

# CHAPTER 2. GOVERNMENT AND ADMINISTRATION

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# CITY GOVERNMENT AND ELECTIONS

## SEC. 2.01 CITY GOVERNMENT.

- (a) **Mayor-Council Government.** The City of Oak Creek is a body corporate and politic with the powers of a municipality at common law and governed by the provisions of Chs. 62 and 66, Wis. Stats., laws amending those chapters, other acts of the legislature and the Constitution of the State of Wisconsin. The City of Oak Creek operates under the Mayor-Council form of government under Ch. 62, Wis. Stats. The Mayor shall serve in a part-time capacity.
- (b) **Division of Responsibilities.**
- (1) **Legislative Branch.** The Common Council is the legislative branch of City Government. Each member shall serve in a part-time capacity. Its primary business is the passage of laws in the form of ordinances which shall prescribe what the law shall be, not only in relation to the particular facts existing at the time, but as to all future cases arising under it. The Common Council may adopt resolutions of condolences, congratulations or stating official positions with respect to particular matters. The Common Council shall fix the salaries of all officers and employees of the City, and be charged with the official management of the City's financial affairs, its budget, its revenues and the raising of funds necessary for the operation of the City.
  - (2) **Executive Branch.** The Mayor shall be the chief executive officer. The Mayor, in conjunction with the City Administrator, shall ensure that all City ordinances and state laws are observed and enforced and that all City officers, boards, committees and commissions discharge their duties. When present, the Mayor shall preside at the meetings of the Common Council and shall from time to time give the Council such information and recommend such measures, as they may deem advantageous to the City.

State Law Reference: Wis. Const., Art. XI, Sec. 3.  
*Charter Ord. 17, A 09/19/23, Sec. 2.01*

## SEC. 2.02 OFFICIAL NEWSPAPER.

The *Milwaukee Journal Sentinel - South Now*, a newspaper published within the City of Oak Creek, is hereby designated as the official newspaper of the City of Oak Creek, Wisconsin, and all ordinances, notices and proceedings of the City required by law to be published shall be published herein.

State Law Reference: Sec. 985.06, Wis. Stats.  
*Ordinance 2731, A 08/04/14, Sec. 2.02*  
*Charter Ord. 17, A 09/19/23, Sec. 2.02*

## SEC. 2.03 ELECTION OFFICIALS.

- (a) **Qualifications.** At every election held in the City, there shall be in each polling place of each aldermanic district five (5) Inspectors of Election; the Common Council may change the number by resolution pursuant to Sec. 7.32, Wis. Stats.
- (b) **Appointment.** The election officials herein shall be chosen in accordance with Sec. 7.30, Wis. Stats., and acts amendatory thereto.
- (c) **Chairperson.** The Inspectors of each ward in each aldermanic district shall elect their own chairperson.
- (d) **Vacancies.** When an election official is unable to be present on Election Day, said election official shall notify the City Clerk immediately. Failure to do so constitutes forfeiture of office. The City Clerk shall fill vacancies from an eligible list on file in said office, as required by statute.
- (e) **Compensation.** The compensation for services rendered by each of the Inspectors shall be at such times and in such manner as prescribed by ordinance.

State Law Reference: Sec. 7.30, Wis. Stats.

## SEC. 2.04 NON-PARTISAN PRIMARY FOR CITY OFFICES.

Whenever three (3) or more candidates file nomination papers, candidates for elective City offices shall be nominated by a non-partisan primary conducted pursuant to Sec. 8.11(1), Wis. Stats. Such candidate shall file with their nomination papers a declaration that they will qualify for the office to which they shall be elected.

State Law Reference: Sec 8.11, Wis. Stats.  
*Charter Ord. 17, A 09/19/23, Sec. 2.04*

## SEC. 2.05 POLLING PLACES.

- (a) **Polling Places Designated.** The following locations are designated City polling places:
- (1) **First Aldermanic District.**
    - a. *Place.* School Administration Building, 7630 S. 10<sup>th</sup> Street.
    - b. *Wards.* Ward Nos. 1, 2 and 3.
  - (2) **Second Aldermanic District.**
    - a. *Place.* Discover Church, 7311 S. 13<sup>th</sup> Street.
    - b. *Wards.* Ward Nos. 4, 5 and 6.
  - (3) **Third Aldermanic District.**
    - a. *Place.* American Legion Post 434, 9327 S. Shepard Avenue.
    - b. *Wards.* Ward Nos. 7, 8 and 9.

- (4) Fourth Aldermanic District.
  - a. *Place.* National Guard Armory, 8520 S. Howell Avenue.
  - b. *Wards.* Ward Nos. 10, 11 and 12.
- (5) Fifth Aldermanic District.
  - a. *Place.* Parkway Church, 10940 South Nicholson Road.
  - b. *Wards.* Ward Nos. 13, 14 and 15.
- (6) Sixth Aldermanic District.
  - a. *Place.* Community Center, 8580 S. Howell Avenue
  - b. *Wards.* Ward Nos. 16, 17 and 18.
- (b) **Polling Hours.** The polls on each Election Day shall remain open for voting from 7:00 a.m. until 8:00 p.m.
- (c) **Political Party Committees.** Pursuant to the authority of Sec. 8.17(1)(b), Wis. Stats., each party shall elect one committeeman or committee-woman for each election district.

*Ordinance 2471, A 08/21/07, Sec. 2.05(a)(1)-(6)*

*Ordinance 2481, A 11/20/07, Sec. 2.05(a)(2)*

*Ordinance 2654, A 06/05/12, Sec. 2.05(a)(1)-(6)*

*Ordinance 2805, A 06/21/16, Sec. 2.05*

*Ordinance 2862, A 08/15/17, Sec. 2.05(a)(1)-(6)*

*Charter Ord. 17, A 09/19/23, Sec. 2.05(a)(2)a, (a)(2)b*

**SEC. 2.06 ALDERMANIC DISTRICT BOUNDARIES.**

- (a) The City of Oak Creek shall be divided into six (6) aldermanic districts, comprised of eighteen (18) wards, and the respective boundaries of the aldermanic districts shall be as follows:

**(1) Aldermanic District One.**

- (a) District One shall be bounded as follows:

Commencing at the intersection of East College Avenue and South Pennsylvania Avenue; thence south along Pennsylvania Avenue to its intersection with East Forest Hill Avenue; thence west on Forest Hill Avenue to its intersection with the Union Pacific Railroad; thence southeasterly along the Union Pacific Railroad to its intersection with East Puetz Road; thence west on Puetz Road to its intersection with South Nicholson Road; thence south on Nicholson Road to its intersection with East Falcon Glen; thence west on Falcon Glen to its intersection with South Knollhaven; thence north on Knollhaven to its intersection with East Buckwood Drive; thence west on Buckwood Drive to its intersection with South Clemson Drive; thence northwesterly on Clemson Drive to its intersection with East Puetz Road;

thence west on Puetz Road to its intersection with South Maize Drive; thence north on Maize Drive to its intersection with East Groveland Drive; thence west on Groveland Drive to its intersection with South Golden Fields Drive; thence north on Golden Fields Drive to its intersection with East Deer Ridge Pass; thence west on Deer Ridge Pass to its intersection with South Shepard Avenue; thence north on Shepard Avenue to its intersection with East Forest Hill Avenue; thence west on Forest Hill Avenue to its intersection with South Verdev Drive; thence north on Verdev Drive to its intersection with East Drexel Avenue; thence west on Drexel Avenue to its intersection with Interstate 94; thence north on Interstate 94 to its intersection with the City limits of the City of Milwaukee; thence following the City limits of the City of Milwaukee northerly and easterly to the point of beginning.

- (b) District One shall be comprised of Ward One, Ward Two and Ward Three.

**(2) Aldermanic District Two.**

- (a) District Two shall be bounded as follows:

Commencing at the intersection of South 27<sup>th</sup> Street and West College Avenue; thence east on College Avenue to its intersection with the City limits of the City of Milwaukee; thence south and east along the City limits with the City of Milwaukee to their intersection with Interstate 94; thence south along Interstate 94 to its intersection with West Drexel Avenue; thence east on Drexel Avenue to its intersection with South Verdev Drive; thence south on Verdev Drive to its intersection with East Forest Hill Avenue; thence west on Forest Hill Avenue to its intersection with South Liberty Lane; thence south on Liberty Lane to its intersection with West Puetz Road; thence west on Puetz Road to its intersection with West Violet Drive; thence south and west on Violet Drive to its intersection with South 13<sup>th</sup> Street; thence north on 13<sup>th</sup> Street to its intersection with West Puetz Road; thence west on Puetz Road to its intersection with South 27<sup>th</sup> Street and the City limits of the City of Franklin; thence fol-

lowing the City limits of the City of Franklin north along 27<sup>th</sup> Street to the point of beginning.

- (b) District Two shall be comprised of Ward Four, Ward Five and Ward Six.

**(3) Aldermanic District Three.**

- (a) District Three shall be bounded as follows:

Commencing at the intersection of East Forest Hill Avenue and South Shepard Avenue; thence south on Shepard Avenue to its intersection with East Deer Ridge Pass; thence east on Deer Ridge Pass to its intersection with South Golden Fields Drive; thence south on Golden Fields Drive to its intersection with East Groveland Drive; thence east on Groveland Drive to its intersection with South Maize Drive; thence south on Maize Drive to its intersection with East Puetz Road; thence east on Puetz Road to its intersection with South Clemson Drive; thence southeasterly on Clemson Drive to its intersection with East Buckwood Drive; thence east on Buckwood Drive to its intersection with South Knollhaven; thence south on Knollhaven to its intersection with East Falcon Glen; thence east on Falcon Glen to its intersection with South Nicholson Road; thence south on Nicholson Road to its intersection with East Ryan Road; thence east on Ryan Road to its intersection with South Kinney Lane; thence north on Kinney Lane to its intersection with East Woodview Avenue; thence west on Woodview Avenue to its intersection with South Shire Place; thence north on Shire Place to its intersection with East Kender Lane; thence east on Kender Lane to its intersection with South Regency Drive; thence southeasterly along Regency Drive to its intersection with East Northbrook Boulevard; thence southeasterly along Northbrook Boulevard to its intersection with East Ryan Road; thence east on Ryan Road to its intersection with South Chicago Road; thence southeasterly on Chicago Road to its intersection with East Oakwood Road; thence west on Oakwood Road to its intersection with South Shepard Av-

enue; thence north on Shepard Avenue to its intersection with East Arthur Drive; thence west on Arthur Drive to its intersection with South Shepard Hills Drive; thence south on Shepard Hills Drive to its intersection with East Estates Place; thence west on Estates Place to its intersection with South Austin Street; thence south on Austin Street to its intersection with East Estates Place; thence west on Estates Place to its intersection with South Howell Avenue; thence north on Howell Avenue to its intersection with West Ryan Road; thence west on Ryan Road to its intersection with the Oak Creek; thence northeasterly along the Oak Creek to its intersection with South Howell Avenue; thence north on Howell Avenue to its intersection with West Oak Leaf Drive; thence west on Oak Leaf Drive to its intersection with South Aspen Drive; thence north on Aspen Drive to its intersection with West Centennial Drive; thence east on Centennial Drive to its intersection with South Howell Avenue; thence north on Howell Avenue to its intersection with East Groveland Drive; thence east on Groveland Drive to its intersection with South Verdev Drive; thence north on Verdev Drive to its intersection with East Forest Hill Avenue; thence east on Forest Hill Avenue to the point of beginning.

- (b) District Three shall be comprised of Ward Seven, Ward Eight and Ward Nine.

**(4) Aldermanic District Four.**

- (a) District Four shall be bounded as follows:

Commencing at the intersection of South Nicholson Road and East Puetz Road; thence east on Puetz Road to its intersection with the Union Pacific Railroad; thence northwesterly along the Union Pacific Railroad to its intersection with East Forest Hill Avenue; thence east on Forest Hill Avenue to its intersection with the City limits with the City of South Milwaukee; thence east along the City limits with the City of South Milwaukee to the shoreline of Lake Michigan; thence southeasterly

along the shoreline of Lake Michigan to the City limits with Racine County; thence west along the City limits with Racine County to its intersection with South Chicago Road; thence north on Chicago Road to its intersection with East Elm Road; thence west on Elm Road to its intersection with South Shangri-La Court; thence north on Shangri-La Court to its intersection with East Alpine Drive; thence east on Alpine Drive to its intersection with South Rosemont Lane; thence north on Rosemont Lane to its intersection with East Stargrass Lane; thence east on Stargrass Lane to its intersection with South Grimm Drive; thence north on Grimm Drive to its intersection with East Oakwood Road; thence east on Oakwood Road to its intersection with South Chicago Road; thence northwesterly on Chicago Road to its intersection with East Ryan Road; thence west on Ryan Road to its intersection with East Northbrook Boulevard; thence north and west on Northbrook Boulevard to its intersection with South Regency Drive; thence north and west on Regency Drive to its intersection with East Kender Lane; thence west on Kender Lane to its intersection with South Shire Place; thence south on Shire Place to its intersection with East Woodview Avenue; thence east on Woodview Avenue to its intersection with South Kinney Lane; thence south on Kinney Lane to its intersection with East Ryan Road; thence west on Ryan Road to its intersection with South Nicholson Road; thence north on Nicholson Road to the point of beginning.

- (b) District Four shall be comprised of Ward Ten, Ward Eleven and Ward Twelve.

