

**CHAPTER 320
BOARDS, COMMISSIONS AND COMMITTEES**

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person so named, and may change the named alternate or designee by notifying the city clerk in the same manner. Alternates may represent their respective members and exercise all powers of members when such members are unable to attend meetings. Designees shall represent their respective members and exercise all powers of members at all meetings in the member's stead.

320-5. Ethics Board Notification. Upon introduction of a common council file to create a board or commission, the ethics board shall be notified so that it may consider recommending that members of such board or commission be required to file a statement of economic interests.

320-6. Reimbursement. Any common council file introduced to create a permanent board, commission or committee shall include a directive as to whether public members of the body are to receive any salary or reimbursement for attendance at meetings of the body and the salary ordinance shall be amended accordingly.

**SUBCHAPTER 2
BOARDS**

320-11. Administrative Review Appeals Board.

1. **DUE PROCESS.** The purpose of this section is to afford a constitutionally sufficient, fair and orderly administrative procedure and review in connection with determinations by municipal authorities which involve constitutionally protected rights of specific persons who are entitled to due process protection under the 14th amendment to the United States constitution. In order to insure that such rights are protected in the administration of the affairs, ordinances, regulations and by-laws of the city it is declared and required that the provisions of ch. 68, Wis. Stats., relating to municipal administrative review procedure shall be in full force and effect in this city, except as provided in subs. 5 and 6.

2. **COMPLIANCE.** All officers, employes, agents, agencies, committees, boards and commissions of this city shall comply with the requirements of ch. 68, Wis. Stats., and shall conduct initial administrative reviews of their own determinations in accordance with s. 68.09, Wis. Stats., upon filing of a proper written request therefor.

3. **BOARD CREATED.** a. There is created an administrative review appeals board consisting of 5 members which shall have the duty and responsibility of hearing appeals from initial administrative determinations or decisions of officers, employes, agents, agencies, committees, boards and commissions of the city filed in accordance with s. 68.10, Wis. Stats., and making a final determination thereon. In conducting administrative review hearings and making final decisions the board shall be governed by ss. 68.11 and 68.12, Wis. Stats. The board shall consist of a duly licensed attorney member of the State Bar of Wisconsin having practiced law within the state for not less than 7 years, to be appointed by the city attorney, one member of the common council, to be appointed by the president of the common council, and 3 citizens, one to be appointed by the president of the common council and 2 to be appointed by the mayor. The members of the board shall hold office for

a 2-year term. The members of the board shall elect one member of the board to serve as chair. The city attorney shall appoint one alternate citizen member who shall act with full power only when another member of the board is absent, refuses or is unable to serve because of interest in the subject matter of the appeal. A member shall serve until his or her successor has qualified. Members shall receive no compensation for their services as board members unless expressly provided for by ordinance or resolution.

b. Members shall be appointed no later than 60 days after the third Tuesday in April in even-numbered years to 2-year terms expiring on the third Tuesday of April 2 years thereafter. When a vacancy occurs in a board position the appointing authority shall make an appointment within 60 days after the vacancy occurs.

4. **RULES.** The board may adopt rules for the conduct of its hearings and for its procedures not in conflict or inconsistent with s. 68.11, Wis. Stats.

5. **CITY LAW.** This section shall not be deemed to repeal or supersede any other ordinance or resolution in conflict herewith which specifically provide other procedures for review of administrative determinations within the city.

