggered if that group could block action, e.g. where a super majority is required for passage. This is referred to as a negative quorum. It is good practice not to discuss any proposed Council action with no more than one other Alder outside a meeting were the topic is properly noticed on an agenda.

3. If a quorum or where appropriate a negative quorum is attending the meeting of another governmental body, the meeting must be noticed for both committees.
4. Telephone conference calls amongst members of the governmental body if the requisite number are involved would be considered a meeting.
5. Walking quorum
 - a. A meeting can be deemed to exist if members of the governmental body gather in small groups of members, each of which may be less than a quorum either passively or explicitly for the purpose of acting or sharing information sufficient to reach a quorum under the law.
 - b. The presumption is that any of the aforementioned gatherings would be considered a meeting. The presumption can only be overcome if it can be established that the group did not gather information to discuss or act on business within the authority of the governmental body.
 - c. Exchange of substantive e-mails to solicit opinions or discuss ideas on an issue to come before the municipal body would be considered a walking quorum and thus, a meeting. While the simple exchange of information would not be considered a meeting, the court will look at the reason for the communication, whether responses were solicited and received, the number of people receiving the e-mail, the time frame the e-mails were exchanged and the number of communications. In short, save the questions and comments for the Council meeting.

E. Exceptions to the open meetings law

Limited exceptions exist to the requirement that public meetings be conducted in the presence of the public. Those exceptions are specifically set forth in Section 19.85 of the statutes. Those exceptions include the following circumstances:

1. Deliberating about a case that was the subject of any judicial or quasi-judicial hearing before the governmental body.
2. Considering dismissal, demotion, licensing or discipline of public employees; however, the individual must be given notice and must be informed of his/her right to demand an open hearing.
3. Concerning employment, promotion, compensation or performance evaluations of public employees.
4. Considering strategies for crime detection or prevention.

5. Deliberating or negotiating the purchase of public property or the investment of public funds or where for competitive or bargaining reasons a closed session is required.
6. Deliberating concerning an employment insurance or worker's compensation insurance issue

Considering financial, medical, social or personal histories or disciplinary information concerning specific persons where the information would likely have a substantial adverse effect on the reputation of the person.
7. Conferring with legal counsel concerning strategy in litigation which it is or is likely to become involved.
8. Consideration of request for advice from an ethics board.
9. If the issue before the governmental body does not fall clearly within one of these exceptions, the matter should be dealt with in open session.

F. Meetings must be accessible in order to be considered open.

1. The meeting must be held in a location reasonably accessible to members of the public and open to all citizens at all times during the course of the meeting.
2. The meeting must be conducted in a facility which gives reasonable access, including sufficient space to accommodate the anticipated public interest in the meeting.
3. The Americans with Disability Act prohibits municipalities from discriminating against persons with disabilities in the delivery of government services programs and activities and pursuant to the open meetings law, the attorney general has concluded that local governmental bodies are allowed to use meeting places which are reasonably accessible with assistance to persons with disabilities.

C. Open Records Law

- A. Wisconsin Law states that unless otherwise prohibited by law, any person or entity which submits a request to inspect a record or to receive a copy of a record is entitled to that access; therefore, the general rule is that unless there is a specific reason to preclude access to a record, the access should be provided.
- B. Exceptions

1. The custodian of the record must perform a balancing test which compares the public's right to have access to public records with the privacy rights or other interests of those who are the subject of the record.
2. The exception to the open meetings law set forth in Section 19.85 are indicative of public policy and may be used as grounds for denying access if the legal custodian demonstrates a need to restrict public access.
3. Records which contain personally identifiable information relating to an individual may be precluded from access where disclosure would endanger that person's life or safety, reveal the identity of a confidential informant, endanger security at a correctional institution, child care institution, mental health institute, secured group home center for the developmentally disabled.