**(5) Aldermanic District Five.**

- (a) District Five shall be bounded as follows:

Commencing at the intersection of East Oakwood Road and South Grimm Drive; thence south on Grimm Drive to its intersection with East Stargrass Lane; thence west on Stargrass Lane to its intersection with South Rosemont Lane; thence south on Rosemont Lane to its intersection with East Alpine Drive;

thence west on Alpine Drive to its intersection with South Shangri-La Court; thence south on Shangri-La Court to its intersection with East Elm Road; thence east on Elm Road to its intersection with South Chicago Road; thence south on Chicago Road to its intersection with the City limits with Racine County; thence west along the City limits with Racine County to its intersection with the City limits with the City of Franklin; thence north along the City limits with the City of Franklin to its intersection with West Ryan Road; thence east on Ryan Road to its intersection with South Howell Avenue; thence south on Howell Avenue to its intersection with East Estates Place; thence east on Estates Place to its intersection with South Austin Street; thence north on Austin Street to its intersection with East Estates Place; thence east on Estates Place to its intersection with South Shepard Hills Drive; thence north on Shepard Hills Drive to its intersection with East Arthur Drive; thence east on Arthur Drive to its intersection with South Shepard Avenue; thence south on Shepard Avenue to its intersection with East Oakwood Road; thence east on Oakwood Road to the point of beginning.

- (b) District Five shall be comprised of Ward Thirteen, Ward Fourteen and Ward Fifteen.

**(6) Aldermanic District Six.**

- (a) District Six shall be bounded as follows:

Commencing at the intersection of East Forest Hill Avenue and South Verdev Drive; thence south on Verdev Drive to its intersection with East Groveland Drive; thence west on Groveland Drive to its intersection with South Howell Avenue; thence south on Howell Avenue to its intersection with West Centennial Drive; thence west on Centennial Drive to its intersection with South Aspen Drive; thence south on Aspen Drive to its intersection with West Oak Leaf Drive; thence east on Oak Leaf Drive to its intersection with South Howell Avenue; thence south on Howell Avenue to its intersection with the Oak Creek; thence southwesterly along the Oak

Creek to its intersection with West Ryan Road; thence west on Ryan Road to its intersection with the City limits with the City of Franklin; thence north along the City limits with the City of Franklin to its intersection with West Puetz Road; thence east on Puetz Road to its intersection with South 13<sup>th</sup> Street; thence south on 13<sup>th</sup> Street to its intersection with West Violet Drive; thence east and north on Violet drive to its intersection with West Puetz Road; thence east on Puetz Road to its intersection with South Liberty Lane; thence north on Liberty Lane to its intersection with West Forest Hill Avenue; thence east on Forest Hill Avenue to the point of beginning.

- (b) District Six shall be comprised of Ward Sixteen, Ward Seventeen, and Ward Eighteen.

*Ordinance 2146, A 09/04/01, Sec. 2.06*  
*Ordinance 2634, A 11/01/11, Sec. 2.06*  
*Ordinance 3021, A 12/21/21, Sec. 2.06*

**SEC. 2.07 WARD BOUNDARIES.**

- (a) The City of Oak Creek shall be divided into eighteen (18) wards, the respective boundaries of which shall be as follows:

- (1) **Ward One.**

- (a) Ward One shall be bounded as follows:

Commencing at the intersection of East College Avenue and South Pennsylvania Avenue; thence south along Pennsylvania Avenue to its intersection with East Rawson Avenue; thence west on Rawson Avenue to its intersection with South Howell Avenue; thence south on Howell Avenue to its intersection with Drexel Avenue; thence west on Drexel Avenue to its intersection with Interstate 94; thence north along Interstate 94 to the City limits with the City of Milwaukee; thence following easterly along the City limits with the City of Milwaukee to the point of beginning.

- (b) The polling place for Ward One shall be at the Oak Creek-Franklin School Administration Building (7630 S. 10<sup>th</sup> Street).

- (2) **Ward Two.**

- (a) Ward Two shall be bounded as follows:

Commencing at the intersection of East Rawson Avenue and the Union Pacific Railroad; thence southwesterly along the Union Pacific Railroad to its intersection with East Drexel Avenue; thence west on Drexel Avenue to its intersection with South Clement Avenue; thence north on Clement Avenue to its intersection with East Mackinac Avenue; thence west on Mackinac Avenue to its intersection with South Quincy Avenue; thence south on Quincy Avenue to its intersection with East Drexel Avenue; thence west on Drexel Avenue to its intersection with South Howell Avenue; thence north on Howell Avenue to its intersection with Rawson Avenue; thence east on Rawson Avenue to the point of beginning.

- (b) The polling place for Ward Two shall be at the Oak Creek-Franklin School Administration Building (7630 S. 10<sup>th</sup> Street).

- (3) **Ward Three.**

- (a) Ward Three shall be bounded as follows:

Commencing at the intersection of East Rawson Avenue and South Pennsylvania Avenue; thence south along Pennsylvania Avenue to its intersection with East Forest Hill Avenue; thence west along Forest Hill Avenue to its intersection with the Union Pacific Railroad; thence southerly along the Union Pacific Railroad to its intersection with East Puetz Road; thence west on Puetz Road to its intersection with South Nicholson Road; thence south on Nicholson Road to its intersection with East Falcon Glen; thence west on Falcon Glen to its intersection with South Knollhaven; thence north on Knollhaven to its intersection with East Buckwood Drive; thence west on Buckwood Drive to its intersection with South Clemson Drive; then northwesterly along Clemson Drive to its intersection with East Puetz Road; thence west on Puetz Road to its intersection with South Maize Drive; thence north on Maize Drive to its intersection with East Groveland Drive; thence west on Groveland Drive to its intersection with South Golden Fields Drive; thence north on Golden Fields Drive to its intersection with East Deer Ridge Pass; thence west on Deer Ridge

Pass to its intersection with South Shepard Avenue; thence north on Shepard Avenue to its intersection with East Forest Hill Avenue; thence west on Forest Hill Avenue to its intersection with South Verdev Drive; thence north on Verdev Drive to its intersection with East Drexel Avenue; thence east on Drexel Avenue to its intersection with South Quincy Avenue; thence north on Quincy Avenue to its intersection with East Mackinac Avenue; thence east on Mackinac Avenue to its intersection with South Clement Avenue; thence south on Clement Avenue to its intersection with East Drexel Avenue; thence east on Drexel Avenue to its intersection with the Union Pacific Railroad; thence northeasterly along the Union Pacific Railroad to its intersection with East Rawson Avenue; thence east along Rawson Avenue to the point of beginning.

(b) The polling place for Ward Three shall be at the Oak Creek-Franklin School Administration Building.

(4) **Ward Four.**

(a) Ward Four shall be bounded as follows:

Commencing at the intersection of West Drexel Avenue and the north branch of the Oak Creek; thence south along said creek to its intersection with West Puetz Road; thence west along Puetz Road to its intersection with West Violet Drive; thence south and west along Violet Drive to its intersection with South 13<sup>th</sup> Street; thence north on 13<sup>th</sup> Street to its intersection with West Puetz Road; thence west on Puetz Road to its intersection with the City limits with the City of Franklin; following the City limits with the City of Franklin to its intersection with West Drexel Avenue; thence east on Drexel Avenue to the point of beginning.

(b) The polling place for Ward Four shall be at the Discover Church, 7311 S. 13<sup>th</sup> St.

(5) **Ward Five.**

(a) Ward Five shall be bounded as follows:

Commencing at the intersection of West Drexel Avenue and Interstate 94; thence

north along Interstate 94 to the City limits with the City of Milwaukee; thence following the City limits with the City of Milwaukee westerly to its intersection with South 27<sup>th</sup> Street; thence south on 27<sup>th</sup> Street to its intersection with West Drexel Avenue; thence east on Drexel Ave to the point of beginning.

(b) The polling place for Ward Five shall be at Discover Church, 7311 S. 13<sup>th</sup> St.

(6) **Ward Six.**

(a) Ward Six shall be bounded as follows:

Commencing at the intersection of East Drexel Avenue and South Verdev Drive; thence south along Verdev Drive to its intersection with East Forest Hill Avenue; thence west along Forest Hill Avenue to its intersection with South Liberty Lane; thence south on Liberty Lane to its intersection with West Puetz Road; thence west on Puetz Road to its intersection with the north branch of the Oak Creek; thence north along said creek to its intersection with West Drexel Avenue; thence east on Drexel Avenue to the point of beginning.

(b) The polling place for Ward Six shall be at the Discover Church, 7311 S. 13<sup>th</sup> St.

(7) **Ward Seven.**

(a) Ward Seven shall be bounded as follows:

Commencing at the intersection of East Forest Hill Avenue and South Shepard Avenue; thence south on Shepard Avenue to its intersection with East Deer Ridge Pass; thence east on Deer Ridge Pass to its intersection with South Golden Fields Drive; thence south on Golden Fields Drive to its intersection with East Groveland Drive; thence east on Groveland Drive to its intersection with South Maize Drive; thence south on Maize Drive to its intersection with East Puetz Road; thence east on Puetz Road to its intersection with South Clemson Drive; thence southeasterly on Clemson Drive to its intersection with East Buckwood Drive; thence east on Buckwood Drive to its intersection with South Knollhaven; thence south on Knollhaven



to its intersection with East Falcon Glen; thence east on Falcon Glen to its intersection with South Nicholson Road; thence south on Nicholson Road to its intersection with East Parkside Drive; thence southwesterly along Parkside Drive to its intersection with East Park Boulevard; thence west on Park Boulevard to its intersection with East Centennial Drive; thence continuing west on Centennial Drive to its intersection with South Howell Avenue; thence north on Howell Avenue to its intersection with East Groveland Drive; thence east on Groveland Drive to its intersection with South Verdev Drive; thence north on Verdev Drive to its intersection with East Forest Hill Avenue; thence east on Forest Hill Avenue to the point of beginning.

(b) The polling place for Ward Seven shall be at the American Legion Post 434, 9327 S. Shepard Ave.

(8) **Ward Eight.**

(a) Ward Eight shall be bounded as follows:

Commencing at the intersection of East Ryan Road and South Chicago Road; thence Southeasterly along Chicago Road to its intersection with East Oakwood Road; thence west along Oakwood Road to its intersection with South Shepard Avenue; thence north on Shepard Avenue to its intersection with East Overlook Way; thence east on Overlook Way to its intersection with South Wintergreen Drive; thence south on Wintergreen Drive to its intersection with East Prairie View Drive; thence east on Prairie View Drive to its intersection with South Nicholson Drive; thence north on Nicholson Drive to its intersection with East Ryan Road; thence east on Ryan Road to its intersection with South Kinney Lane; thence north on Kinney Lane to its intersection with E Woodview Avenue; then west on Woodview Avenue to its intersection with South Shire Place; thence north on Shire Place to its intersection with East Kender Lane; thence east on Kender Lane to its intersection with South Regency Drive; thence south and east on Regency Drive to its intersection with East Northbrook Boulevard; thence east and south on Northbrook Boulevard

to its intersection with East Ryan Road; thence east on Ryan Road to the point of beginning.

(b) The polling place for Ward Eight shall be at the American Legion Post 434, 9327 S. Shepard Ave.

(9) **Ward Nine.**

(a) Ward Nine shall be bounded as follows:

Commencing at the intersection of East Parkside Drive and South Nicholson Road; thence south on Nicholson Road to its intersection with East Prairie View Drive; thence west on Prairie View Drive to its intersection with South Wintergreen Drive; thence north on Wintergreen Drive to its intersection with East Overlook Way; thence west on Overlook Way to its intersection with South Shepard Avenue; thence south on Shepard Avenue to its intersection with East Arthur Drive; thence west on Arthur Drive to its intersection with South Shepard Hills Drive; thence south on Shepard Hills Drive to its intersection with East Estates Place; thence west on Estates Place to its intersection with South Austin Street; thence south on Austin Street to its intersection with East Estates Place; thence west on Estates Place to its intersection with South Howell Avenue; thence north on Howell Avenue to its intersection with West Ryan Road; thence west on Ryan Road to its intersection with the Oak Creek; thence north along said creek to its intersection with South Howell Avenue; thence north on Howell Avenue to its intersection with West Oak Leaf Drive; thence west on Oak Leaf Drive to its intersection with South Aspen Drive; thence north on Aspen Drive to its intersection with West Centennial Drive; thence east on Centennial Drive to its intersection with East Park Boulevard; thence continuing east on Park Boulevard to its intersection with South Parkside Drive; thence north and east on Parkside Drive to the point of beginning.

(b) The polling place for Ward Nine shall be at the American Legion Post 434, 9327 S. Shepard Ave.

(10) **Ward Ten.**

(a) Ward Ten shall be bounded as follows:

Commencing at the intersection of East Forest Hill Avenue and South 15<sup>th</sup> Avenue, said point being located on the City limits with the City of South Milwaukee; thence east along the City limits with the City of South Milwaukee to their intersection with South 5<sup>th</sup> Avenue; thence south on 5<sup>th</sup> Avenue to its intersection with East Puetz Road; thence west on Puetz Road to its intersection with the C & NW Trans Co Railroad; thence southeasterly along the C & NW Trans Co Railroad to its intersection with East American Avenue; thence west on American Avenue to its intersection with South Chicago Road; thence northwesterly on Chicago road to its intersection with East Madeira Drive; thence west on Maderia Drive to its intersection with South Carrollton Drive; thence north and west on Carrollton Drive to its intersection with South 15<sup>th</sup> Avenue; thence north on 15<sup>th</sup> Avenue to the point of beginning.

(b) The polling place for Ward Ten shall be at the National Guard Armory at 8529 S. Howell Avenue.

