

**NOTICE OF MEETING
VILLAGE OF FOX POINT
SPECIAL VILLAGE BOARD MEETING**

**SCHWEMER HALL – MUNICIPAL BUILDING
7200 N. SANTA MONICA BLVD
FOX POINT, WI 53217**

**TUESDAY
May 27, 2025
4:00 P.M.**

NOTE: THE VILLAGE BOARD WILL BE MEETING IN PERSON AT VILLAGE HALL, WITH A REMOTE ATTENDANCE OPTION, PER THE HYBRID MEETING PROCEDURES FURTHER DESCRIBED IN SECTION 19-32 D. OF THE VILLAGE CODE. THIS MEETING IS OPEN TO ALL CITIZENS IN PERSON AT VILLAGE HALL, OR THROUGH THE ZOOM PARTICIPANT INFORMATION SHOWN BELOW, SUBJECT TO THE FOLLOWING: NO ASSURANCE IS PROVIDED TO THOSE GOVERNING BODY MEMBERS AND CITIZENS INTENDING TO ATTEND REMOTELY THAT THE TECHNOLOGY WILL PERFORM SUFFICIENTLY TO ALLOW FOR THEIR PARTICIPATION AND THE MEETING WILL PROCEED REGARDLESS. PUBLIC OFFICIALS AND CITIZENS WISHING TO ENSURE THEY CAN PARTICIPATE ARE ENCOURAGED TO ATTEND IN PERSON.

Zoom Participant Information

<https://us02web.zoom.us/j/81885271295>

Meeting ID: 818 8527 1295

Dial: (312) 626-6799

AGENDA

- 1. Roll Call**
- 2. Village Board Training**
 - a. The Village Board will be participating in a training opportunity with Curt Witynski, JD. No action will be taken as part of this training.**
- 3. Adjournment**

NEXT REGULAR VILLAGE BOARD MEETING:

TUESDAY, June 10, 2025 7:00 P.M.

PLEASE NOTE:

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. Also, upon reasonable notice, best efforts will be used to ensure that members of the public lacking access to the virtual meeting platform are provided alternative reasonable methods to attend. For additional information or to request these services, contact the Village Clerk at (414) 351-8900. "Persons requiring an interpreter or other assistance should contact the Village Clerk's office 72 hours prior to the meeting. Notice is hereby given that a majority any other board, commission or committee may be present at the meeting to gather information about a subject in which they are interested. This constitutes a meeting of any other board, commission or committee pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 2d 408 (1993), and must be noticed as such, although said boards, commissions or committees will not take any formal action at this meeting."

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VILLAGE OF FOX POINT

MILWAUKEE COUNTY

WISCONSIN

VILLAGE HALL

7200 N. SANTA MONICA BLVD.

FOX POINT WI 53217-3505

414-351-8900

FAX 414-351-8909

To: Village Board

From: Scott A. Botcher, Village Manager

cc: Kevin Ausman, Assistant Village Manager

Date: May 6, 2025

Re: Board Training

Please find enclosed your packet and readings in advance of our Board training to be held Tuesday May 27th, starting at 4pm. It is expected that Trustees will attend in person.

Attached is a syllabus for the session, identifying the topics to be covered, most of which are basic to your role as well as an attachment discussing ways municipalities can be organized. Finally, I recommend reading the following material from the League's website:

1. "20 basic parliamentary motions" <https://files.constantcontact.com/719b6d0b001/f7534fa1-d6d6-4282-a646-8453ae50533a.pdf>
2. "Consent Agendas" <https://files.constantcontact.com/719b6d0b001/42e06b03-bddb-44ec-b88b-e2cc354b95a0.pdf>
3. "Parliamentary Procedure: A Few Fundamentals" <https://lwm-info.org/DocumentCenter/View/3198/A-Few-Fundamentals>
4. "Bad Meeting Behaviour: Painting the Shed Red" <https://www.lwm-info.org/DocumentCenter/View/6149/FTGOTO---Bad-Meeting-Behavior-Painting-the-Shed-Red>
5. "Understanding and Complying with Wisconsin's Open Meeting Law, Part 1" <https://www.lwm-info.org/DocumentCenter/View/5853/Gov-Bod-135R11---Understanding-and-Complying-with-Wisconsin-Open-Meetings-Law>
6. "Understanding and Complying with Wisconsin's Open Meeting Law, Part 2" <https://www.lwm-info.org/DocumentCenter/View/6022/Understanding-and-Compling-With-Wis-Open-Meetings-Law---Part-2>

I hope you find this session educational. Please come prepared with any questions. I expect the session to be over no later than 6 pm. Thank you.

Agenda for Fox Point Village Board Training Session

May 27, 2025
Curt Witynski, J.D.
Witynski Consulting LLC

1. Structure of Municipal Government in Wisconsin: Brief overview of most common ways municipalities organize their executive and administrative operations.