Law enforcement records in the context of an ongoing litigation are deemed exempt from disclosure

Computer programs, trade secrets

Identities of applicants for public positions except final candidates

4. Juvenile records
Medical records in the context of HIPAA
5. By order of a court

C. Woznicki vs. Erickson.

1. In 1996, the courts carved out an exception to the public records law for public employee records. The courts require that the subject of those records be notified and allowed a reasonable amount of time to challenge the release of the records before the records can be made public.
2. Subsequent cases expanded this requirement to basically all municipal record custodians and not just municipal employees, but others whose privacy or reputation interest may be impacted by disclosure of the record.
3. Wisconsin Act 47. Recently the legislature enacted an amendment to the public record law. The new law modifies the obligations of the municipality in responding to such record requests.
4. The municipality is specifically precluded from providing the following kinds of employee information except to the employee:

- a. Information prepared or provided by an employee concerning the home address, home e-mail address, home telephone number or Social Security number of that employee.
 - b. Information relating to the current investigation of a possible criminal offense or possible employment-related misconduct.
 - c. Information pertaining to employee's employment examination.
 - d. Information related to one or more specific employees that is used by the employer for staff management planning including performance evaluations, judgments or recommendations concerning future salary adjustments or other wage treatments, job assignments, etc.
5. The following types of records require that a notice be provided to the employee that a request has been received prior to the actual release of such information:
- a. Records containing information that is the subject of an investigation into a disciplinary matter or a possible employment-related violation
 - b. Records obtained by the municipality through a subpoena or search warrant
 - c. Records prepared by an employer other than the municipality relating to that employee unless authorization is given
6. Under the law within three days of deciding to release a record and before allowing access to the record, the subject of the record must be notified by certified mail of the decision within five days after receiving notice of the decision the employee may then advise the municipality of his/her intention to seek a court order to prevent the release.
7. With respect to local officials they also are required to receive the notice within three days of the decision to release the record and then have five days to supplement the record with written comments and documentation.
8. Thus in summary the law further defines specific records which cannot be released and those which are subject to the notification requirements previously indicated under Woznicki and the cases that followed it.

D. Access to electronic records

- 1. In general, electronic records are treated in the same manner as all other types of public records. Thus, they are subject to the same restrictions and definitions as to whether they constitute a public record in the first instance.

E-mails, thumb drives, hard drives on personal computers all would be subject to the open records law. While the municipality may impose reasonable restrictions on the manner of access to the record, reasonable access must still be maintained.

2. The law does not require that the municipality sort the records to look for particular pieces of information nor the format or medium in which it was received.
3. Electronic records are subject to the same kind of document preservation requirements that other public records are.
4. As with other types of records, notes, drafts or records prepared for colleagues before a policy is established or purely personal documents all would not be considered public records unless e-mail or other electronic documents of these types or sorts would also be precluded from disclosure.

E. Redaction of Record Responses

1. A custodian of a record has the obligation to provide so much of the record as is possible, even if some elements of the record need to be redacted in order to accomplish this purpose. Obviously, the process of redaction of words, phrases or sections of a record can be time consuming; however, if the response to a record request is challenged, the Court will look to whether the custodian made every effort to supply so much of the document as would be possible within the limits of the limits placed on releasing the record. Recent court decisions have concluded that the cost of redaction must be borne by the record custodian and cannot be passed along to the record requester. In many instances, this would primarily be a cost in terms of the time spent by the record custodian in doing the redaction; however, it can also be a cost that the record custodian would incur if the record, for example, would be a digital one such as a video where faces of some persons in the video may need to be blocked in order to avoid the disclosure of the identify of juveniles, for example.

F. State of Wisconsin Public Records Board

1. The State of Wisconsin Department of Administration does have a Public Records Board, whose function is to establish policy for the management and retention of public records. That agency establishes rules for the State with respect to such matters; however, upon application being made to the State regarding the desire of a local record custodian to adopt some of the State's policies, that permission can be granted by the Public Records Board and therefore, allow for local public record entities to utilize the standards established on the State level. For example, digital surveillance records can

be erased and that space may be immediately used for the recording of more data, unless the custodian entity has reason to believe that a claim may be made against the entity based upon what the digital record has captured. In that event, the record must be at least be maintained for a period of 120 days, which is consistent with the Notice of Claim provision under Wisconsin Notice of Claims Statute. Even if there is a belief that a claim could be made, if no one follows through with submitting such a claim within the 120 day period, then the record can be erased and the digital media reused. This is just one example of where the adoption of a State record retention policy may significantly limit the City's retention responsibilities for a particular form of record. Obviously, the cost of record retention can be substantial, particularly when dealing with digital records and therefore, the State policy should be consulted as evaluations are made as to these kinds of ongoing record retention responsibilities.