(11) **Ward Eleven.**

(a) Ward Eleven shall be bounded as follows:

Commencing at the intersection of East Puetz Road and South 5<sup>th</sup> Avenue; thence north on 5<sup>th</sup> Avenue to the City limits with the City of South Milwaukee; thence east along the City limits with the City of South Milwaukee to the shoreline of Lake Michigan; thence southeasterly along the shoreline of Lake Michigan to the City limits with Racine County; thence west along the City limits with Racine County to its intersection with South Chicago Road; thence north on Chicago Road to its intersection with East Elm Road; thence west on Elm Road to its intersection with South Shangri-La Court; thence north on Shangri-La Court to its intersection with East Alpine Drive; thence east on Alpine Drive to its intersection with South Rosemont Lane; thence north on Rosemont Lane to its intersection with East Stargrass Lane; thence east on Stargrass Lane to its inter-

section with South Grimm Drive; thence north on Grimm Drive to its intersection with East Oakwood Road; thence east on Oakwood Road to its intersection with South Chicago Road; thence northwesterly on Chicago Road to its intersection with East American Avenue; thence east on American Avenue to its intersection with the C & NW Trans Co Railroad; thence northwesterly on the C & NW Trans Co Railroad to its intersection with East Puetz Road; thence east on Puetz Road to the point of beginning.

(b) The polling place for Ward Eleven shall be at the National Guard Armory at 8520 S. Howell Avenue.

(12) **Ward Twelve.**

(a) Ward Twelve shall be bounded as follows:

Commencing at the intersection of East Forest Hill Avenue and South 15<sup>th</sup> Street; thence south on 15<sup>th</sup> Street to its intersection with East Carrollton Drive; thence east on Carrollton Drive to its intersection with East Madeira Drive; thence continuing east on Madeira Drive to its intersection with South Chicago Road; thence southeasterly along Chicago Road to its intersection with East Ryan Road; thence west on Ryan Road to its intersection with East Northbrook Boulevard; thence north and west on Northbrook Boulevard to its intersection with South Regency Drive; thence north and west on Regency Drive to its intersection with East Kender Lane; thence west on Kender Lane to its intersection with South Shire Place; thence south on Shire Place to its intersection with East Woodview Avenue; thence east on Woodview Avenue to its intersection with South Kinney Lane; thence south on Kinney Lane to its intersection with East Ryan Road; thence west on Ryan Road to its intersection with South Nicholson Road; thence north on Nicholson Road to its intersection with East Puetz Road; thence east on Puetz Road to its intersection with the Union Pacific Railroad; thence northwesterly along the Union Pacific Railroad to its intersection with East Forest Hill Avenue; thence east on Forest Hill Avenue to the point of beginning.

- (b) The polling place for Ward Twelve shall be at the National Guard Armory at 8520 S. Howell Avenue.

(13) **Ward Thirteen.**

- (a) Ward Thirteen shall be bounded as follows:

Commencing at the intersection East Arthur Drive and South Shepard Avenue; thence south on Shepard Avenue to its intersection with East Oakwood Road; thence west on Oakwood Road to its intersection with the City limits with the City of Franklin; thence north along the City limits with the City of Franklin to its intersection with West Ryan Road thence east on Ryan Road to its intersection with South Howell Avenue; thence south on Howell Avenue to its intersection with East Estates Place; thence east on Estates Place to its intersection with South Austin Street; thence north on Austin Street to its intersection with East Estates Place; thence east on Estates Place to its intersection with South Shepard Hills Drive; thence north on Shepard Hills Drive to its intersection with East Arthur Drive; thence east on Arthur Drive to the point of beginning.

- (b) The polling place for Ward Thirteen shall be at the Parkway Church at 10940 S. Nicholson Road.

(14) **Ward Fourteen.**

- (a) Ward Fourteen shall be bounded as follows:

Commencing at the intersection of East Oakwood Road and South Shepard Avenue; thence south on Shepard Avenue to its intersection with East Elm Road; thence east on Elm Road to its intersection with South Richard Road; thence south on Richard Road to its intersection with East Randy Road; thence east on Randy Road to its intersection with South Nicholson Road; thence south on Nicholson Road to its intersection with the City limits with Racine County; thence west along the City limits with Racine County to its intersection with the City limits with the City of Franklin; thence north

along the City limits with the City of Franklin to its intersection with West Oakwood Road; thence east on Oakwood Road to the point of beginning.

- (b) The polling place for Ward Fourteen shall be at the Parkway Church at 10940 S. Nicholson Road.

(15) **Ward Fifteen.**

- (a) Ward Fifteen shall be bounded as follows:

Commencing at the intersection of East Oakwood Road and South Grimm Drive; thence south on Grimm Drive to its intersection with East Stargrass Lane; thence west on Stargrass Lane to its intersection with South Rosemont Lane; thence south on Rosemont Lane to its intersection with East Alpine Drive; thence west on Alpine Drive to its intersection with South Shangri-La Court; thence south on Shangri-La Court to its intersection with East Elm Road; thence east on Elm Road to its intersection with South Chicago Road; thence south on Chicago Road to its intersection with the City limits with Racine County; thence west along the City limits with Racine County to its intersection with South Nicholson Road; thence north on Nicholson Road to its intersection with East Randy Road; thence west on Randy Road to its intersection with South Richard Road; thence north on Richard Road to its intersection with East Elm Road; thence west on Elm Road to its intersection with South Shepard Avenue; thence north on Shepard Avenue to its intersection with East Oakwood Road; thence east on Oakwood Road to the point of beginning.

- (b) The polling place for Ward Fifteen shall be at the Parkway Church at 10940 S. Nicholson Road.

(16) **Ward Sixteen.**

- (a) Ward Sixteen shall be bounded as follows:

Commencing at the intersection of West Puetz Road and South 13<sup>th</sup> Street; thence south on 13<sup>th</sup> Street to its intersection with West Ryan Road; thence west on Ryan Road to its intersection with the City limits with the

City of Franklin; thence north along the City limits with the City of Franklin to its intersection with West Puetz Road; thence east on Puetz Road to the point of beginning.

- (b) The polling place for Ward Sixteen shall be at the Oak Creek Community Center at 8580 S. Howell Avenue.

(17) **Ward Seventeen.**

- (a) Ward Seventeen shall be bounded as follows:

Commencing at the intersection of West Puetz Road and South Wood Creek Drive; thence south on Wood Creek Drive to its intersection with West Sunnyview Drive; thence east on Sunnyview Drive to its intersection with South Country Drive; thence south on Country Drive to its intersection with West Centennial Drive; thence east on Centennial Drive to its intersection with South Aspen Drive; thence south on Aspen Drive to its intersection with West Oak Leaf Drive; thence east on Oak Leaf Drive to its intersection with South Howell Avenue; thence south on Howell Avenue to its intersection with the Oak Creek; thence southwesterly along the Oak Creek to its intersection with West Ryan Road; thence west on Ryan Road to its intersection with South 13<sup>th</sup> Street; thence north on 13<sup>th</sup> Street to its intersection with West Violet Drive; thence east and north on Violet Drive to its intersection with West Puetz Road; thence east on Puetz Road to the point of beginning.

- (b) The polling place for Ward Seventeen shall be at the Oak Creek Community Center at 8580 S. Howell Avenue.

(18) **Ward Eighteen**

- (a) Ward Eighteen shall be bounded as follows:

Commencing at the intersection of East Forest Hill Avenue and South Verdev Drive; thence south on Verdev Drive to its intersection with East Groveland Drive; thence west on Groveland Drive to its intersection with South Howell Avenue; thence south on Howell Avenue to its intersection with West Centennial Drive; thence west on Centennial Drive

to its intersection with South Country Drive; thence north on Country Drive to its intersection with West Sunnyview Drive; thence west on Sunnyview Drive to its intersection with South Wood Creek Drive; thence north on Wood Creek Drive to its intersection with South Liberty Lane; thence continuing north on Liberty Lane to its intersection with West Forest Hill Avenue; thence east on Forest Hill Avenue to the point of beginning.

- (b) The polling place for Ward Eighteen shall be at the Oak Creek Community Center at 8580 S. Howell Avenue.

*Ordinance 2145, A 08/06/01, Sec. 2.07*

*Ordinance 2481, A 11/20/07, Sec. 2.07*

*Ordinance 2633, A 10/04/11, Sec. 2.07*

*Ordinance 2812, A 07/19/16, Sec. 2.07(a)(10)(b), (a)(11)(b), (a)(12)(b), (a)(13)(b), (a)(14)(b), (a)(15)(b)*

*Ordinance 2966, A 03/17/20, Sec. 2.07(a)(4)(b), (a)(5)(b), (a)(6)(b), (a)(7)(b), (a)(8)(b), and (a)(9)(b).*

*Ordinance 3020, A 11/16/21, Sec. 2.07*

*Charter Ord. 17, A 09/19/23, Sec. 2.07(a)(4)(b), (a)(5)(b), and (a)(6)(b)*

# MAYOR AND COMMON COUNCIL

## SEC. 2.20 COMMON COUNCIL.

The Mayor and Alderpersons of the City of Oak Creek shall constitute the Common Council. The Common Council shall be vested with all the powers of the City not specifically given some other officer, as well as those powers set forth elsewhere throughout this Code.

State Law Reference: Sec. 62.11, Wis. Stats.  
*Charter Ord. 17, A 09/19/23, Sec. 2.20*

## SEC. 2.21 MAYOR.

### (a) Duties.

- (1) The Mayor shall be the chief executive officer of the City. The Mayor shall ensure that City ordinances and the State Statutes are observed and enforced.
- (2) The Mayor shall, from time to time, provide the Common Council such information and recommend such measures as the Mayor may deem advantageous to the City. When present, the Mayor shall preside at the meetings of the Council.
- (3) The Mayor shall have such other duties and responsibilities as are prescribed in the Wisconsin Statutes.

(b) **Veto Power.** The Mayor shall have the veto power as to all acts of the Common Council except such as to which it is expressly or by necessary implications otherwise provided. All such acts shall be submitted to the Mayor by the City Clerk, and shall be enforced upon the Mayor's approval, evidenced by their signature, or upon their failing to approve or disapprove within five (5) days, which fact shall be certified thereon by the City Clerk. If the Mayor disapproves, they shall file in writing their objection with the City Clerk, who shall present it to the Common Council at its next regular meeting. A two-thirds (2/3) vote of all the members of the Common Council shall be necessary to make the act effective, notwithstanding the objection of the Mayor.

### (c) Mayoral Appointments.

- (1) In the event, the Common Council rejects a Mayor's appointment, the same name may not be submitted for the same position for a period of twelve (12) months after the refusal of such appointment.
- (2) In the event a vacancy occurs in any committee, board or commission requiring the appointment of a citizen member and the Mayor does not nominate a successor thereof for a period of sixty (60) days after the vacancy occurs, the Common Council may then nomi-

nate an appointee to such position, subject to the approval of the Mayor.

- (3) In the event the Common Council, by parliamentary practice, tables an appointment by the Mayor, such tabling action shall be effective for that meeting, but at the next regular meeting of the Common Council, such appointment shall be on the meeting agenda for further consideration, and the particular appointment involved may not be tabled a second time.

State Law Reference: Sec. 62.09(8), Wis. Stats.  
*Charter Ord. 17, A 09/19/23, Sec. 2.21(a)(1), 2.21(a)(2), 2.21(b), and 2.21(c)(3)*

## SEC. 2.22 PRESIDENT OF THE COUNCIL/CHAIN OF COMMAND.

The Common Council at its first meeting subsequent to the regular election and qualification of new members shall, after organization, annually choose from its members a President who, in the absence of the Mayor, shall preside at meetings of the Common Council and, during the absence or inability of the Mayor, shall have the powers and duties of the Mayor, except that the President shall not have power to approve an act of the Common Council which the Mayor has disapproved by filing objections with the City Clerk. The President shall, when so officiating, be styled "Acting Mayor." The President of the Common Council shall be elected for a one (1) year term of office. In the absence of both the Mayor and the President of the Common Council, the City Clerk shall call the Common Council to order and the Common Council shall select one of its members president pro-tem.

State Law Reference: Sec. 62.09(8)(e), Wis. Stats.  
*Charter Ord. 17, A 09/19/23, Sec. 2.22*

## SEC. 2.23 STANDING COMMITTEES

(a) **Standing Committees.** At the organizational meeting of the Common Council in each year following the annual election, the Common Council President shall appoint Alderpersons to the following standing committees. Each committee shall have such duties and responsibilities as prescribed by this Code of Ordinances or as otherwise directed by the Common Council, and shall make whatever recommendations to the Common Council as it deems appropriate or as may be directed by the Common Council:

- (1) Personnel and Finance Committee. The Committee shall consist of three (3) Alderpersons annually appointed by the Common Council President. The City Administrator, City Clerk, City Treasurer and Finance Officer shall be ex-officio members of the Committee and shall not be entitled to vote on

matters of the Committee. The Committee shall have charge of all matters arising under Ch. 111, Wis. Stats. and shall perform such other duties and have certain authorities as assigned by the Common Council.

(2) **Board of Public Works and Capital Assets.**

The Board shall consist of three (3) Alderpersons annually appointed by the Council President, and two (2) citizen members (and one (1) alternate to vote when either of the citizen members is not in attendance) appointed by the Mayor and approved by the Common Council. The citizen members shall serve for a three (3) year term. The initial term of appointment for the citizen members and alternate shall be staggered so that no more than one (1) member is appointed annually. The City Administrator, City Engineer, and Utility Manager, or their designees, shall be ex-officio members of the Board and shall not be entitled to vote on matters of the Board. The Board shall have charge of all matters arising under Sec. 62.14(6), Wis. Stats., including but not limited to the operation of the Water and Sewer Utility as authorized under Sec. 66.0805(6), Wis. Stats. The Board shall perform such other duties and have certain authorities as assigned by the Common Council.