6. **STATE LAW.** a. Pursuant to s. 68.16, Wis. Stats., the governing body of the city elects that the city not be governed by that part of s. 68.11(2), Wis. Stats., which reads as follows: who did not participate in making or reviewing the initial determination.

b. For the purposes of s. 68.10(2), Wis. Stats., notice shall mean the date listed on the document provided to the appellant informing him or her of the action subject to appeal, provided that this document is mailed no later than 2 working days after the date of the document.

c. All appeals to the board shall be received by the city clerk no later than 30 days after the date that appears on the face of a written notice of the determination or decision appealed from, provided the written notice is mailed to the aggrieved person no later than 2 working days after the date that appears on its face. If the written notice is mailed more than 2 working days after the date that appears on its

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face, appeals to the board shall be received by the city clerk no later than 30 days after the date it is received by the aggrieved person. Under s. 68.16, Wis. Stats., the city elects not to be governed by any portion of ch. 68, Wis. Stats., that conflicts with this paragraph.

d. After the receipt of a timely appeal, the board shall schedule a hearing on the appeal as soon as is practicable. Under s. 68.16, Wis. Stats., the city elects not to be governed by any portion of ch. 68, Wis. Stats., that conflicts with this paragraph.

7. LOCATION. The office of the administrative review appeals board shall be in the office of the city clerk, room 205, City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202. The city clerk shall be custodian of all files, records and proceedings of the board and shall provide stenographic service, stationery, postage and such other needs as the board requires. Petitions, notices and all other communications to the board relating to the administrative procedures provided for in this section shall be addressed to the board and mailed or delivered to the board's office. Hearings and meetings of the board shall be held in the city hall at a place designated by the city clerk. Notice of hearings or meetings shall be posted as required by law.

320-12. Arts Board. 1. CREATION. There is created an arts board consisting of 17 members appointed by the mayor for 3-year terms and confirmed by the common council. At least one member shall be selected from among the members of the common council, one member shall be selected from the membership of the Cultural, Artistic and Musical Programming Advisory Council and one shall represent the Milwaukee board of school directors. A majority of the members shall be city residents. No member may participate in any decision that would directly assist any organization to which the member belongs, except as a dues-paying member, or from which the member receives any benefit, except as a dues-paying member.

2. DUTIES AND POWERS. The board shall:

a. Promote the development, support and enjoyment of the arts in this city.

b. Promote cultural diversity in the artistic life of this city.

c. Promote the formation and growth of artistic projects or programs that are administered by and responsive to the needs of this city's racial and ethnic minorities.

d. Promote the design, construction and landscaping of public projects and private

buildings, including public and private improvements, that enhance the beauty of this city.

e. Determine the amounts to be expended from the Milwaukee arts fund in accordance with the guidelines established under sub. 3 and any additional written guidelines adopted by the board.

f. Submit an annual budget request for the Milwaukee arts fund.

g. Review the designs of municipal buildings, bridges, approaches and other structures and projects in accordance with the guidelines established under sub. 4.

h. Administer the municipal art fund established by s. 304-27.

i. Submit quarterly reports to the common council and the mayor with respect to the boards's activities under s. 304-27 and this section.

3. GUIDELINES. a. Projects or programs funded from the Milwaukee arts fund shall be organized and operated by the city, a nonprofit organization, or an individual artist, and shall be accessible to the public.

b. Funding for projects or programs organized and operated by nonprofit organizations shall be limited to a maximum of 5 years, unless the board, pursuant to its written guidelines, determines that additional funding is justified.

c. The board may accept contributions and donations that will augment the Milwaukee arts fund, or that will assist in the administration of the fund, to the extent permitted and in the manner prescribed by law.

d. Revenue and expenditure information shall be provided to the city comptroller for an annual audit.

4. DESIGNS TO BE SUBMITTED TO BOARD. a. Before any municipal building, bridge, approach or other structure, project or public arts project is constructed, installed or altered by the city, its design shall be submitted to the board for examination and report before final working drawings have been started or any contract has been let. For the purposes of this sub., a public arts project is defined to include all forms of limited edition or one-of-a-kind original creations of visual art created by an artist and located in a space readily accessible by the general public.

b. If, within 60 days after a design other than a design for a public arts project has been submitted to the board under par. a, the board prepares a written report that objects to the design and transmits the report to the affected city department, the mayor and common council, the affected department may not proceed with the project until 30 days after the transmission of the report.

c. Within 60 days after review of a design for a public arts project that has been submitted to the board under par. a, the board shall prepare a written report evaluating the design and transmit the report to the affected city department, the mayor and common council. The affected department may not proceed with the project until receiving approval from the common council.