D. Conclusion

The Wisconsin Open Meetings and Public Records Law imposes important duties and responsibilities upon local governments. Again, the presumption is that local governments must be open and accessible to the public. Limitations on this policy are very narrowly defined because transparent government is the best way to ensure clean and efficient government.

V. PROCEDURES FOR RUNNING PUBLIC MEETINGS

A. Presiding Officers

The Mayor is the presiding officer at all Common Council meetings. In the Mayor's absence the Council President shall preside. Should the Mayor and Council President be absent, the Clerk or Treasurer shall call the meeting to order, and the senior Alder shall be the President Pro-Tem. (Ordinance 12-15)

B. Quorum

A quorum is the minimum number of members that may meet and transact business. A quorum of the Common Council is two-thirds of the members elect. For committees, a quorum is a majority of the members, including the chairperson. In calculating quorum requirements, answers with fractions are rounded up to the next whole number, although a lesser number can constitute a quorum for purposes of triggering the open meeting law (i.e., a negative quorum or a walking quorum). A negative quorum is a number of members less than a quorum, but by voting in a block can prevent the passage of an item before the governing body. For example some items require more than a majority vote, they require a three-quarters vote. If you have seven board members, three members can constitute a negative quorum by discussing how they would vote on the item requiring

the three-quarters vote. Even though three members do not constitute a quorum of the Board, they do make up a negative quorum which is a violation of the open meeting law. A walking quorum is done by going from one official to the next to tally the votes on an item before the governing body, done outside the regular meeting. A walking quorum robs the public of the chance to offer input into the decision and hear how the public official has come to their decision.

C. Actions by Less than a Quorum

Any action taken by a governing body at a meeting without a lawful quorum is null and void. Therefore, a governing body may not take any action without a quorum except as specifically authorized. The statutes authorize less than a quorum of a municipality's governing body to adjourn or to compel the attendance of absent members.

D. Voting

No secret ballot may be used to determine any election or other decision except election of a body's own officers. A majority of the members present must vote favorably to approve an item, unless a greater number is required specifically in the state statutes. A quorum of members must vote on an item for official action to be taken. A vote by less than a quorum of members does not allow official action to be taken on an item. A tie vote generally fails.

E. Abstaining from Voting

Any Council member may abstain from vote on any question before the Common Council after notifying the Chair of the intention to abstain and the reasons there for. The Council member will notify the Chair as soon as a conflict becomes apparent to the Member. Once the Chair has been notified of a conflict, the Council Member shall not enter into any discussion about the issue and shall leave the Council Table and sit in the audience. Any Council Member will be counted as voting present and the Council Member abstaining shall not be considered for purposes of evidencing the existence of a quorum.

F. Public Participation

The open meeting law is concerned only with the public's right to be present at the meeting of a governmental body. It does not imply a right of the public to participate in the conduct of government business or speak at meetings. Therefore, a governmental body may prohibit the public from speaking or set conditions, such as limiting the amount of time a member of the public has to address the governing body. There is often tension between the desire to be responsive to constituents and the need to run meetings effectively and efficiently. Although the public is not entitled to participate in a meeting, a public hearing is different because it is specifically designed to allow the public to have input into a given matter. Although a governmental body does not have to allow

members of the public to participate in the meeting, a governmental body must make a reasonable effort to accommodate any person desiring to record, film or photograph meetings. This does not permit recording or filming which interferes with the conduct of the meeting.

G. Roberts Rules of Order

The Rules of Parliamentary Practice comprised in Robert's Rule of Order shall govern the Common Council in all cases in which they are not inconsistent with these Rules.