(3) **License Committee.** The License Committee shall consist of three (3) Alderpersons annually appointed by the Council President. The License Committee shall review licensing matters and perform such other duties and have certain authorities as assigned by the Council.

(4) **Small Claims Committee.** The Small Claims Committee shall consist of the Mayor, the City Clerk, and an Alderperson representative appointed by the Mayor for a one-year term. The Committee shall be authorized to settle general non-injury claims up to \$5,000, to issue final decisions on cases brought before the Committee, and to issue legally required formal notices of disallowances when necessary.

**(b) Committee of the Whole.**

- (1) The Mayor shall be the presiding officer of the Committee. The Committee of the Whole shall consist of the Mayor and all Alderpersons. The Committee of the Whole shall meet at such times as the Common Council shall direct.
- (2) The Mayor may refer new business coming before the Common Council to the Committee of the Whole, or appropriate officer or appropriate committee, unless otherwise referred or disposed of by motion of the Common Council.

Unless otherwise provided in the reference, the Committee or officer shall report thereon to the Common Council at its next regular meeting. The Chairperson of the Committee shall report verbally to the Common Council at the meeting at which the report of the Committee is to be made. Adoption of the Committee report shall comprise final Common Council action on any ordinance, resolution or other matter recommended for adoption by the Committee report.

**(c) Committee Appointments.**

- (1) The Chairperson of each committee shall be designated by the Council President. Each member shall serve as appointed unless excused by a majority of the members of the Common Council. All Alderpersons shall serve on at least one (1) standing committee.
- (2) The Mayor may declare the entire Common Council a Committee of the Whole for informal discussion at any meeting or for any other purpose, and shall serve as Chairperson.

**(d) Special Committees.** The Mayor may, from time to time, appoint such special committee or committees as may be deemed advisable or as provided for by motion or resolution stating the number of members and object thereof to perform such duties as may be assigned to them. Residency shall not be a requirement for appointment to said special committees.

**(e) Cooperation of City Officers.** All City officers shall, upon request of the Chairperson of the committee, confer with the committee and supply to it such information as may be requested in connection with any matter pending before the committee.

*Ordinance 2268, A 09/16/03, Sec. 2.23(a)(4)*

*Ordinance 2620, A 03/15/11, Sec. 2.23(a)(5)*

*Ordinance 2722, A 05/06/14, Sec. 2.23(a)(5)*

*Charter Ord. 16, A 10/20/20, Sec. 2.23*

*Ordinance 3036, A 05/03/22, Sec. 2.23(a)(2)*

*Charter Ord. 17, A 09/19/23, Sec. 2.23(a), 2.23(a)(1), 2.23(a)(4), 2.23(b)(2), 2.23(c)(1), and 2.23(c)(2)*

**SEC. 2.24 GENERAL POWERS OF THE COMMON COUNCIL.**

- (a) General.** The Common Council shall be vested with all the powers of the City not specifically given some other officer. Except as otherwise provided by law, the Common Council shall have the management and control of the City property, finances, highways, streets, navigable waters and the public service, and shall have the power to act for the government and good order of the City, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, fine, imprisonment and other neces-

sary or convenient means. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.

- (b) **Acquisition and Disposal of Property.** The Common Council shall have the sole and exclusive authority to acquire or convey real property within or without the City for parks, libraries, historic places, recreation, beautification, streets, waterworks, sewerage or waste disposal, harbors, improvement of water courses, public grounds, vehicle parking areas and for any other purpose. No ordinance of the City of Oak Creek or any other municipal ordinance, rule or regulation shall require the approval of any person or entity other than the Common Council for the borrowing for, expenditure of funds on, or acquisition or conveyance of real property by the City through the Common Council. The Common Council may acquire real property within or contiguous to the City, by means other than condemnation, for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and may sell and convey such city-owned property in its sole and exclusive authority as set forth in this Section, except dedicated, platted parks.
- (c) **Acquisition of Easements and Property Rights.** Confirming all powers granted to the Common Council and in furtherance thereof, the Council is expressly authorized to acquire by gift, purchase or condemnation under Ch. 32, Wis. Stats., any and all property rights in lands or waters, including rights of access and use, negative or positive easements, restrictive covenants, covenants running with land, scenic easements and any rights for use of property of any nature whatsoever, however denominated, which may be lawfully acquired for the benefit of the public or for any public purpose, including the exercise of powers granted under Sec. 62.23, Wis. Stats.; and may sell and convey such easements or property rights when no longer needed for public use or protection.
- (d) **City Finances.** The Common Council may levy and provide for the collection of taxes and special assessments; may refund any tax or special assessment paid, or any part thereof, when satisfied that the same was unjust or illegal; and generally may manage the City finances.
- (e) **Construction of Powers.** Consistent with the purpose of giving to cities the largest measure of self-government in accordance with the spirit of the home rule amendment to the Constitution, the grants of power to the Common Council in this Section and throughout this Code of Ordinances shall be liberally construed in favor of the rights, powers and privileges of cities to promote the gen-

eral welfare, peace, good order and prosperity of the City and its inhabitants.

(f) **Public Construction**

The Common Council shall have the sole and exclusive authority to approve Public Construction projects and their funding in the City of Oak Creek provided that the City complies with all requirements of state and local law with respect to approved Public Construction. No ordinance of the City of Oak Creek or any other municipal ordinance, rule, or regulations shall require the approval of any person or entity other than the Common Council for the borrowing for, expenditure of funds on, or initiation or completion of Public Construction. "Public Construction" is construction funded in whole or in part by the City and subject to the competitive bidding requirements of Section 62.15 Wis. Stats. as amended. This ordinance does not prohibit state and federal statutory and regulatory approval requirements that otherwise apply to Public Construction.

- (g) **Vacancies.** Pursuant to Section 62.09 (5)(d), Wis. Stats., if any officer is incapacitated or absent for any cause, the Common Council may appoint some person to discharge the duties until he returns or such disability has ended.

*Ordinance 2482, A 12/18/07, Sec. 2.24(f)*

*Ordinance 2490, A 02/05/08, Sec. 2.24(g)*

*Ordinance 2578, A 01/19/10, Sec. 2.24(b), (f)*

*Charter Ord. 17, A 09/19/23, Sec. 2.24(g)*

## **SEC. 2.25 COOPERATION WITH OTHER MUNICIPALITIES**

The Common Council, on behalf of the City, may contract with other municipalities, as defined in Sec. 66.0301, Wis. Stats., in a cooperative arrangement for executing any power or duty in order to attain greater economy or efficiency, including joint employment of appointive officers and employees and joint purchasing programs.

State Law Reference: Secs. 66.0301-66.0317, Wis. Stats.

*Charter Ord. 17, A 09/19/23, Sec. 2.25*

## **SEC. 2.26 INTERNAL POWERS OF THE COUNCIL.**

The Common Council has the power to preserve order at its meetings, compel attendance of Alderpersons and punish nonattendance. The Common Council shall be judge of the election and qualification of its members.

State Law Reference: Sec. 62.11, Wis. Stats.

*Charter Ord. 17, A 09/19/23, Sec. 2.26*

### SEC. 2.27 SALARIES.

The Mayor and Alderpersons who make up the Common Council, whether operating under general or special law, may, by majority vote of all the members of the Common Council, determine that an annual salary or per diem compensation be paid the Mayor and Alderpersons. Salaries shall not be increased or decreased during their term of office.

State Law Reference: Secs. 61.193, 62.09(6) and 66.0505, Wis. Stats.

*Charter Ord. 17, A 09/19/23, Sec. 2.27*

### SEC. 2.28 MEETINGS OF THE COMMON COUNCIL.

- (a) **Annual Organization Meeting.** Following a regular City election, the Common Council shall meet on the third Tuesday of April for the purpose of organization.
- (b) **Regular Meetings.** Regular meetings of the Common Council shall be held on the first and third Tuesdays of each calendar month, at a time not earlier than 6:00 p.m., or as otherwise scheduled by the Common Council. Any regular meetings falling upon a legal holiday or an election day shall be held as designated by majority vote of the Common Council. All meetings of the Council shall be held in the Oak Creek Civic Center, including special and adjourned meetings, unless another location is designated by the Common Council.

State Law Reference: Sec. 62.11(2), Wis. Stats.

*Ordinance 2213, A 09/03/02, Sec. 2.28(b)*

*Ordinance 2249, A 05/20/03, Sec. 2.28(b)*

*Charter Ord. 17, A 09/19/23, Sec. 2.28(b)*

### SEC. 2.29 SPECIAL MEETINGS.

Special meetings shall comply with the notice provisions of the Wisconsin Open Meeting Law. In addition, a special meeting may be called by a written request signed by two (2) Alderpersons, which written notice for said special meeting shall be delivered to every member of the Council and the Mayor personally, or left at their abode at least six (6) hours before said meeting being called. If written consent is obtained, it shall be filed with the City Clerk prior to the beginning of the meeting.

State Law Reference: Sec. 62.11(2), Wis. Stats.

*Charter Ord. 17, A 09/19/23, Sec. 2.29*

### SEC. 2.30 OPEN MEETINGS.

Except as provided in Sec. 19.85, Wis. Stats., all meetings of the Common Council, committees thereof, and City boards, committees and commissions, shall be open to the public.

State Law Reference: Sec. 62.11(3)(c) and Ch. 19, Subch. V, Wis. Stats.

### SEC. 2.31 QUORUM.

- (a) Two-thirds (2/3) of the members of the Common Council shall constitute a quorum, but a lesser number may adjourn if a majority is not present or compel the attendance of absent members. The Mayor shall not be counted in computing a quorum. No action shall be taken unless a quorum is present.
- (b) The Common Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour.

State Law Reference: Sec. 62.11(3)(b), Wis. Stats.

*Charter Ord. 17, A 09/19/23, Sec. 2.31(b)*

### SEC. 2.32 PRESIDING OFFICERS.

- (a) **Presiding Officer.** The Mayor shall preside over all meetings of the Common Council. In the absence of the Mayor, the President of the Common Council shall preside. In the absence of both the Mayor and the President of the Common Council, the City Clerk shall call the Common Council to order and the Common Council shall select one of its members president pro-tem. The President of the Council, or such other presiding officer, retains their right to vote.
- (b) **Duties.** The presiding officer shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, (Revised), unless otherwise provided by statute or by this Chapter. Any member shall have the right to appeal from a decision of the presiding officer. An appeal shall be sustained by a two-thirds (2/3) vote of the members present excluding the Mayor. In the absence of the City Clerk, the presiding officer shall appoint a clerk pro tem.

State Law Reference: Sec. 62.09(8), Wis. Stats.

*Charter Ord. 17, A 09/19/23, Sec. 2.32(a)*

### SEC. 2.33 ORDER OF BUSINESS.

- (a) **Order of Business.** At all regular meetings, the order of business shall be according to the agenda prepared by the City Clerk. All copies of the agenda shall be forwarded by the City Clerk to members of the Common Council. Generally, the following order may be observed in the conduct of all meetings of the Council:
  - (1) Call to Order by presiding officer.
  - (2) Roll call.
  - (3) Pledge of Allegiance.
  - (4) Correction and approval of the minutes of the last preceding meeting or meetings.



- (5) Consent Agenda (if desired).
- (6) Old business.
- (7) New business, including the introduction of ordinances and resolutions.
- (8) Communications and miscellaneous business.
- (9) Any other business permitted by law.
- (10) Adjournment.

- (b) **Citizen Comments.** The Mayor or presiding officer shall determine at what point in a meeting citizens will be called upon to speak and may impose a limit on the length of time a citizen may address the Common Council.

*Charter Ord. 17, A 09/19/23, Sec. 2.33(a), 2.33(b)*

**SEC. 2.34 INTRODUCTION OF ORDINANCES.**

- (a) **Ordinances to be in Writing.** All ordinances submitted to the Common Council shall be in writing and shall begin with a title and the name of the Alderperson or Mayor introducing the same. All ordinances shall be drafted by the City Attorney, or under their consultation, at the request of the Mayor or any member of the Common Council; and upon passage by the Common Council, the City Clerk shall supervise the printing of the same. Any written material introduced may be referred to the appropriate committee pursuant to Section 2.23. Any member of the Common Council may require the reading in full of any ordinance or resolution at any time it is before the Common Council.
- (b) **Subject and Numbering of Ordinances.** Each ordinance shall be related to no more than one (1) subject. Amendment or repeal of ordinances shall only be accomplished if the amending or repealing ordinance contains the number and title of the ordinance to be amended or repealed, and title of amending and repealing ordinances shall reflect their purpose to amend or repeal.
- (c) **Notice.** The Common Council may take action on an ordinance only if it appears on the written agenda for the meeting at which action is requested.

*Charter Ord. 17, A 09/19/23, Sec. 2.34(a)*

**SEC. 2.35 PUBLICATION AND EFFECT OF ORDINANCES.**

- (a) All general ordinances of the City shall be published in the official paper of the City once and shall be immediately recorded, with the affidavit of publication, by the City Clerk in a book kept for that purpose. A printed copy of such ordinance or regulation in any book, pamphlet or newspaper and published or purporting to be published therein by direction of the Common Council shall be prima facie proof of due passage, publication and recording thereof.