- Cities -- Mayor – Council Form of Government
- Villages -- Traditional village board form of government, in which the board consists of a president and trustees and exercises both executive and legislative functions.
- Municipal Administrator
- Manager Form of Government

2. Village Manager Form of Government

- Authorized by Chapter 64, Wisconsin Statutes
- Wisconsin villages operating under manager form
- Role, Responsibilities, and Powers of Village Board under Manager Form
 - o Legislative Function (Village Board) v. Executive and Administrative (Manager and Staff)
 - o Policy Development (Village Board) v. Policy Implementation & Administration (Manager and Staff)
 - o Reminder -- unlike state government, local government officials are elected on a nonpartisan basis. Best practice is for governing body to stay in its lane and focus on core competencies, rather than matters exclusively of state or federal concern.
 - o Directing constituent concerns to staff while avoiding micro-management of staff, service delivery, and projects
 - o Best practices for interacting with staff
 - o How the Village Board differs from other boards and commissions such as Police and Fire Commission and Library Board
- Powers and functions of Village Manager
 - o Manager possesses all executive and administrative authority conferred by general law on village board prior to village reorganizing under Ch. 64
 - o Power to create minor administrative offices and positions and discontinue such offices and positions.
 - o Power to appoint and remove all department heads and employees except police department, library, and clerk.

3. Village Board Meeting Procedures

- Village president as presiding officer – responsible for administering discussion and debate on agenda items, regulating decorum, and generally ensuring meetings run efficiently and smoothly
- Best practices for preparing for a meeting (e.g., read meeting packet and contact staff with questions about agenda items before the meeting)
- Quorum
- Manner of voting and recording of votes
- Number of votes required
- Public's role at meetings
- Basics of parliamentary procedure
 - o Introducing a motion
 - o Discussing/debating a motion
 - o Amending a motion
 - o Tabling a motion
 - o Motion Failing
 - o Suspending the rules
 - o Point of order
- Agendas
 - o Who controls the agenda/placing items on the agenda?
 - o Consent agendas
- Meeting Minutes -- Minutes of all meetings must be kept. Clerk is responsible for keeping minutes of village board meetings. Written minutes, upon approval, constitute official record of governing body actions. Additions and corrections that affect contents of minutes may be made only in public meetings, with the approval of the body, and not by the private request of individual members. Minutes are not verbatim. They are, instead, action minutes, recording the essence of the decisions made, motions made, and votes taken. A summary of minority viewpoints may be included.

4. Open Meetings Law Basics

- Requirements in brief – meetings of governmental bodies, like the village board and its committees, must be preceded by public notice and held in places reasonably accessible to the public and open to all citizens unless the meeting is closed for allowable reasons. Many communities, like Fox Point, also provide an option for the public to attend meetings virtually.
- What qualifies as a “meeting” for purposes of the open meetings law?
 - o Negative Quorum
 - o Walking Quorum
 - o Attending the meeting of another governmental body

- Notice requirements
 - Timing and contents
- Closed sessions
 - Procedure for going into closes session
 - Who can attend a closed session?
 - Voting in closed session
 - Reconvening in open session
 - Board members are expected to keep closed meeting discussions confidential. Some municipalities have local rules or ordinances prohibiting municipal officials from using or disclosing confidential information. Penalties could include forfeiture or public censure. Where such behavior is prohibited, other potential consequences for violating local restrictions are criminal prosecution under Wis. Stat. § 946.12 for misconduct in public office or removal from office under Chapter 17 of the Wisconsin Statutes for official misconduct (see Wis. Stat. §§ 17.001, 17.12 and 17.13).

5. Questions and Comments

Popular Forms of Municipal Government in Wisconsin

Curt Witynski, J.D., Witynski Consulting LLC

Wisconsin law provides several ways cities and villages may be organized, including under a city commission planⁱ, which no city in the state has used. The overwhelming majority of cities (180 of 190) have a mayor as the chief executive officer and the common council serving as the legislative arm. Similarly, all but eleven villages in Wisconsin are structured under the traditional village board form of government, in which the board consists of a president and trustees and exercises both executive and legislative functions. Many of these traditionally organized cities and villages have created the position of administrator to manage the day-to-day operations of municipal government.

This article provides a brief overview of the most common ways municipalities in Wisconsin structure their executive and administrative operations.

Manager form of Government

Ten citiesⁱⁱ and eleven villagesⁱⁱⁱ operate under the manager form of government authorized by Ch. 64, Wis. Stats. Adoption of the manager form of government is accomplished by enactment of a charter ordinance or by citizen-initiated petition and referendum.

The manager is appointed by the governing body and serves, at the pleasure of the governing body, as the city or village's chief executive officer and the head of administration.^{iv} The manager must be selected on merit, based on professional training and experience in municipal management. The responsibilities of a manager include proposing an annual budget and appointing and removing department heads. The manager has the power to create minor administrative offices and positions and to discontinue such offices and positions unless the governing body defines the role of the manager differently. A manager typically attends, but does not preside over or vote at meetings of the governing body and cannot veto its actions.