5. STAFF. The department of city development shall staff the arts board. Staff provided by the department shall have a basic knowledge of the arts and a demonstrated ability to function effectively in the arts community.

320-15. Board of Public Land Commissioners (City Plan Commission).

1. CREATED. There is created, pursuant to s. 27.11, Wis. Stats., a board of public land commissioners, which for convenience of identification, shall be known and referred to as the city plan commission, consisting of 7 citizen members, with the same purposes, powers, functions and terms as boards of public land commissioners created under s. 27.11, Wis. Stats. The board shall exercise all the powers conferred on city plan commissioners under s. 62.33, Wis. Stats.

2. MEMBERS. a. Commissioners shall be appointed by the mayor subject to the approval of the common council within 60 days after the creation of the board, and such commissioners are to be persons of general qualifications rather than specialists or technicians in any particular phase of city planning.

b. Each commissioner shall hold his office until his successor is appointed and qualified. In December immediately preceding the expiration of the terms of any members, the mayor shall appoint their successors for a term of 3 years, subject to the approval of the common council. The salaries of said commissioners shall be paid in accordance with ordinances to make uniform the rates of pay

and determine the offices and positions in the various departments, bureaus, boards and commissions in the city service under the control of the common council as passed by the said common council from time to time.

3. NONVOTING MEMBERS. In addition to the members identified in subs. 1 and 2, the city plan commission shall include, as non-voting members, one representative from each military base or installation in the city which has at least 200 assigned military personnel or contains at least 2,000 acres, if the base's or installation's commanding officer appoints such a representative.

320-16. Public Transportation Review Board.

1. CREATED. a. There is created a public transportation review board consisting of 11 members. Eight members shall be appointed by the president of the common council and 3 members shall be appointed by the mayor all to serve upon confirmation by the common council.

b. Members appointed by the president of the common council shall include at least 2 persons having experience working with taxicab services, one member representing Milwaukee county transit services, one member representing limousine or shuttle services, one member representing downtown business and transportation interests, one member representing the interests of handicapped passengers, one member who neither owns nor leases a motor vehicle for personal use and who relies on public passenger transportation for personal travel and one member of the common council.

c. Members appointed by the mayor shall include at least one person with experience in city development or public works.

d. The president of the common council shall designate a chair from among the members.

e. The city residency requirements of s. 320-3 shall not apply to any member representing the interests of Milwaukee county transit services or any member representing the interests of handicapped passengers.

f. Each member of the public transportation review board may name an alternate as provided in s. 320-4. A person named as an alternative by a member who is not subject to the city residency requirements of s. 320-3 shall also be exempt from the city residency requirement

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2. MEMBER TERMS. All members of the public transportation review board shall serve terms of 3 years. Each member shall designate in writing an alternate to act in the absence of the member.

3. DUTIES AND POWERS.

a. Members shall meet at the call of the chair and shall review and report on the licensing and regulation of public passenger vehicle services provided within the city or to city residents, and shall review and report on other modes of public ground transportation including transportation by buses, para-transit services, trolley and street cars, rail transport and shall review and report any other modes of public passenger transport that are or may become available within the city or to city residents and persons employed within the city.

b. Activities of the public transportation board shall include consideration of all modes of transportation including pedestrian and bicycle transportation and shall include consideration of the manner in which all modes of transportation and transportation facilities such as transit stops and parking interrelate to improve the efficiency, accessibility and safety of transportation systems and promote the welfare of the public.

c. The board may establish subcommittees and working groups to assist in the conduct of its duties. The board is further empowered to hold public hearings and to take testimony and evidence.

d. The public transportation review board shall report its activities and recommendations to the common council.

4. STAFF. The city clerk shall provide staff support to the public transportation review board.

320-17. Deferred Compensation Plan Board.