- (b) All ordinances shall take effect and be in force from and after passage and publication, unless otherwise provided and published copies thereof shall have appended the date of first publication.

State Law Reference: Sec. 62.11(4), Wis. Stats.

**SEC. 2.36 CONDUCT OF DELIBERATIONS.**

- (a) **Robert's Rules of Order, Revised.** Unless otherwise provided in these rules, the Common Council in its deliberations shall be guided by Robert's Rules of Order, Revised.
- (b) **Recognition and Speaking.** No member shall address the Common Council until they have been recognized by the presiding officer. The member shall address themselves to the presiding officer and confine their remarks to the question under discussion and avoid all personalities. When two (2) or more members seek recognition, the presiding officer shall name the member who is to speak first.
- (c) **Motions.**
  - (1) No motion shall be discussed or action taken upon the motion until it has been seconded. No motion shall be withdrawn or amended without the consent of the person making the same and the person seconding it. If a person seconding a motion withdraws his second, another second shall be required in order for action to be taken on the motion.
  - (2) When a question is under discussion, the following motions shall have precedence in the order listed:
    - a. To adjourn.
    - b. To recess.
    - c. To lay on the table.
    - d. To move the previous question.
    - e. To postpone to a day certain.
    - f. To refer to a committee.
    - g. To amend.
    - h. To postpone indefinitely.
  - (3) Any member wishing to terminate debate may move the previous question, which shall require a two-thirds (2/3) vote of the members present.
- (d) **Voting.**
  - (1) Any member of the Common Council may demand an aye and nay vote on any matter, and all aye and nay votes shall be recorded in the proceedings (or minutes). On confirmation of appointments and on the adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the City, or any fund thereof, the vote shall be by aye and nay. Every member of the Common Council shall vote when a question is put unless the Common

Council by a majority vote of those present shall excuse them for special cause; however, a member of the Common Council may abstain from voting because of a conflict of interest or if voting would constitute a violation of state or local law. A member of the Common Council may not change their vote on any question after the result has been announced.

- (2) The Mayor shall not vote except in the case of tie, or in the case of a tie on a confirmation vote. Except as otherwise provided, a majority vote of those present shall prevail in all cases.
- (e) **Reconsideration of Questions.** Any member voting in the majority may move reconsideration of any question, except confirmation of the appointment of a City official, at the same meeting or at the next succeeding regular meeting. A motion to reconsider being put and lost shall not be renewed.
- (f) **Suspension of Rules.** These rules or any part thereof may be temporarily suspended by a recorded vote of two-thirds (2/3) of the members present.
- (g) **Amendment of Rules.** The rules in this Section or any part thereof may be amended by a recorded vote of two-third (2/3) of all the members of the Common Council.

State Law Reference: Sec. 62.11, Wis. Stats.

*Charter Ord. 17, A 09/19/23, Sec. 2.36(a), 2.36(b), 2.36(d)(1), and 2.36(g)*

# MUNICIPAL OFFICERS AND EMPLOYEES

## SEC. 2.40 GENERAL PROVISIONS.

- (a) **General Powers.** Officers of the City of Oak Creek shall have generally the powers and duties prescribed for like officers of cities, towns and villages, except as otherwise provided, and such powers and duties as are prescribed by law and, except as to the Mayor, shall perform such duties as shall be required by the Common Council. Officers whose powers and duties are not enumerated in Chapter 62 of the Wisconsin Statutes shall have such powers and duties as are prescribed by law for like officers or as are directed by the Common Council.
- (b) **Rules.** All appointed officers, officials and departments may make the necessary rules for the conduct of their duties and incidental proceedings.
- (c) **Applicability of Ethics Statutes.** The general laws for the punishment of bribery, misdemeanors and corruption in office shall apply to City officers.
- (d) **Legal Representation.** Whenever any City official in their official capacity is proceeded against or obliged to proceed before any civil court, board, committee or commission, to defend or maintain their official position, or because of some act arising out of the performance of their official duties, and they have prevailed in such proceedings, or the Common Council has ordered the proceedings discontinued, the Common Council may provide for payment to such official such sum as it sees fit, to reimburse them for the expenses reasonably incurred for costs and attorney's fees.
- (e) **Personnel Policies; Compensation.** All officers and employees of the City of Oak Creek are subject to the personnel policies approved by the Common Council and entitled to such wages and benefits as approved by the Common Council.

State Law Reference: Secs. 62.09(7) and 62.115, Wis. Stats.

- (f) **Conflict.** If the provisions of the City or departmental rules conflict with any provision of this Code, the provisions of this Code shall control. Nothing in this Code shall circumvent the provisions of any labor contract between the City and its employees.

*Charter Ord. 17, A 09/19/23, Sec. 2.40(a), 2.40(b), and 2.40(d)*

## SEC. 2.41 ELECTED OFFICIALS.

The elected officials of the City shall be as follows:

- (a) **Mayor.**
  - (1) When Elected. Every three (3) years, commencing in 1982.
  - (2) Term. Three (3) years.
- (b) **Six Alderpersons.**
  - (1) When Elected.
    - a. 1st, 3rd and 5th aldermanic districts: odd-numbered years.
    - b. 2nd, 4th and 6th aldermanic districts: even-numbered years.
  - (2) Term. Two (2) years.
- (c) **Municipal Judge.**
  - (1) When Elected. Every four years commencing in 2012.
  - (2) Term. Four (4) years.

*Ordinance 2607 A 11/16/10 2.41(e)*

*Charter Ord. 14, A 08/16/11 2.41(c), (d)*

*Charter Ord. 15, A 11/19/19, recreate 2.41(c), delete 2.41(d) and (e)*

*Charter Ord. 17, A 09/19/23, Sec. 2.41(b)*

## SEC. 2.42 CITY ADMINISTRATOR.

- (a) **Declaration.** Whereas Article XI, Section 3 of the Wisconsin Constitution provides municipalities with home rule powers, and the right to determine their local affairs and government; and whereas Wisconsin Statutes Sec. 62.04 has granted to cities the largest measure of self-government compatible with the Constitution and general laws and further provides that the exercise of rights and powers of a city shall be liberally construed in favor of the City so as to promote the general welfare of peace, good order and prosperity of the inhabitants; and whereas Wisconsin Statutes Sec. 62.11(5) vests the management of the City in its Common Council which constitutes its Mayor and Alderpersons; and whereas it is deemed by the Common Council to be in the best interest of the management of the City to utilize the services of a professionally trained, qualified City Administrator to provide the Common Council with counsel and advice and management skills so as to foster the most effective and efficient management of the City's governmental operations and finances; and whereas a City Administrator should work closely with, be responsive to, and have the confidence of the Common Council; now, therefore, it is the declared purpose of this subsection to make clear the intent of the Common Council that the position of the City Administrator is in accordance with the authority of the City's home rule powers and is deemed to be a matter of purely local concern.
- (b) **Employment Status.** The position of City Administrator shall be full-time.

- (c) **Non-Policymaking Nature.** This position shall not be of a policy-making nature in those matters statutorily delegated to the Common Council, boards and commissions, nor shall the City Administrator be a voting member in the creation of such policy.
- (d) **Appointment Procedure.** The City Administrator shall be appointed by the Mayor from a list of five (5) candidates submitted by an ad hoc selection committee appointed by the Mayor subject to confirmation by the Common Council. The appointment of the Administrator shall be subject to confirmation by a majority vote of the Common Council on the basis of merit with due regard for training, experience, administrative ability and general fitness for the office. The City Administrator shall serve for a term as set forth in the employment contract, as provided in sub. (e).
- (e) **Contract.** An employment contract drafted by the City Attorney and approved by the Common Council and the City Attorney shall be entered into between the City and the City Administrator.
- (f) **Annual Review.** Annually, the Common Council as a whole shall conduct a review and evaluation of the job performance of the City Administrator, unless otherwise specified by the City Administrator's employment contract.
- (g) **Removal Procedure.** Removal from the position shall be effected by a majority vote of the Common Council without cause, unless otherwise specified by the City Administrator's employment contract.
- (h) **Salary.** The salary of the City Administrator shall be as the Common Council shall determine and prescribe, and shall be reviewed annually in conjunction with the City Administrator performance evaluation.
- (i) **Duties.**
  - (1) **General Duties.** The City Administrator shall:
    - a. Carry out directives of the Mayor and Common Council which require administrative implementation.
    - b. Be responsible for the administration of the day-to-day operations of the City government based on those directives.
    - c. Establish administrative procedures to increase the effectiveness and efficiency of City government according to current policies and practices in local government consistent with the directives of the Mayor and Common Council. Copies of administrative directives that affect major operations of the City shall be provided to the Common Council.
    - d. Collect and utilize up-to-date information regarding current Federal, State and County legislation and administrative

- rules affecting the City, and submit appropriate reports and recommendations thereon to the Common Council.
  - e. Collect and utilize up-to-date information regarding the availability of Federal, State, County and private funds for local programs, and assist departments and the Common Council in obtaining such funds, under the direction of the Mayor or Common Council.
  - f. Represent the City in matters involving legislative, financial and intergovernmental affairs as authorized by the Mayor or Common Council.
  - g. Act in the capacity of public relations officer for the City, as necessary, as authorized by the Mayor or Common Council.
  - h. Conduct or direct such studies, with Common Council approval, as are necessary for the internal organization and procedures of the various departments, division and offices, and implement the recommendations of such studies, as authorized by the Mayor or Common Council, and require reports from the various departments when deemed necessary.
- (2) **Responsibilities to the Common Council.**  
The City Administrator shall:
- a. Assist the Mayor and Common Council in establishing and executing a strategic vision for the community and organization, and organize resources and work to achieve policy directives and program goals.
  - b. Attend all meetings of the Common Council unless excused by the Mayor, or Council President in the absence of the Mayor.
  - c. In coordination with the Mayor, Council President and City Clerk, review Common Council agendas for the appropriateness of items thereon, and to ensure that required supporting materials are available to the Common Council.
  - d. Assist in the preparation of ordinances and resolutions as requested by the Mayor or Common Council, or as needed.
  - e. Provide an Administrator's Report to the Common Council at a frequency and in a manner determined by the Common Council.
  - f. Take necessary emergency action to protect persons or property consistent with existing City Emergency Management plans and policies, under the direction of

the Mayor, if the Common Council due to time constraints, is unable to meet to authorize such action.

- g. Inform the Mayor and Common Council concerning any proposed change in services rendered to City residents, taxpayers or City-located businesses which shall appreciably affect the extent, quality or cost effectiveness of such services.

(3) **Personnel.** The City Administrator shall:

- a. Exercise administrative oversight over all appointed officers and officials subject to the limitations of applicable state statutes. Be responsible for the administrative direction and coordination of all employees of the City, according to the established organizational procedures, subject to statutory and ordinance limits which apply. Conduct periodic performance evaluations of appointed officers and officials and provide a written summary of the evaluations to the Mayor and Common Council upon request.
- b. Organize departments, style, and deploy the human resources and capital resources of the City in a manner promoting the most effective and efficient public services and public works.
- c. Serve as personnel officer for the City with responsibilities to see that complete and current personnel records, including specific job descriptions for all City employees are kept. Oversee, in conjunction with appointed officers and officials, the evaluation of performance of all employees on a regular basis. Appointed officers and officials shall be required to report to the Administrator or their designee any corrective actions, disciplinary actions, suspensions or terminations of any employee within their department. The Administrator shall report critical personnel activities or actions to the Mayor and Common Council.
- d. The Administrator shall recommend salary and wage scales, benefits and working conditions for City employees not covered by collective bargaining agreements; develop work rules for high standards of performance by City employees.
- e. Work closely with departments to promptly resolve personnel problems or grievances.
- f. Consult with the Personnel and Finance Committee and conduct whatever research is necessary for the proper conduct of negotiations with the various bargaining units. The Administrator shall conduct preliminary meetings with departments and make recommendations to the Personnel and Finance Committee regarding union negotiations and other

personnel issues. The Administrator shall assist departments in attempting to resolve grievances.

- g. Work closely with departments to ensure employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills and act as the approving authority for requests by employees to attend conferences, meetings, training school, etc., provided that funds have been budgeted for these activities.
- h. Conduct monthly meetings with the management staff.

(4) **Budgeting and Purchasing.** The City Administrator shall:

- a. Administer the preparation of the annual City budget in a program budget format and in accordance with guidelines as provided by the Mayor and Common Council, and in coordination with departments.
- b. Administer the budget as adopted by the Common Council.
- c. Supervise the purchasing and contracting for the City's supplies and services.

(i) **Qualifications.** The qualifications for the position of City Administrator shall be as follows:

- (1) The minimum requirement shall be a Bachelor's Degree from an accredited college or university with a specialization in public or business administration and at least five (5) years of prior administrative, managerial, public relations and employee relations experience.
- (2) The optimum requirement shall be a Master's Degree in a related field and at least five (5) years of prior administrative, managerial, public relations and employee relations experience.
- (3) The City Administrator shall be bondable.
- (4) The City Administrator shall have considerable knowledge of the functions, policies, laws and regulations of the state of Wisconsin.
- (5) The City Administrator shall pass a physical examination and a job trait assessment prior to employment.

*Ordinance 2278, A 11/14/03, Sec. 2.42*

*Ordinance 2585, A 03/16/10, Sec. 2.42*

*Charter Ord. 17, A 09/19/23, Sec. 2.42*

**SEC. 2.43 MUNICIPAL JUDGE; MUNICIPAL COURT.**

- (a) **Established.** Pursuant to the authority granted by Chapter 755, Wis. Stats., there is hereby established a Municipal Court for the City of Oak Creek.