A. Introducing a Motion

A motion comes from an individual member. It is not necessary to have a motion before a discussion can begin. It often happens that a motion will grow out of a discussion. The subject matter that the motion relates to, if not the motion itself, must be on the public notice of the meeting. If the subject matter or the motion is not listed on the meeting's public notice, the group may not deliberate the motion, but may agree to add it to a later meeting's agenda so that proper public notice can be issued.

Motions must be worded clearly and their effects must not leave the group in an ambiguous situation. If necessary, the group should take the time to allow the maker of a motion to work out the wording that reflects what he or she means. The expression "so moved" should be avoided and the motion being made should be repeated by the recording secretary before being seconded. "Negative motions" i.e., motions that propose that the group not do something should be avoided if at all possible. If they cannot be avoided, care should be taken that the group understand the effect of the motion's passage or defeat. Similarly, motions that propose that the group not consider certain issues or "wash their hands" of certain situations are to be avoided if possible as are motions to "reaffirm" previous decisions. They are almost always unnecessary and leave the group in an ambiguous situation if they fail.

Motions must be seconded. The function of a second is to certify that at least one other member regards a motion as worth discussing. After having been moved and seconded, motions are to be put to the group by the chairperson who states the motion (e.g., "It has been moved and seconded that . . .") which thus becomes pending. When a motion is pending, it is the only item that can be discussed and other subject matter not relevant to the motion is out of order. Once pending, motions belong to the group. After a motion is moved, seconded and then stated by the chairperson, it cannot be withdrawn or amended without the group's permission.

B. Discussing and Debating a Motion

It is customary to permit the member who has offered the motion to speak on its behalf before opening the discussion to others. The group may limit the speaking time devoted to a pending motion. A group may limit the total time devoted to a motion, or the number of times a single member may speak on the motion, or it

may limit the amount of time a member may speak each time the member addresses the motion. It is a good idea to have some limits expressed in the group's own rules. Such limits can be relaxed or altered on a case by case basis as long as all members are treated similarly.

Comments made during the discussion and debate of a motion must be relevant. Comments that are not related to the subject matter or impact of the decision to be made should be ruled out of order by the chairperson. Every member is entitled to speak on every motion. It is out of order to close debate before every member who wants to speak on an issue has a chance to do so. The debate on a motion may be closed by a group decision to do so. No single member may demand that debate be closed by "calling the question" as long as any other member objects to closing the debate. If it comes to a vote, two-thirds of the members voting must agree to close debate.

C. Amending a Motion

Any motion that contains a variable capable of alteration can be amended. A motion to amend proposes to alter a main motion by deleting language from it, or adding language to it, or deleting language and adding substitute language within the motion or by substituting different language for the entire main motion. Note that a motion to replace the language of the entire main motion (a substitute motion) is a form of amendment.

It is out of order to use the amendment process to bring a totally separate issue before the group. If the chairperson is unsure whether a proposed amendment is sufficiently related to the main motion to be germane, he or she should put the question of germaneness to the group to decide by vote or unanimous consent. If the exact effect of the proposed amendment can be achieved simply by voting no on the main motion, the amendment is not germane. However, amendments that are otherwise relevant but are hostile to the main motion may be germane if their exact effect cannot be achieved by voting no on the main motion.

A proposed amendment to a main motion must be approved by the group. There is no such thing as a "friendly amendment", in which just the mover makes the amendment. An amendment may be approved by unanimous consent of the group unless a member objects. If a proposed amendment is not approved by unanimous consent, it will require a formal motion and vote.

Amendments are debatable. If not approved by unanimous consent, motions to amend must be moved, seconded, and then stated by the chair to become pending. Once pending, the motion to amend is open to debate. While pending, an amendment is itself subject to amendment. It is possible to have a main motion, motion to amend and motion to amend the amendment at any one point in time. Amendments take precedence over main motions. When an amendment becomes pending, it replaces the main motion as the immediately pending issue and must be decided one way or the other before the group returns its attention to the main

motion.

D. Postponing a Motion

A pending motion may be postponed to a time later in the same meeting or to a later meeting. When the group agrees to postpone a pending matter, it in effect commits itself to return to the postponed issue at the specified time. The motion or decision to postpone must be specific as to when the group intends to return its attention to the postponed issue.