1. CREATION. a. There is created a deferred compensation plan board consisting of 11 members:

- a-1. The mayor.
- a-2. The chair of the common council's finance and personnel committee.
- a-3. The city attorney.
- a-4. The city comptroller.
- a-5. The city treasurer.
- a-6. The director of employe relations.
- a-7. The executive director of the employes' retirement system.

a-8. One member receiving a service retirement allowance from the employes' retirement system, appointed by the common council president.

a-9. 2 employes appointed by the mayor for a term of 2 years.

a-10. One city employe appointed by the common council president for a term of 2 years.

b. Members listed under par. a-1 to 7 may name designees.

c. The following members shall be members of the city's deferred compensation plan at the time of appointment:

c-1. Designees of members listed under par. a-1 to 7.

c-2. Members appointed pursuant to par. a-8 to 10.

d. Members appointed pursuant to par. a-8 to 10 shall be confirmed by the common council.

e. Members appointed pursuant to par. a-8 to 10 shall be appointed no later than 60 days after the third Tuesday in April in even-numbered years to 2-year terms expiring on the third Tuesday of April 2 years thereafter. When a vacancy occurs in a board position, the appointing authority shall make an appointment within 60 days after the vacancy occurs.

320-20. Milwaukee Symphony Orchestra Board: City Membership.

1. The members representing the city of Milwaukee on the Milwaukee symphony board of directors on February 4, 2006 shall serve until the third Tuesday of April 2008.

2. The mayor shall then appoint 3 persons, subject to confirmation by the common council, as city representatives to the Milwaukee symphony orchestra board of directors. Members shall be appointed no later than 60 days after the third Tuesday in April in even-numbered years to 2-year terms expiring on the third Tuesday of April 2 years thereafter. When a vacancy occurs in a board position the mayor shall make an appointment within 60 days after the vacancy occurs.

**SUBCHAPTER 3
COMMISSIONS**

320-21. Historic Preservation Commission.

1. PURPOSE AND INTENT. Pursuant to s. 62.23(7)(em), Wis. Stats., it is declared a matter of public policy that the protection, enhancement, perpetuation, and use of improvements of special architectural character or special historical interest or value is a public necessity and is required in the interest of health, prosperity, safety, and welfare of the people. The purpose of this section is to:

- a. Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history.
- b.. Safeguard the city's historic and cultural heritage, as embodied and reflected in landmarks and historic districts.
- c. Stabilize and improve property values.
- d. Foster civic pride in the beauty and noble accomplishments of the past.
- e. Protect and enhance the city attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- f. Relate municipal programs in preserving housing and revitalizing commercial areas to the objectives of historic and architectural preservation.
- g. Educate the public regarding the desirability of landmark designation and historic preservation as an enhancement of the quality of life.
- h. Aid and assist individuals and public entities in the nomination of their properties to the national register of historic places.

2. EXEMPTION. This section shall not apply to the district specified in s. 200-61, except that the city may, with the concurrence of the architectural review board, designate the district as an historic district solely for the regulation of demolition permits in the district.

3. DEFINITIONS. The definitions shall be as follows unless the context requires otherwise:

- a. "Alteration" means any material change in the external architectural features of any historic structure or structures within a historic site or district.
- f-3. Cause such area, by reason of such factors, to constitute a distinct section of the city.

b. "Certificate of appropriateness" means a certificate issued by the commission approving construction, reconstruction, rehabilitation or demolition of a historic structure or structures within a historic site or district.

c. "Commission" means the historic preservation commission created under this section.

d. "Demolition" means the complete or partial removal or destruction of any historic structure or any structure located within a historic district or site.

e. "Historic, architectural and cultural significance" means the attributes of a district, site or structure that possess integrity of location, design, settings, materials, workmanship and association which consider the following:

e-1. Its exemplification and development of the cultural, economic, social or historic heritage of the city, state of Wisconsin or the United States.

e-2. Its location as a site of a significant historic event.

e-3. Its identification with a person or persons who significantly contributed to the culture and development of the city.