- (b) **Office of Municipal Judge Created.** Pursuant to the authority granted by Chapter 755, Wis. Stats., there is hereby created the office of Municipal Judge for the Municipal Court for the City of Oak Creek. Mid-term vacancies in the office of Municipal Judge shall be filled by special election to be held not less than fifty-five (55) nor more than seventy (70) days after the order of the Common Council therefore.
- (c) **Election; Qualifications.** The Municipal Judge shall be elected at large as prescribed in Section 2.41. No person shall be elected by the people to the office of Municipal Judge who is not at the time of their election and is not during the entire tenure of their term a citizen of the United States, and of this state, a resident of Oak Creek and an attorney licensed to practice law in the State of Wisconsin. The Municipal Judge shall be subject to the Wisconsin Code of Judicial Ethics and shall file an annual financial statement.
- (d) **Salary.** The salary of the Municipal Judge may be increased for a new term prior to the beginning of the term for the Judge, or for the second year of a term before the start of the second year of the term of the Judge, but the salary shall not be decreased during the term of the Judge. No Judge may be paid a salary for that portion of any term during which portion the Judge has not executed the official bond or official oath as required by Sec. 755.03, Wis. Stats., and filed under Sec. 19.01(4)(c) of the Wisconsin Statutes, as amended.
- (e) **Bond; Oath.** The Municipal Judge shall execute and file with the Clerk of the Circuit Court for Milwaukee County the oath prescribed by Sec. 755.03, Wis. Stats., and an official bond in such an amount determined by the Common Council.
- (f) **Jurisdiction.** The Municipal Judge shall have jurisdiction as provided by law and Section 755.045, Wis. Stats., and exclusive jurisdiction of violations of City ordinances and resolutions.
- (g) **Procedure in Municipal Court.**
- (1) The Municipal Court shall be open as determined by order of the Municipal Judge.
  - (2) The Municipal Judge shall keep their office and hold court in a location designated by the Common Council.
  - (3) If the Municipal Judge is temporarily absent, sick, or disabled, the provisions of Sec. 800.06(1), Wis. Stats., shall apply, and if the Municipal Judge becomes incompetent, unable, or fails to act, or in the event of a vacancy, the provisions of Sec. 800.06(2), Wis. Stats., shall apply. Any substitute Municipal Judge designated or assigned hereunder shall be compensated as authorized by the Common Council. The Municipal Judge shall satisfy all continuing education requirements for municipal judges.
- (4) Upon the proper and timely written request for substitution of the Municipal Judge, the provisions of Sec. 800.05, Wis. Stats., shall apply.
- (5) The procedure in Municipal Court for the City shall be as provided by this Section and State law, including, without limitation because of enumeration, Chapters 755, 800, and Sec. 23.66 to Sec. 23.99, 778.14, 778.15, 778.18 and 345.20 to 345.53, Wis. Stats. The Court shall abide by the Wisconsin Rules of Evidence and shall abide by the Uniform State Traffic Deposit Schedule. In non-traffic matters, the City Attorney shall draft a bond schedule, which shall become effective upon approval by the Common Council. No bond shall exceed the maximum penalty which could be imposed for the ordinance violation.
- (h) **Fees.**
- (1) Bonds for appearance, partial payments, and other funds collected by the Court shall be treated as escrow funds and deposited with the City Treasurer.
  - (2) The Clerk of the Municipal Court shall collect all forfeitures and costs in any action or proceeding before them and shall pay over such moneys to the City Treasurer not later than the seventh (7th) business day succeeding their receipt thereof. At the time of payment, the Municipal Court Clerk shall report to the City Treasurer the total amount of the forfeiture, fees, penalty assessments and costs, if any. The City Treasurer shall disburse the fees as provided in Sec. 814.65, Wis. Stats., and disburse any penalty assessments pursuant to Sec. 66.0114, Wis. Stats.
- (i) **Common Council May Abolish Municipal Court.** The Common Council may, by ordinance or by law, abolish the Municipal Court at the end of any term for which the Judge has been elected.
- (j) **Statutes Adopted by Reference.** Chapters 755 and 800, Wis. Stats., are hereby adopted by reference.
- (k) **Contempt of Court.**
- (1) The Municipal Judge may punish for contempt of Municipal Court for the City of Oak Creek persons guilty of either of the following acts:
    - a. Intentional misconduct in the presence of the court which interferes with a court proceeding or with the administration of justice, or which impairs the due respect for the Court.

- b. Intentional disobedience, resistance or obstruction of authority, process or order of the Municipal Court.
- (2) No person may be punished for contempt before a Municipal Judge until an opportunity has been given the person to be heard in their defense. If the contempt alleged involves disrespect or criticism of a Municipal Judge, that judge is disqualified from presiding at the trial of contempt unless the person charged consents to the judge presiding at the trial. For the purpose of hearing a person's defense, the Municipal Judge may, if the alleged defendant does not appear for trial, issue a warrant for the person to be brought before the Municipal Judge.
- (3) The Municipal Court may, for contempt of court, under the provisions of Sec. 800.12, Wis. Stats., impose a forfeiture of up to Two Hundred Dollars (\$200.00), plus statutory assessments, a jail sentence not to exceed seven (7) days and a forfeiture, or a warrant to testify with a forfeiture of up to Two Hundred Dollars (\$200.00) and apprehension costs.
- (l) **Stipulation and Deposits in Municipal Court.**
  - (1) Deposit Schedule to Be Established. The Municipal Judge shall establish and submit to the Common Council for approval in accordance with Sec. 800.037, Wis. Stats., a schedule of deposits for violations of City ordinances, resolutions and bylaws except traffic regulations which are governed by Sec. 345.26, Wis. Stats., and boating violations governed by Ch. 30, Wis. Stats. When approved by the Council, such deposit schedule shall be posted in the office of the Municipal Court Clerk and City Police Department.
  - (2) Stipulation and Deposit of Lieu of Court Appearance. Persons cited for violations of City ordinances, resolutions or bylaws for which a deposit has been established under this Subsection shall be permitted to make a stipulation of no contest and a deposit in lieu of court appearance as provided in Secs. 800.035, and 800.09, Wis. Stats.
  - (3) Traffic and Boating Deposits. The deposit schedule established by the Wisconsin Board of County Judges and the procedures set forth in Chs. 30 and 345, Wis. Stats., shall apply to stipulations and deposits for violation of traffic regulations enacted in accordance with Sec. 345.26 and boating regulations enacted in accordance with Sec. 30.77, Wis. Stats.
  - (4) When Not Permitted. Stipulations and deposits shall not be permitted after initial appearance or in cases of contempt under Subsection (k).

State Law Reference: Chapters 755 and 800, Wis. Stats.

*Charter Ord. 17, A 09/19/23, Sec. 2.43(b), 2.43(c), 2.43(g)(2), 2.43(g)(5), 2.43(h)(2), 2.43(i), 2.43(k)(2), 2.43(k)(3), 2.43(l)(1), 2.43(l)(2), and 2.43(l)(3)*

## **SEC. 2.44 APPOINTED OFFICERS AND OFFICIALS**

All appointed officers and officials shall perform those duties prescribed in state statutes, this Code of Ordinances, and their position descriptions. The appointed officers of the City shall be as follows: Treasurer, Clerk, Attorney, Engineer, Assessor, Health Officer, Chief of Police, Chief of the Fire Department, and Library Director. Non-officer appointed officials include management positions styled as Director, Deputy Administrator, and Assistant Administrator.

### **(a) Appointment of Officers and Officials.**

- (1) Pursuant to Sections 66.0101 and 62.09, Wisconsin Statutes, the City elects that the method of choosing the above officers and officials shall be pursuant to Section 62.09(3)(b)2, except as otherwise provided by subsections (2) and (3) below.
- (2) The Chief of Police and Chief of the Fire Department shall be appointed by the Police and Fire Commission, pursuant to Section 62.13(3), Wisconsin Statutes.
- (3) The Library Director shall be appointed by the Library Board, pursuant to Section 43.58(4), Wisconsin Statutes.

### **(b) Elimination of Several Officer Positions.**

The officer positions of comptroller, constable, and street commissioner, are hereby eliminated.

### **(c) Procedure for Filling Vacancies of Appointed Officers and Officials.**

- (1) At such time as any officer or official position becomes vacant, the City Administrator or designee shall begin the recruitment process, except that vacancies in the positions of Police Chief, Chief of the Fire Department and Library Director shall be filled as provided by applicable Wisconsin Statutes. If there are significant changes to the position description or approved salary range, the City Administrator will communicate the proposed changes to the Mayor and Common Council, or a committee, board, or commission thereof.
- (2) The Mayor, at their discretion, can elect to participate in the recruitment process and provide their recommendations on candidates.
- (3) Following the recruitment process, and on the basis of merit, training, experience,

administrative ability, efficiency, general qualifications, fitness for performing the duties of the position, and after considering the general recommendation of the City Administrator, the Mayor shall offer an appointment to the Common Council pursuant to Section 62.09(3)(b)2.

- (d) **Terms of Office.** The term of office for appointed officers and officials shall be indefinite unless removed from said position for cause by majority vote of the Common Council or as otherwise provided by state statute.

*Ordinance 2061, A 06/20/00, Sec. 2.44(e)*  
*Ordinance 2444, A 02/06/07, Sec. 2.44(d)*  
*Ordinance 2764, A 06/16/15, Sec. 2.44*  
*Charter Ordinance 15, A 11/19/19, Section 2.44(d) and (e)*  
*Charter Ord. 17, A 09/19/23, Sec. 2.44*

#### **SEC. 2.45 DEPARTMENT MANAGERS**

*Ordinance 2205, A 07/16/02, Sec. 2.45(j)*  
*Ordinance 2274, A 09/16/03, Sec. 2.45(e)*  
*Ordinance 2357, A 06/07/05, Sec. 2.45(k)*  
*Ordinance 2359, A 07/19/05, Sec. 2.45(j)*  
*Ordinance 2408, A 06/06/06, Sec. 2.45(d)*  
*Ordinance 2546, A 02/16/09, Sec. 2.45(1) and (m)*  
*This section repealed by adoption of Charter Ord. 17 on 09/19/23.*

#### **SEC. 2.46 NON-UNION EMPLOYEES BELOW DEPARTMENT MANAGER STATUS.**

*Ordinance 2357, A 06/07/05, Sec. 2.46(a)(12)*  
*Ordinance 2359, A 07/19/05, Sec. 2.46(a)(13)*  
*Ordinance 2361, A 08/01/05, Sec. 2.46(a)(11)*  
*Ordinance 2394, A 05/02/06, Sec. 2.46(a)(5)*  
*Ordinance 2444, A 02/06/07, Sec. 2.46(a)(11)*  
*Ordinance 2547, A 02/16/09, Sec. 2.46*  
*Ordinance 2720, A 05/06/14, Sec. 2.46(a)(2)c*  
*Ordinance 2727, A 06/17/14, Sec. 2.46(a)(3)a, 2.46(a)(3), 2.46(a)(4), 2.46(a)(15)*  
*Ordinance 2764, A 06/16/15, Sec. 2.46*  
*This section repealed by adoption of Charter Ord. 17 on 09/19/23.*

#### **SEC. 2.47 COMPLIANCE WITH FAIR LABOR STANDARDS ACT.**

*Ordinance 2359, A 07/19/05, Sec. 2.47(d)*  
*Ordinance 2408, A 06/06/06, Sec. 2.47(i)*  
*Ordinance 2679, A 05/07/13, Sec. 2.47(j)*  
*This section repealed by adoption of Charter Ord. 17 on 09/19/23.*

#### **SEC. 2.48 RESIDENCY REQUIREMENTS.**

Notwithstanding the provisions of any other ordinances, rules or regulations, no employee of the City of Oak Creek shall be and is required to be a resident of the City, subject to the following provisions and conditions:

- (a) **Full Time Employees Under Labor Contract.** Any full time union employee who is not required to be a resident of the City of Oak Creek shall comply with the residency provisions of the labor contract for that union in which they are a member, provided that the contract's provisions are con-

sistent with Wis. Stats. Sec. 66.0502 and any future amendment thereto.

- (b) **Fire Department Non-Union Full-Time Emergency Employees.** All non-union fire emergency employees shall comply with residency requirements contained in the City Personnel Policy Manual, as may be amended from time to time.
- (c) **Police Department Non-Union Full-Time Emergency Employees.** All non-union emergency employees of the Police Department shall comply with residency requirements contained in the City Personnel Policy Manual, as may be amended from time to time.
- (d) **Contract Employees.** Any employee who is required to be a resident of Oak Creek by virtue of a contract with the City is required to comply with the residency requirements of the contract while the contract is in effect.
- (f) **Noncompliance.** Failure to comply with the provisions of this Section shall be grounds for termination.