Postponing a motion indefinitely has the effect of killing the motion. The motion to “postpone indefinitely” is part of Roberts Rules of Order. Its effect is to get rid of a pending motion without voting on the motion directly. A motion that has been postponed indefinitely cannot come up again in the same meeting unless the decision to postpone indefinitely is reconsidered, which would require another motion. A motion that has been postponed indefinitely can be reintroduced at a later meeting if properly listed on the agenda.

Postponing a motion and tabling a motion are not the same thing. The effect of tabling a motion is to set it aside with no provision for returning it to the group’s attention. If a motion is tabled, it takes another motion to take it from the table and make it pending again. Thus, a motion to table is sometimes used to kill a motion. Postponing specifies when the motion will be considered again.

E. Reopening a Previously Decided Motion

Any member voting in the majority may move for a reconsideration of the vote of any question at that meeting or at the succeeding regular meeting. A motion to reconsider being put and lost shall not be renewed. A trustee may not change his vote on any question after the result has been announced. The motion to reconsider can be made only by a member who voted with the prevailing side when the motion was previously decided. Any member may second the motion to reconsider. The effect of passing a motion to reconsider is to reopen the discussion of the motion being reconsidered as if it had not been voted on at all. Motions can be reconsidered during the current meeting or the next regularly scheduled meeting. However, a motion decided in the previous meeting cannot take place unless the matter under reconsideration is on the public notice of the meeting in which it is to be reconsidered.

F. Chairing the Meeting

The Chair at the stated hour shall call the meeting to order. The Chair shall preserve order and decorum, decide all questions in order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, Newly Revised, unless otherwise provided by statute, ordinance, or by this article. Any member shall have the right of appeal from a decision of the Chair. No appeal shall be debatable, and the appeal may be sustained by a majority of the members present, exclusive of the Chair.

G. Suspension of Rules.

The suspension of these Rules or the Rules under Robert's Rules of Order shall require a three-quarters vote of the total Members elected.

H. **Establishment of the Agenda**

The City Clerk, in consultation with the Mayor, City Attorney, City Administrator and other staff as appropriate, shall establish the Agenda for Common Council meetings in accordance with the provisions of the City Code. Any Member of the Common Council may request that a matter be placed on the Agenda by Noon of the Wednesday preceding the Council meeting. All items presented by Alders to be added to the Agenda shall contain a statement indicating the action that is requested by the Common Council and the rationale for the request. Any request for the addition to the Agenda from an Alder up to Noon of the Monday of the week preceding the Council meeting shall have no Staff research provided and the Alder making the request will be responsible for leading the discussion on the topic. Staff may edit Agenda submissions in order to ensure compliance with the Open Meetings Law or other applicable statutory requirements. In the event the aforementioned deadlines for the submission of a matter to the Common Council Agenda would occur on a legal holiday, the deadline shall be 12:00 p.m. of the business day immediately preceding such holiday.

In the event there is a desire for a matter to be placed on the Agenda in Closed Session, the Alder shall consult with the City Administrator and City Attorney as to whether adequate statutory basis exists for the Closed Session for the subject desired.

IV. **Interruption of Speaker.**

When any Member is speaking, no Member shall engage in private discourse or in any way interrupt the speaker except as to a question of order.

J. **Minutes of the Common Council.**

Minutes of the Common Council shall be maintained in accordance with the requirements of Wisconsin law. However, notwithstanding the foregoing, Minutes shall be in summary fashion; but in all cases where a Motion or Resolution is recorded in the Minutes, the name of the Member moving the same shall be entered in the Minutes, as well as the Member seconding the Motion, as well as a record of the vote on the Motion.

VI. **ETHICS/CODE OF CONDUCT**

A. **State Laws on Prohibited Conduct**

1. Using Office for Private Gain

No public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of themselves or their immediate family, or for an organization with which they are associated.

2. Illegal Influence

No person may offer or give a local public official, directly or indirectly, and no local public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the local public official's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the local public official.