e-4. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style.

e-5. Its embodiment of distinguishing characteristics of an architectural type or specimen.

e-6. Its identification as the work of an artist, architect, craftsman or master builder whose individual works have influenced the development of the city.

e-7. Its embodiment of elements of architectural design, detail, materials or craftsmanship which represent a significant architectural innovation.

e-8. Its relationship to other distinctive areas which are eligible for preservation according to a plan based on a historic, cultural or architectural motif.

e-9. Its unique location as a singular physical characteristic which represents an established and familiar visual feature of a neighborhood, community or the city.

f. "Historic district" means a district which contains improvements which:

f-1. Have historical, architectural or cultural significance.

f-2. Represent one or more periods or styles of architecture typical of one or more eras in the history of the city.

f-4. Has been designated as a historic district by the common council.

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g. "Historic site" means one of the following:

g-1. A real property on which a structure having historical significance is located.

g-2. A real property on which there is no structure, but which itself is of historical significance that has substantial value in tracing the history of aboriginal man, or upon which a historic event has occurred.

g-3. A real property that has been designated a historic site by the common council.

h. "Historic structure" means any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the city, state or nation and which has been designated as a historic structure by the common council.

i. "Improvements" means any building, structure, place, work of art, or other object constituting a physical betterment of real property, or any part of such betterment.

j. "Rehabilitation" means improving property through repair or alteration, making possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values.

4. MEMBERS. a. Composition. The commission shall be composed of 7 members. One shall be a registered architect; one shall be either an historian or an architectural historian, either interested in the field of historic preservation; one shall be a person experienced in either real estate development or real estate financing; one shall be a member of the common council and 3 shall be citizen members. Each member shall have, to the highest extent practicable, known interest in preservation. Members shall be appointed by the mayor subject to confirmation by the common council.

b. Terms. Members shall be appointed for terms of 3 years. Members may be reappointed for succeeding terms. Any

member may be removed for just cause by the mayor upon notice and public hearing. When any member is removed or resigns, or when a vacancy occurs, the mayor shall appoint a new member in the same manner prescribed in par. a.

5. RULES OF THE COMMISSION. The commission shall elect from its membership a chair and a vice-chair whose terms of office shall be fixed by the commission. The commission shall adopt rules of procedure for the transaction of its business.

6. STAFF. The city clerk's office shall provide administrative and professional support to the commission.

7. FINANCIAL SUPPORT. The commission shall act as a policymaking body when administering donations, grants, and other financial assistance from any public body or agency including but not limited to the city of Milwaukee, the county of Milwaukee, the state of Wisconsin, and the government of the United States and any of its agencies, and from any private individual or group, for the purpose of carrying out the functions, powers, and duties of the commission. The commission may, in accordance with s.16.05, city charter, obtain agreements and contracts with public or private agencies or individuals, for assisting the commission in carrying out its functions, powers, and duties.

8. FUNCTIONS, POWERS, AND DUTIES. In addition to such other powers, duties and authority as are set forth in this section, the commission shall:

a. Maintain or cause to be maintained a comprehensive survey of sites, structures, and districts in the city identifying its historic, cultural, and architectural resources.

b. Prepare or cause to be prepared a current list of potential sites, structures, and districts as determined by the survey to be designated as historical, cultural or architectural sites, structures or districts.

c. Prepare or cause to be prepared a master plan based on the survey that will delineate a proper course of action for historic preservation planning in the city. Any amendments to the master plan shall be made only after consideration of the criteria set forth in this section.

d. Prepare or cause to be prepared when necessary measured drawings, photographs and appropriate documentation for sites and structures that are clearly endangered.

e. Recommend to the common council the designation of sites, structures, and districts as local historic sites, historic structures and historic districts. Once designated by the common council, such historic sites, structures and districts shall be subject to all provisions of this section, and the city clerk shall file that designation in recordable form with the Milwaukee county register of deeds.

f. Issue certificates of appropriateness that will allow or deny the alteration, demolition or exterior change to any designated historic site or structure or improvement within a historic district.

g. Issue mothballing certificates to allow enforcement of the city's building maintenance and condemnation codes against historic structures to be stayed.

h. Work closely with the state of Wisconsin historic preservation officer in attempting to include such properties designated as historic sites, structures or districts in the national register of historic places.

i. Work for the continuing education of the citizens of Milwaukee about the historic heritage of this city and the historic sites, structures and districts designated under this section.

j. Receive and solicit funds for historic preservation in the city. The funds shall be placed in a special city account for this purpose.