*Ordinance 2408, A 06/06/06, Sec. 2.48(a)*  
*Ordinance 2627, A 06/07/11, Sec. 2.48(a)*  
*Ordinance 2701, A 11/19/13, Sec. 2.48*  
*Charter Ord. 17, A 09/19/23, Sec. 2.48*



## BOARDS, COMMISSIONS AND CITIZEN COMMITTEES

### SEC. 2.60 BOARDS AND COMMISSIONS GENERALLY.

- (a) **Officers.** Unless otherwise specified, City boards, commissions and committees established by this Chapter shall annually elect from their membership a Chairperson and Secretary.
- (b) **Compensation.** Members of boards, commissions and committees established by this Chapter shall receive such compensation as established by the Common Council.
- (c) **Meetings.**
  - (1) Unless otherwise specified, City boards, commissions and committees established by this Chapter shall meet upon the call of their respective Chairpersons.
  - (2) Every board, committee and commission created by or existing under the ordinances of the City shall fix a regular date, time and place for its meeting.
- (d) **Notice of Meetings.**
  - (1) Every meeting of any board or commission of the City of Oak Creek and/or any committee appointed or created by the Mayor or Common Council of the City of Oak Creek shall be preceded by public notice and shall be held in open session at a place acceptable to the public in accordance with the provisions of Chapter 19, Subchapter V, Open Meetings of Governmental Bodies, Wis. Stats., unless otherwise authorized by law.
  - (2) Such notice shall be given in writing to the official newspaper and to those news media who have filed a written request for such notice, and in addition thereto, shall be posted in at least one (1) location likely to give notice to the public of such meeting.
  - (3) A separate public notice shall be given for each meeting at a time and date reasonably proximate to the time and date of the meeting, but not less than twenty-four (24) hours prior to the commencement of such meeting unless otherwise authorized by law.
  - (4) Such notice shall set forth the time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, which may be authorized by law
- (e) **Notice to Members.** Every member of any board, commission or committee of the City of Oak Creek shall be notified by the Secretary thereof that a meeting is to be held, and the time and place of such meeting and the subject to be considered thereat. No member shall be intentionally excluded from any meeting by a failure to give proper notice

or a reasonable attempt to give proper notice to such member.

- (f) **Minutes to Be Kept.** Every board, commission and committee shall keep a record of the minutes of its proceedings and shall cause a signed copy thereof to be filed by its Secretary with the City Clerk within two (2) weeks of the meeting date. All such minutes shall be public records. For all boards, commissions and citizen committees, the City Clerk shall serve as legal custodian of their records.
- (g) **Terms.** Except as otherwise provided, the terms of members of boards, commissions and citizen committees shall commence on May 1st.
- (h) **Oath of Office.** Each member of boards, commissions and citizen committees shall take and file the official oath within 10 days of receipt of written notice of appointment.

*Charter Ord. 16 – A 10/20/20, Sec. 2.60(a), (c)(1), (d)(1), (e), (f), (h)*

### SEC. 2.61 BOARD OF REVIEW.

- (a) **Composition.** The Board of Review shall be composed of five (5) regular members and two (2) alternate members who shall be residents of the City, none of whom shall occupy any public office. Members shall be appointed by the Mayor, subject to confirmation by the Common Council, for staggered terms of five (5) years, and shall hold office until their successors are appointed and qualified. The term of office shall commence on June 1st.
- (b) **Clerk to Keep Records.** The City Clerk shall act as the Clerk of the Board and shall keep an accurate record of all proceedings as required by law.
- (c) **Meetings.**
  - (1) The Board of Review shall meet annually during the seven (7) day period beginning on the second Monday of May. The Common Council, on or before its second meeting in April each year, shall establish the specific date and times for the first meeting for that year, provided that it shall be for not fewer than two (2) hours on the first meeting day between 8:00 a.m. and 12:00 midnight. In the event that the Common Council fails to adopt a resolution establishing the date and time of the first meeting of the Board of Review by its second meeting in May, the first meeting of the Board of Review shall be on the first Monday in May between 8:00 a.m. and 12:00 noon. The purpose of the first meeting is for the Board to receive the assessment roll and sworn statements from the Clerk, for taxpayers to appear and examine the assessment roll and other assessment data, and to schedule for hearing each written objection that it receives during the first two hours of the meeting or

that it received prior to the first meeting. A majority of the Board shall constitute a quorum.

- (2) If the assessment roll is not completed, the Board may, at its first meeting, adjourn after a roll call for such time as is necessary to complete the roll and shall put written notice on the outer door of the Common Council chambers stating to what time the meeting is adjourned.
- (d) **Powers and Duties.** The powers and duties of the Board of Review shall be as those set forth in Secs. 70.46 and 70.47, Wis. Stats.
- (e) **Confidentiality of Information.** Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to Sec. 70.47(7)(af), Wis. Stats., or any successor statute thereto, then, such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however that said information may be revealed to and used by persons: in the discharging of duties imposed by law; in the discharge of duties imposed by office (including, but not limited to, use by the Assessor in performance of official duties of the Assessor's office and use by the Board of Review in performance of official duties); or pursuant to order of a court. Income and expense information provided to the Assessor under Sec. 70.47(7)(af), Wis. Stats., unless a court determines that it is inaccurate, is, per Sec. 70.47(7)(af), Wis. Stats., not subject to the right of inspection and copying under Sec. 19.35(1), Wis. Stats.

State Law Reference: Secs. 70.46 and 70.47, Wis. Stats.

*Ordinance 2038, A 10/19/99, Sec. 2.61(e)*  
*Ordinance 2073, A 06/06/00, Sec. 2.61(a) and (c)(1)*  
*Charter Ord. 16, A 10/20/20, Sec. 2.61(e)*

## SEC. 2.62 POLICE AND FIRE COMMISSION.

- (a) **Composition.** The Police and Fire Commission shall consist of five (5) citizens of recognized standing, character and integrity, three (3) of whom shall constitute a quorum. The Mayor shall annually, between the last Monday of April and the first Monday of May, appoint in writing to be filed with the Secretary of the Board, one (1) member for a term of five (5) years, subject to confirmation by the Common Council.
- (b) **Powers and Duties.** The Board of Police and Fire Commissioners shall perform such duties as are imposed by Sec. 62.13, Wis. Stats., except sub. (6) therein.

*Charter Ord. 16, A 10/20/20, Sec. 2.62(a)*

State Law Reference: Sec. 62.13, Wis. Stats.

## SEC. 2.63 PLAN COMMISSION.

- (a) **Composition.** The City Plan Commission shall consist of the Mayor, who shall be its presiding officer, the Building Commissioner or their designee, two (2) Alderpersons who shall be chosen by the Common Council President at the second meeting in April of each year, and five (5) citizens of recognized experience and qualifications. In addition, a representative of the Planning Department shall be an ex-officio member of the Plan Commission, and shall not be entitled to vote on matters before the Plan Commission. The citizen members of the Plan Commission shall be appointed by the Mayor, subject to confirmation by the Common Council, for staggered terms of three (3) years commencing on May 1st of each year.
- (b) **Powers and Duties.** The Plan Commission shall perform such duties as are prescribed by Sec. 62.23, Wis. Stats., and has such further powers as may be delegated to it by the Wisconsin Statutes and City ordinances.

State Law Reference: Sec. 62.23, Wis. Stats.

*Ordinance 2062, A 04/18/00, Sec. 2.63(a)*

*Ordinance 2245, A 05/06/03, Sec. 2.63(a)*

*Charter Ord. 16, A 10/20/20, Sec. 2.63(a)*

## SEC. 2.64 ZONING BOARD OF APPEALS.

- (a) **Composition.** A Zoning Board of Appeals shall be appointed as specified in Sec. 62.23(7)(e), Wis. Stats. The Zoning Board of Appeals shall consist of five (5) members, and two (2) alternate members, appointed by the Mayor, subject to confirmation by the Common Council, for staggered terms of three (3) years, commencing on May 1st of each year.
- (b) **Powers and Duties.** The Zoning Board of Appeals shall have those powers and duties prescribed by City ordinance and Sec. 62.23(7)(e), Wis. Stats.

State Law Reference: Sec. 62.23(7)(e), Wis. Stats.

Cross Reference: Section 2.69 and Ch. 17.

*Charter Ord. 17, A 09/19/23, Sec. 2.64(b)*

## SEC. 2.65 CIVIL SERVICE COMMISSION.

*This section repealed by the adoption of Ordinance 2764 on 6/16/15; which recreated sections 2.44 and 2.46.*

## SEC. 2.66 LIBRARY BOARD.

- (a) **Composition.** The Library Board shall consist of seven (7) members, five (5) citizen members, one (1) school district administrator or their representative to represent the public school district, and one (1) Alderperson. The five citizen members shall be appointed for three (3) year terms to begin July 1, by the Mayor and confirmed by the Common Council. The school district administrator or their representative shall be appointed by the

Mayor for a three-year term to begin July 1. All three-year terms shall be staggered so that no more than two (2) citizen appointments are appointed annually. The Alderperson member shall be appointed annually by the Mayor on the third Tuesday in April. The Library Board shall annually in June elect from its membership a President, a Vice-President and a Secretary. A majority of the membership of the Library Board shall constitute a quorum.

- (b) **Compensation.** No compensation shall be paid to any Library Board member for their service as such, but they may be reimbursed for their actual and necessary expenses incurred in performing their duties outside the City if so authorized by the Library Board.
- (c) **Power and Duties.** The Library Board shall have the powers and duties as prescribed under Sec. 43.58, Wis. Stats.

*Charter Ord. 16, A 10/20/20, Sec. 2.66(a)*

State Law Reference: Sec. 43.58, Wis. Stats.

## **SEC. 2.67 WATER & SEWER UTILITY COMMISSION**

*This section repealed by the adoption of Charter Ord. 16 on 10/20/20*

*Ordinance 2119, A 4/2/2001, Sec. 2.67*

*Ordinance 2473, A 9/4/2007, Sec. 2.67(b) & (c)*

*This section repealed with adoption of Charter Ord. 16 on 10/20/20.*

## **SEC. 2.68 PARKS AND RECREATION COMMISSION.**

- (a) **Composition.** The Oak Creek Parks and Recreation Commission shall consist of eight (8) members: six (6) citizen members, one (1) member of the Board of Education of the Oak Creek-Franklin Joint School District, and one (1) Alderperson. The citizen members shall be appointed by the Mayor with the approval of the Common Council and shall serve as members of the Commission for three (3) years and until their successors are appointed. Terms shall be staggered so that no more than two (2) citizen members are appointed annually. The Alderperson member of the Commission shall be appointed by the Common Council President and shall serve for one (1) year. The Board of Education member may be appointed by the Board of Education, but with the consent of the Mayor, and shall serve for a one-year term. All appointments, except vacancies, shall be made on the third Tuesday in April in each year. Members appointed as vacancies occur shall serve only for the unexpired term of the vacated members. Vacancies shall be filled in the same manner as appoint-

ments. Members of the Commission shall receive no compensation for their services.

- (b) **Powers and Duties.** The Parks and Recreation Commission shall:
  - (1) Advise the responsible management staff in the execution of their parks improvement, and joint community recreation platform responsibilities.
  - (2) Suggest administrative regulations for the operation of park and recreation facilities and programs.
  - (3) Develop a five-year parks and open space capital improvement plan, and review and recommend parks-related capital expenditures in each annual budget cycle.
  - (4) Make whatever recommendations they may see fit to the Mayor and Common Council towards the improvement of the operation of park and recreational activities and facilities.
  - (5) Coordinate the various social segments of the community into a unified pattern of activity.
  - (6) Recommend policies for its own guidance and for the administration of joint community recreation platform activities.
  - (7) Advise the Common Council on other matters relating to parks and recreation.
  - (8) Assist the responsible management staff in keeping the general public informed, and for soliciting public input, as to the development of park improvement and joint community recreation platform activities.
  - (9) The Commission shall perform such other duties and assume such other responsibilities as may be assigned to it by the Common Council.
- (c) **Meetings.** The Parks and Recreation Commission shall meet annually in June of each year and will further meet monthly at such times and places as they determine. At the annual meeting, a Chairperson and Secretary shall be elected. In the absence of the Chairperson, the members of the Commission shall elect one of its members to preside and exercise the functions of the Chairperson.

*Charter Ord. 16, A 10/20/20, Sec. 2.68(a), (b)(1), (c)*

*Ord. 3017, A 9/7/21, Section 2.68*

*Charter Ord. 17, A 09/19/23, Sec. 2.68(b)(1), (b)(3), (b)(4), and (c)*

State Law Reference: Sec. 27.08, Wis. Stats.

## **SEC. 2.69 HOUSING BOARD OF APPEALS.**

- (a) **Composition.** The members of the Zoning Board of Appeals shall also serve as the Housing Board of Appeals. Terms of office shall coincide with terms on the Zoning Board of Appeals.

- (b) **Powers and Duties.** The Board shall conduct hearings requested by any person affected by any notice, which is issued in connection with the enforcement of any provision of the City's Minimum Housing Codes. The concurring vote of four (4) members of the Board shall be necessary to reverse or modify any order, requirement, decision or determination of the Building Commissioner or to decide in favor of the applicant on any matter upon which it is required to pass under such Code, or to effect any variation in such Code. The grounds of every such determination shall be stated. The Board may transcribe the testimony given at such hearing and payment therefor shall be made by the City.
- (c) **Quorum.** The quorum for meetings or hearings of the Board shall consist of four (4) members.

State Law Reference: Sec. 62.23(7)(e), Wis. Stats.

Cross-Reference: Section 2.64 and Ch. 16.

### **SEC. 2.70 BOARD OF HEALTH.**

- (a) **Composition.** There is hereby created the City of Oak Creek Board of Health. It shall consist of eight (8) members: the Health Officer, Sanitarian, Medical Advisor, an Alderperson and four (4) citizen members. The citizen members shall be appointed by the Mayor with the approval of the Common Council and shall hold office as members of the Board for three (3) years and until their successors are appointed and qualified, the first appointments to be for three (3), two (2) and one (1) years respectively. The terms of office of the citizen members shall commence on October 1. The Alderperson member of the Board of Health shall be appointed by the Common Council President at its regular meeting held on the third Tuesday of April and shall serve for one (1) year. The Board of Health shall appoint a licensed physician who shall be a member of such Board. If a vacancy in the position of medical advisor occurs, the Board of Health shall immediately fill the same.
- (b) **Powers and Duties.**
- (1) The members of the Board shall meet at a place on any day as the Board, by its own rules, shall prescribe.
  - (2) The Board shall take such measures and make such rules and regulations as shall be most effectual for the preservation of the public health. All orders and regulations shall be published in the official newspaper of the City and they shall have the force and effect of ordinances, including penalty for violation.