3. Taking Action Affecting Matter in which Official has Interest

No public official may take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest. Nor may a public official use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated. With that being said it is not unusual for a public official to be asked to take action on a matter that may affect them. For example as a resident the public official will be impacted by the taxes levied as a result of the adoption of a budget. The test is whether the public official will derive a benefit or face a detriment which is disproportionate to its impact on the community as a whole. When in doubt the public official should abstain from discussion and voting on the issue.

4. Private Financial Interest in Public Contracts

A public official is prohibited from participating in the making of a contract in which the officer or employee has a private pecuniary interest, direct or indirect, or performing in regard to that contract some function requiring the exercise of discretion on the officer's or employee's part. This is a criminal statute under state law.

B. Compatibility of Offices and Positions

The same person cannot hold two public offices or an office and a position where one post is superior to the other. This does not apply to sitting on multiple committees, but does exclude an employee from serving on the Council and committees/boards where there may be a conflict.

C. Ineligibility for any Position Created During Term of Office

Except as expressly authorized by statute, no member of the Council shall, during the term for which the member is elected, be eligible for any office or position created during that term. The member is also ineligible for any office or position where the Council selects the candidate. This subsection does not apply to a member of the Council who resigns before the position is created.

D. Misconduct in Office

Any public officer or public employee who does any of the following is guilty of a Class E felony, punishable by a fine not to exceed \$10,000 or imprisonment not to exceed two years or both:

1. Intentionally fails or refuses to perform a known mandatory, nondiscretionary, ministerial duty of the officer's or employee's office of employment within the time or in the manner required by law.
2. In the officer's or employee's official capacity does an act which he or she knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity.
3. By commission or omission, in the officer's or employee's official capacity, exercises a discretionary power in a manner inconsistent with the duties of the officer's or employee's office of employment or the rights of others with intent to obtain a dishonest advantage for the officer or employee or another.
4. In the officer's or employee's official capacity intentionally and materially falsifies an entry in an account or record book or return, certificate, report or statement.
5. Under color of the office or employment, intentionally solicits or accepts for the performance of any service or duty anything of value which the officer or employee knows is greater or less than is fixed by law.

E. Bribery

Any public officer or public employee who directly or indirectly accepts or offers to accept any property or personal advantage, which the officer or employee is not authorized to receive, pursuant to an understanding that the officer or employee will act in a certain manner regarding any matter which is pending or might come before the officer or employee in the officer's or employee's capacity as such officer or employee or that the officer or employee will do or omit to do any act in violation of the officer's or employee's lawful duty is guilty of a Class D felony. A Class D felony is punishable by a fine not to exceed \$10,000, or imprisonment not to exceed five years, or both.

F. Code Of Conduct

1. INTRODUCTION

It is the policy of the Common Council of the City of Park Falls to uphold and promote respectful, fair and honest behavior in carrying out their public duties. The purpose of this Code is to ensure that all officials have clear guidelines for carrying out their

responsibilities in their relationships with each other, with staff and citizens of the community.

2. ELECTED OFFICIAL CONDUCT WITH EACH OTHER

The Common Council has a responsibility to establish the policies for the City and in so doing, to promote conduct which is beneficial for the effective governance of the City. While there may be a large diversity in background and point of view on the Common Council, the common goal of the Council shall be to preserve and protect the health, safety and welfare of the citizens of the City of Park Falls. The following Rules of Conduct are therefore adopted to promote the effective administration of the City in order to achieve this purpose.

i. RULES OF CONDUCT

- A. Use civility and decorum in discussions and debate. While every Council Member has the right to his or her individual opinion, that opinion should be respected by the other Members of the Council. Therefore, Council Members shall not be hostile, degrading or defamatory in their communications with their peers.
- B. Mayor's Responsibility. It is the responsibility of the Mayor, or Council President if filling in, to keep order during the course of debate following the City Council Rules and Robert's Rules of Order. Council Members shall be respectful of the chairperson of the meeting in his or her attempts to maintain order and to follow the items listed on the agenda.
- C. Interactions between Elected Officials and City Staff. Governance of the City requires the cooperative efforts of both elected officials, who set policy, and City staff, who implement and administer those policies. As a consequence of this, the following policies should be followed:
 - i. Common Council Members shall treat all staff as professionals and shall treat them with respect.
 - ii. Common Council Members shall not demean or personally attack an employee. Concerns with the performance of a staff member should be directed to the City Administrator.
 - iii. Common Council Members only have the power that they possess in acting collectively, but do not have individual authority with respect to directing City staff and/or City agents or consultants. Therefore, any direction which a Council Member may wish to make should be presented to the full Common Council for action. Council Members shall not attempt to influence or coerce City staff concerning the performance of the duties of those staff members. Notwithstanding the foregoing, an Alder may request City staff to provide information regarding City operations and/or background

information on issues that might affect the City. Such requests shall generally be requested through the City Administrator.