9. NOMINATION AND DESIGNATION OF HISTORIC SITES, STRUCTURES AND DISTRICTS.

a. Any person may make application for nomination of a structure, site or area for historic designation to the commission. The commission shall contact the owners of the real property of record and outline the reasons for and the effects of the designation on the structure, site or area under consideration.

b. The commission shall schedule a public hearing on the question of the application for designation. Notice as to the time, place and purpose of the hearing shall be sent at least 25 days prior to the hearing to the following parties:

b-1. The owner of the subject property. This notice shall be by certified letter.

b-2. The common council members of the aldermanic districts in which the proposed designation is located.

b-3. All persons or corporations who own property that is within 200 feet of the proposed designation. This notice shall be by first class mail.

c. Following the public hearing, the commission shall vote to make recommendations to the common council regarding the designation. A structure, site or area shall be deemed to be nominated for consideration as a historic structure, site or district when the commission has determined by a majority vote that the site, structure or area possesses one or more indicia of historical significance.

d. The commission shall make a recommendation with respect to the proposed designation in writing and shall notify the owner of the subject property and the common council. The commission shall set forth findings which constitute the basis for its recommendations. If the recommendations concern designation of a district, the commission shall consider and report in its findings the impact of designation on low and moderate income housing within the district.

e. The commission shall submit its recommendation for designation as a historic site, historic structure or historic district to the common council. The council in its decision on designation shall balance the interest of the public in preserving the affected property and the interest of the owner or owners in using the property for his or her purposes. If the council votes to approve the designation, the council's resolution shall by reference approve the study report for the proposed historic site, structure or district prepared by the historic preservation officer, including the preservation guidelines for the site, structure or district, subject to any modifications made to the report by the historic preservation commission or common council.

f. After the designation decision is final, the commission shall notify the owner of the subject property, the affected council member, the commissioner of city development, the commissioner of public works, and the commissioner of neighborhood services. The city clerk shall file, in recordable form, notice of the designation with the Milwaukee county

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register of deeds and shall cause the designation to be recorded.

g. In cases where the commission has nominated a site, structure or area for consideration for historic designation, final action, in accordance with this subsection, shall be taken within 2 years of the date of nomination. If final action is not taken, the nomination of the site, structure or area is terminated.

h. Once a nomination for historic designation has been dismissed or denied, the same site, structure or area may not be renominated unless one of the following conditions is met:

h-1. Two years have passed since the nomination was dismissed or denied. In such cases, the renomination shall be considered a new nomination for the purposes of this section. In cases where a nomination is terminated pursuant to par. g, the 2 years shall be counted from the date of the termination.

h-2. The commission is presented with substantial new evidence that could not reasonably have been presented at the previous hearing. In such cases, this evidence, including photographs, shall be accompanied by an appropriate application form. No renomination shall take place without the affirmative vote of a majority of the members of the commission.

h-3. All renominations shall be subject to the same notice requirements as the original public hearings.

10. AMENDMENTS TO ADOPTED GUIDELINES. For any designated historic site, structure or district, the common council may amend the preservation guidelines that it adopted at the time of designation of the site, structure or district pursuant to sub. 9-e. The procedure for amending the preservation guidelines shall be the same as the procedure for nomination and designation of historic sites, structures and districts, as set forth in sub. 9. The common council may amend preservation guidelines only after receiving a recommendation from the historic preservation commission.