*Charter Ord. 16, A 10/20/20, Sec. 2.70(a)*

*Charter Ord. 17, A 09/19/23, Sec. 2.70(a)*

State Law Reference: Chapter 251, Wis. Stats.

### **SEC. 2.71 CELEBRATIONS COMMISSION.**

- (a) **Composition.** There is hereby created a Celebrations Commission consisting of not more than ten (10) members, of which one (1) member is an Alderperson and one (1) member is a staff representative. The members of the Celebrations Commission shall be appointed by the Mayor, subject to confirmation by the Common Council, and vacancies shall be filled in the same manner. Members appointed as vacancies appear shall serve only for the unexpired term of the vacated members. All appointments, except in vacancies, shall be for three (3) years and shall be made on the third Tuesday in April in each year. Terms shall be staggered so that no more than four (4) members are appointed annually.
- (b) **Powers and Duties.** The Celebrations Commission shall coordinate and supervise the annual Fourth of July celebration and any other celebration authorized and/or directed by the Common Council. The Commission is authorized to expend funds allocated to it by the annual budget of the Common Council.

*Ordinance 1120, A 05/21/85, Sec. 1.08(14) creation*

*Ordinance 1249, A 10/06/87*

*Ordinance 1393, A 08/15/89*

*Charter Ord. 16, A 10/20/20, Sec. 2.71(a), 2.71(b)*

*Charter Ord. 17, A 09/19/23, Sec. 2.71*

### **SEC. 2.72 EMERGENCY MANAGEMENT ADVISORY COMMITTEE.**

- (a) **Composition.** There is hereby created an Emergency Management Advisory Committee consisting of the following:
- (1) Fire Chief (as Director of Emergency Management Services).
  - (2) Chief of Police (as Deputy Emergency Management Director).
  - (3) Director of Public Works.
  - (4) Health Officer.
  - (5) City Administrator.
  - (6) Utility Manager.
  - (7) One (1) Alderperson, annually appointed by the Council President.
- (b) **Powers and Duties.** The Emergency Management Advisory Committee shall act in an advisory capacity on matters pertaining to City government's response to emergency situations.

*Charter Ord. 16, A 10/20/20, repealed Section 2.72(a)(7)*

*Charter Ord. 17, A 09/19/23, Sec. 2.72(a)(4)*

### **SEC. 2.73 TRAFFIC & SAFETY COMMISSION**

*This section repealed by the adoption of Charter Ord. 16 on 10/20/20.*

### **SEC. 2.74 THIS SECTION INTENTIONALLY LEFT BLANK.**

*This section repealed by the adoption of Ord. 2125 on 04/17/01.*

## SEC. 2.75 LANDSCAPE AND BEAUTIFICATION COMMISSION.

*This section repealed by the adoption of Charter Ord. 16 on 10/20/20.*

*Ordinance 2706 Repealed A 02/04/14 Sec 2.75 & 2.76  
Ordinance 2712, A 02/17/14, Sec 2.75  
Ordinance 2732, A 08/04/14, Sec. 2.75  
Charter Ord. 16, A 10/20/20, repealed Section 2.75*

## SEC. 2.77 TOURISM COMMISSION

- (a) **Composition.** The Tourism Commission shall consist of five (5) voting members who shall be appointed for a one year term commencing May 1 by the Mayor subject to confirmation by the Common Council., including
- a. one (1) Alderperson
  - b. at least one of the commission members shall represent the Wisconsin hotel and motel industry.
- (b) **Ex-Officio Members.** The Mayor, City Administrator and Director of Community Development shall serve as ex-officio members and shall not be entitled to vote on matters before the Commission.
- (c) **Powers and Duties.** The Tourism Commission shall have those powers or duties as prescribed by State statute.

*Ordinance 2190, A 05/22/02, Sec 2.77  
Ordinance 2620, A 03/15/11, Sec. 2.77  
Ordinance 2741, A 11/05/14, Sec. 2.77  
Ordinance 2826, A 10/04/16, Sec. 2.77  
Charter Ord. 16, A 10/20/20, Sec. 2.77(a)*

## SEC. 2.78 COMMUNITY DEVELOPMENT AUTHORITY

- (a) **Composition.** There shall be seven (7) voting members of the Community Development Authority, consisting of five (5) citizens and two (2) Alderpersons appointed by the Mayor, subject to confirmation by the Common Council.
- (b) **Ex-Officio Members.** The Mayor, City Attorney, City Administrator, and Director of Community Development shall service as ex-officio members and shall not be entitled to vote on matters before the Committee
- (c) **Powers and Duties.** The Community Development Authority shall have those powers or duties as prescribed by State statute.

*Ordinance 2060, A 04/03/00, Sec. 2.78(a)  
Ordinance 2084, A 09/19/00, Sec. 2.78(a)  
Ordinance 2190, A 05/22/02, Sec. 2.78  
Ordinance 2275, A 10/07/03, Sec. 2.78(b)  
Ordinance 2721, A 05/06/14, Section 2.78(b)  
Charter Ord. 16, A 10/20/20, Sec. 2.78(a)*

## SEC. 2.79 BOARD OF ABSENTEE BALLOT CANVASSERS

- (a) **Purpose.** Pursuant to Secs. 7.52 and 7.53(2m), Wis. Stats., there is created a Board of Absentee Ballot Canvassers.
- (b) **Composition.** The Board of Absentee Ballot Canvassers shall be composed of the City Clerk, or a qualified elector of the City designated by the City Clerk, and two (2) other qualified electors of the city appointed by the City Clerk for a term of two (2) years commencing on January 1 of each odd-numbered year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee.
- (c) **Canvassing of Absentee Ballots.** In lieu of canvassing absentee ballots at polling places under Sec. 6.88, Wis. Stats., the Board of Absentee Ballot Canvassers shall, at each election held in the City, canvass all absentee ballots received by the City Clerk by 8:00 p.m. on election day.
- (d) **Counting of Absentee Ballots.** At every election held in the City, the Board of Absentee Ballot Canvassers shall, any time after the opening of polls and before 10:00 p.m. on Election Day, publicly convene to count the absentee ballots for the City. The City Clerk shall give at least 48 hours' notice of any meeting under this subsection.

*Ordinance 2784, A 12/15/15 Sec. 2.79  
Charter Ord. 16, A 10/20/20, Sec. 2.79(d)*

## SEC. 2.80 STANDING JOINT REVIEW BOARD

- (a) **Composition.**
- (1) There shall be five (5) voting members of the Standing Joint Review Board, consisting of one (1) representative of the City, one (1) representative chosen by the Oak-Creek Franklin School District, (1) one representative chosen by the Milwaukee Area Technical College District, (1) one representative chosen by Milwaukee County, and (1) one public member that shall be selected by a majority of the other board members before the public hearing.
  - (2) The City Administrator, Director of Community Development and Finance Officer shall act as advisory to the Standing Joint Review Board without the authority to vote.
  - (3) The City's representative to the Standing Joint Review Board shall be appointed by the Mayor, subject to confirmation by the Common Council at the second meeting in April for a term lasting two (2) years commencing on May 1.

**(b) Purpose**

Members of the Standing Joint Review Board are designated to represent a taxing jurisdiction (municipal, county, school, technical college) having the responsibility to approve, deny or amend a Tax Incremental District (TID).

**(c) Powers and Duties**

- (1) The Standing Joint Review Board shall have all of the powers and duties as prescribed by Wisconsin Statutes 66.1105(4m).
- (2) The Standing Joint Review Board shall remain in existence for the entire time that any tax incremental district exists in the City.

*Ordinance 2806, A 05/17/16 Sec. 2.80*  
*Charter Ord. 17, A 09/19/23, Sec. 2.80(a)(2)*

## **CODE OF ETHICS**

### **SEC. 2.100 CODE OF ETHICS.**

The provisions of Secs. 19.42 and 19.59, Wis. Stats., dealing with a code of ethics for local public officials is adopted by reference, provided that the provisions of Secs. 19.42 and 19.59, Wis. Stats., shall apply to all local public officials and all City employees, including members of the Police Department and Fire Department. Any future amendments, revisions or modifications of Secs. 19.42 and 19.59, Wis. Stats., are intended to be made a part of this Code.

## EMERGENCY MANAGEMENT

### SEC. 2.120 EMERGENCY MANAGEMENT.

Pursuant to Sec. 323.14, Wis. Stats., the following program of emergency management is hereby adopted:

- (a) **Overall Control.** The Mayor and Common Council shall have overall control of the program of emergency management for the City.
- (b) **Head of Emergency Management Services.**
  - (1) The Fire Chief shall be the head of emergency management services for the City and shall be designated as the Director of Emergency Management Services. The Director shall have the powers and duties specified in Sec. 323.15, Wis. Stats., and shall be responsible to the Mayor and Common Council.
  - (2) The Director (by authority of the Mayor, Council President or the Common Council member with authority to act in the absence of the Mayor or Common Council President pursuant to Sec. 2.22 may, during time of disaster, enter into contract and incur obligations necessary to combat such disaster, protecting the lives and safety of persons and property and providing emergency assistance to the victims of such disasters. The Director may exercise the powers invested in him or her in the light of the exigencies of the extreme emergency situation without regarding the time-consuming procedures and formalities prescribed by other provisions of law pertaining to the performance of public work, entering into contracts, the employment of temporary workers, the rental of equipment and the purchase of supplies and materials. The liability of the City shall not exceed the fair and reasonable value of the services rendered or supplies, equipment or materials furnished.
  - (3) The Director may, in collaboration with other public and private agencies within the state and the nation, develop or cause to be developed, mutual aid arrangements for reciprocal emergency management and disaster aid and assistance in case of war or disaster too great to be dealt with unassisted. Such arrangements shall be consistent with the state emergency management and disaster plan and program of the federal government.
  - (4) The Director of Emergency Management Services may, subject to the approval of the Common Council, enter into mutual aid agreements with civil defense and disaster agencies or organizations in other political subdivisions or in the state or in other states for reciprocal emergency management and disaster aid and assistance in case of war or disaster too great to be dealt with unassisted.

- (5) The Police Chief shall be the Deputy Emergency Management Director who shall have the powers and duties of the Emergency Management Director in their absence.
- (c) **Operation.** The emergency management services of the City shall operate in accordance with the City emergency operations plan which has been adopted by resolution of the Common Council and with any operational survival plan established by the Director of Emergency Management Services, approved by the administrator of the division of emergency management, Wisconsin Department of Development and adopted by resolution of the Common Council. A copy of the current State of Wisconsin emergency operations plan and operational survival plan of the City as adopted by the Common Council shall be kept on file in the office of the City Clerk.

*Ordinance 2625, A 05/17/11, Sec. 2.120(b)(1)  
Charter Ord. 17, A 09/19/23, Sec. 2.123 Preamble and 2.120(b)(5)*

### SEC. 2.121 DECLARATION OF EMERGENCIES.

- (a) Pursuant to Sec. 62.11(5), Wis. Stats., to act for the government and good order of the City and for the health, safety and welfare of the public, and notwithstanding any other provision of law to the contrary, the Common Council may declare, by ordinance or resolution, an emergency existing within the City of Oak Creek whenever conditions arise by reason of war, conflagration, flood, heavy snow storm, blizzard, catastrophe, disaster, riot or civil commotion, acts of God, and including conditions, without limitation or restriction because of enumeration, which impair transportation, food or fuel supplies, medical care, fire, health or police protection or other vital facilities of the City. The period of such emergency shall be limited by such ordinance or resolution to the time during which such emergency conditions exist or are likely to exist.
- (b) The emergency power of the Common Council herewith conferred shall include such general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, welfare and good order of the City in such emergency and shall include such authority as is necessary and expedient without limitation or restriction because of enumeration and shall include the power to bar, restrict or remove all unnecessary traffic, both vehicular and pedestrian, from the local highways, notwithstanding any provisions of Chs. 341 to 349, Wis. Stats.
- (c) If because of such emergency conditions the Common Council shall be unable to meet with promptness, the Mayor or President of the Com-



mon Council shall exercise by proclamation all the powers herewith conferred upon the Common Council which, within the discretion of the Mayor, are necessary and expedient for the purposes herein set forth, but such proclamation of the Mayor shall be subject to ratification, alteration, modification or repeals by the Common Council as soon as the Common Council shall be able to meet, but such ratification, alteration, modification or repeal by the Common Council shall not affect the prior validity or force or effect of such proclamation by the Mayor.

*Charter Ord. 17, A 09/19/23, Sec 2.121*

## ADMINISTRATION

**SEC. 2.130 MANDATING OF EMPLOYEE WAGES AND BENEFITS FOR PRIVATE BUSINESSES.** Except to the extent required by State or Federal law, no ordinance of the City of Oak Creek, nor any other municipal ordinance, rule, resolution or regulation shall require that any private employer provide particular wages or benefits to its employees or set forth the amount or type of an employee wages or benefits provided an employee working for a private employer within the City or doing business within the City.

*Ordinance 2545, A 02/03/09, Sec. 2.130*