- D. Elected Official Conduct Towards the Public. One of the principles of representative government in this country is that our form of government is of the people, by the people and for the people. Therefore, it is important during Common Council meetings or other committee meetings that no signs of partiality, prejudice or disrespect are shown to members of the public in this forum. Council Members should convey to the public their respect and appreciation for the public's participation, input and opinions, even those with whom they may disagree, as well as from persons who may not necessarily be respectful of them. Members of the public should be welcomed in speaking in front of the Council and Alders should commit their full attention to the speakers, regardless of the speakers' view point.
- E. Conduct Outside Public Meetings. Alders may be requested to explain a Common Council action or to give opinions about an issue as they meet and talk with constituents in the community. It is appropriate to give information on City policies, unless the action came out of a Closed Session discussion or when based on confidential advice by the City Attorney. No representations or commitments shall be made to the public regarding promises of official action by the City unless the Common Council has specifically gone on record making such representations. Members of the Council should make clear in their discussions with constituents that opinions being shared are their personal ones and not necessarily those of the Common Council as a whole.
- F. Enforcement. In the event that any party believes that there has been a violation of these Rules of Conduct, that party may submit a complaint to the City Clerk, outlining the facts surrounding the incident; the rule that was allegedly violated; and the identification of any witnesses to the events which give rise to the complaint. Upon receipt of such a complaint, the City Clerk, in consultation with the City Administrator and City Attorney, shall advise the member of the Council who is the subject of the complaint and request that said person provide a response to the allegation. In the event that the complainant and the Alder who is the subject of the complaint are able to reconcile the matter, no further action will be taken. However, the complaint will be maintained in the file for such purpose by the City Clerk. In the event that the complainant and the subject of the complaint are not able to reconcile the matter, City staff will interview witnesses to the incident, if necessary, in order to understand the context of the complaint, and then the matter will be scheduled for hearing before the Common Council. The subject of the complaint shall be recused from participating and deliberating at such matter. Following the completion of any testimony, the Council may dismiss the complaint or make findings regarding the legitimacy of the charge being made. If the Council determines that the

charge is substantiated, it may take action to censure the Alder or to take other action as may be permitted by law. The Alder who is the subject of the complaint shall have the right to representation and shall have notice of the charge, as well as a period of not less than thirty (30) days to prepare for any hearing before the Common Council.

OR

If any party believes that these Rules of Conduct have been violated, that party shall refer the matter to the Mayor (Council President if the complaint is against the Mayor), who will attempt to resolve the matter in private. The Mayor (or Council President) may involve the City Administrator and/or City Attorney to investigate and make recommendations about the dispute. If these private efforts do not resolve the matter, then the Mayor or any member of the Council may bring it before the Council at a duly noted public meeting, at which time the Council shall decide whether or not to proceed with further action.

NOTE: Additional information on ethics requirements, and many other topics, is available from the League of Wisconsin Municipalities for your review. City Hall has some manuals that can be provided for you to review, or information may be available on the League website at <https://www.lwm-info.org/>.

VII. ACKNOWLEDGEMENT

I acknowledge having received a copy of the Handbook for Elected Officials and I agree to read and become familiar with its contents.

I understand that all policies, rules, and regulations referenced in the Handbook may be changed from time to time.

I further understand that only the Common Council has the authority to adopt revisions to the policies in this Handbook.

Name: _____
(Please Print)

Signature: _____

Date: _____

Please return this statement, within two (2) weeks of receipt to the City Clerk.

Distributed On: _____

Returned On: _____