11. REGULATION OF CONSTRUCTION, RECONSTRUCTION, REHABILITATION AND DEMOLITION. No owner, renter, occupant or person in charge of a historic site, historic structure or an improvement within a historic district shall reconstruct or alter all or any part of the exterior of such property or construct any

improvement upon such a property or properties or permit any such work to be performed upon such property or demolish such property unless a certificate of appropriateness has been granted by the commission. Unless such certificate has been granted by the commission, the commissioner of city development shall not issue a permit for any such work.

a. **Application.** Applications for certificates of appropriateness shall be filed with the city clerk's office, which certificate shall permit the applicant to proceed in accordance with this section. The city clerk's office shall immediately forward all applications to the commission for recommendation and report.

b. **Review.** Upon receipt of an application from the city clerk's office, the commission shall review the project at its next regular meeting. The commission may find the project appropriate and direct a certificate to be issued or it shall set a public hearing date within 30 days of its original review. When reviewing the certificate application, the commission shall consider:

b-1. Whether, in the case of a designated historic site, structure or district, the proposed work would detrimentally change, destroy or adversely affect any exterior architectural feature of the improvement upon which said work is to be done.

b-2. Whether, in the case of construction of a new improvement upon a designated site or within a historic district, the exterior of the improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on the site.

b-3. Whether, in the case of any property located in a historic district the proposed construction, reconstruction, exterior alteration, or demolition conforms to the objectives of the historic preservation plan for such district as duly adopted by the common council.

c. **Notification.** Notice of hearing shall be by certified letter addressed to the applicant at his or her residence or place of business, or if the applicant is a corporation, at the address stated in the application. There shall also be public notice given by the commission, as well as notice to the parties cited in sub. 9-b. The letter to the applicant may contain requirements for supplemental

information, including but not limited to any photographs, plans, floor plans, elevations and detail drawings of any structure or portion thereof to be subject to change. If the applicant is unable to furnish any or all required supplemental information by the date set for a hearing on the application, the applicant may request such a delay in the hearing as may be reasonable for obtaining the required information. The commission may also grant a request for a delay for any other good cause.

d. **Hearing.** If upon a hearing by the commission it appears that the proposed changes in the application are consistent with the character of the individual property or those of its district, the commission shall immediately direct the commissioner of city development to issue a certificate to the applicant. In making its determination on any application under this section, the commission shall apply the criteria set forth in sub. 12.

e. **Issuance of Certificate.** The commission may direct issuance of a certificate conditioned upon applicant's acceptance of certain changes in his or her plan.

f. **Appeal.** If upon a hearing by the commission the application for a certificate is disapproved and no conditional certificate is issued, or the applicant refuses to accept the changes in the plans recommended by the commission, the commission shall notify the applicant of its decision by certified mail within 15 days. The aggrieved applicant may appeal to the common council. Appeals shall be by a written request filed with the city clerk within 20 days after the mailing of the certified letter to the applicant of the commission's decision. The city clerk shall file the request to appeal with the common council. After a public hearing, the council may, by vote of 2/3 of its members, reverse or modify the decision of the commission if, after balancing the interest of the public in preserving the subject property and the interest of the owner in using it for his or her own purposes, the council finds that, owing to special conditions pertaining to the specific piece of property, failure to grant the certificate of appropriateness will preclude any and all reasonable use of the property or will cause serious hardship for the owner, provided that any self-created hardship shall not be a basis for reversal of modification of the commission's decision.

g. **Demolition.** Notwithstanding the provisions of the preceding paragraphs, if an applicant for a certificate of appropriateness seeks approval for demolition, the commission may by affirmative vote within 30 days after the public hearing defer determination on the application for a period not to exceed one year from the date of application for the demolition permit, and shall provide the applicant with a written report setting forth the reason or reasons for its deferral on the certificate application. An applicant whose application for certification of appropriateness for demolition has been deferred may appeal the deferral to the common council. If the commission determines to defer a demolition on the application, the commission and the applicant shall undertake serious and continuing discussions for finding a mutually agreeable method of saving the subject property. Furthermore, during this time, the owner shall take whatever steps are necessary to prevent further deterioration of the building. At the end of the one-year period, the commission shall act on the suspended application by either granting or refusing to grant a certificate of appropriateness for the proposed demolition.