Cities operating under the manager form of government do not have a mayor, though there are unique exceptions. Oshkosh, for example, has a manager and a mayor, but the mayor in Oshkosh operates like a council president. The Oshkosh mayor lacks veto powers and cannot exercise other executive powers but presides over council meetings.

Villages operating under the manager form of government retain the office of president since that office exercises no executive powers.

Mayor as Chief Executive Officer in Cities. In the 180 cities not operating under Ch. 64, the mayor is the chief executive officer of the city and in that capacity must "take care that

city ordinances and state laws are observed and that all city officers and employees discharge their duties.”^v The mayor is the head of the police and fire departments, except in those fifteen or so cities where the police and fire commission has been granted optional powers by the electorate. In cities without a police and fire commission, the mayor appoints all police officers. The chief of police has command of the police department under the direction of the mayor and must obey lawful written orders of the mayor and the common council.

The mayor also has a policy making role. The mayor is a member of the common council, presides at council meetings, and may vote on matters before the council in the event of a tie vote.^{vi} The mayor has the power to veto actions of the council.^{vii} Finally, the mayor may give the council information and recommend policy measures advantageous to the city.^{viii}

Although the statutes are silent on this, mayors typically serve as the chief spokesperson of the city before the media. Also, the mayor usually represents the city in meetings with other local governments, businesses, business groups, non-profit organizations, and other organizations. Finally, the mayor normally represents the city at ribbon cutting ceremonies, parades, and other community events.

Some mayors work on a part-time basis, while others approach their positions as full-time, often depending on whether the office is paid a full- or part-time salary level.

Municipal Administrator. Many municipalities not operating under the manager form of government have found it beneficial to create the position of administrator to manage the daily operations of city or village government. The League’s member database currently shows that 235 communities (114 cities and 121 villages) list the position of administrator. This includes municipalities where the clerk, treasurer, clerk-treasurer, or another official is also designated as the administrator.

The position of administrator is not mentioned in the statutes but has been created by municipalities using home rule powers to address their local need for administrative oversight of municipal operations. Most often communities create the position of administrator by ordinance. In some cases, a charter ordinance is required, such as when the position is combined with an existing elected official, like a clerk or treasurer. The ordinance or charter ordinance typically enumerates the duties and responsibilities of the position. As the League’s Handbook for Wisconsin Municipal Officials explains, there can be wide variation in how municipalities perceive the position of administrator.

While it depends on the community, most often the administrator is hired by and serves at the pleasure of the governing body.

Mayoral Relationship with an Administrator. The mayor's responsibilities as chief executive officer of the city as described above and in Wis. Stat. § 62.09(8) apply to mayors in cities with and without administrators. The difference, as the Wisconsin City/County Managers Association website explains, "is in the manner in which the mayor exercises his/her executive responsibility." In municipalities without administrators, the mayor exercises this responsibility directly by supervising the day-to-day operations of city government. Department heads report directly to the mayor and receive their assignments from the mayor. In municipalities with an administrator, the mayor exercises the executive responsibilities indirectly by monitoring the activities of the administrator. The administrator is usually responsible for implementing policies adopted by the common council and managing the day-to-day operations of city government, including supervision of the department heads, and preparation of an annual budget.

Cities with part-time mayors and city administrators include:

Burlington, Elkhorn, De Pere, Monroe, Baraboo, New Berlin, Marshfield, Menomonie, Hudson, River Falls, Lancaster, Lake Geneva, Ripon, Eagle River, Middleton, Verona, Franklin, West Bend, Rhinelander, Monona, Sun Prairie, Oak Creek, South Milwaukee, Wauwatosa, Ashland, Fitchburg, and Jefferson

Cities with full-time mayors and no city administrator include:

- Appleton
- Brookfield
- Green Bay
- Madison
- Superior
- Manitowoc
- Neenah
- La Crosse
- Stevens Point
- Wisconsin Rapids
- Marinette
- Wausau
- Greenfield

Cities with full-time mayors and city administrators include:

- West Allis
- Sheboygan
- Racine
- Kenosha
- Waukesha

ⁱ Wis. Stat. § 64.25.

ⁱⁱ The ten cities operating under the manager-council form of government are: Oshkosh, Platteville, Lake Mills, Janesville, Beloit, Eau Claire, Two Rivers, Whitewater, Fort Atkinson, and Fond du Lac.

ⁱⁱⁱ The eleven villages operating under the village manager form of government are: Bayside, Brown Deer, Thiensville, Harrison, Menomonee Falls, Elm Grove, Fox Crossing, Fox point, Greendale, Shorewood, and Whitefish Bay.

^{iv} League of Wisconsin Municipalities' *Handbook for Wisconsin Municipal Officials*, p. 45.

^v Wis. Stat. § 62.09(8)(a).

^{vi} Wis. Stat. § 62.11(1).

^{vii} Wis. Stat. § 62.09(8)(c).

^{viii} Wis. Stat. § 62.09(8)(b).