h. **Certificate of Appropriateness.** In determining whether to issue a certificate of appropriateness for any demolition, the commission shall consider and may give decisive weight to any or all of the following:

h-1. Whether the building or structure is of such architectural or historic significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the city and state.

h-2. Whether the building or structure, although not itself an individually designated historic building, contributes to the distinctive architectural or historic character of the district as a whole and should be preserved for the benefit of the people of the city and the state.

h-3. Whether demolition of the subject property would be contrary to the purpose and intent of this section and to the objectives of the historic preservation plan for the applicable district as duly adopted by the common council.

h-4. Whether the building or structure is of such old and unusual or uncommon design, texture, or material that it could not be reproduced without great difficulty or expense.

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h-5. Whether retention of the building or structure would promote the general welfare of the people of the city and the state by encouraging study of American history, architecture and design, or by developing an understanding of American culture and heritage.

h-6. Whether the building or structure is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore or use it, provided that any hardship or difficulty claimed by the owner which is self-created or which is the result of any failure to maintain the property in good repair cannot qualify as a basis for the issuance of a certificate of appropriateness.

h-7. Whether any new structure proposed to be constructed, or change in use proposed to be made, is compatible with the buildings and character of the district in which the subject property is located.

i. Enforcement and Penalties.

i-1. Any violation of this section shall be subject to the enforcement provisions of ss. 200-11-3 and 200-12-1 and the penalty provisions of s. 200-19. The commissioner of neighborhood services shall be responsible for enforcement of this section.

i-2. The historic preservation commission is authorized to hear appeals of orders issued pursuant to this section that require owners to restore their properties to their original condition, to apply for certificates of appropriateness or to comply with the terms of a previously granted certificate of appropriateness. Appeals shall be by a written request filed with the commission within 20 days of the date of the service of the order. If service of the order is made by mail, any appeal of the order shall be made in writing within 30 days of the date of the order. The commission may reverse or revise, in whole or in part, any order which a 2/3 majority of its members find an unreasonable hardship on a property owner. No hardship created by an order shall serve as a basis for reversing or revising an order. The commission shall notify the owner of its decision within 15 days.

j. Compliance. Insofar as they are applicable to a historic structure, historic site, or improvements in a historic district designated under this section, any provision of the building code shall apply, unless waived by the appropriate state or city officials. The commission may support or propose such waivers before the appropriate state or city appeals bodies.

12. GUIDELINES FOR REHABILITATION. In determining whether to issue a certificate of appropriateness for rehabilitation, the commission shall consider and may give decisive weight to any or all of the following:

a. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the exterior of a building, structure or site and its environment.

b. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal of alteration of any historic material or distinctive architectural features should be avoided when possible.

c. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.

d. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

e. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.

f. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. If replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features shall be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different elements from other buildings or structures.

g. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken without a certificate of appropriateness.

h. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.

i. Contemporary design for alterations and additions to existing properties shall not be discouraged when the alterations and additions do not destroy significant historical, architectural or cultural material, and the design is compatible with the size, scale, color, material and character of the property, neighborhood, or environment.

j. Wherever possible, new additions or alterations to structures shall be done in such a manner that if the additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

13. INTERIM DESIGNATION.

a. **Public Hearing.** Prior to nomination or final designation of a structure as a historic structure, the commission must, after it is petitioned in accordance with par. b, hold a public hearing on the question of whether or not a structure should be designated, on an interim basis, not to exceed 180 days, either as a historic structure or as a nonsignificant structure not qualifying as a historic structure. Notice of the time, place and purpose of the hearing shall be sent by certified letter at least 7 days prior to the hearing to the owner or owners of the subject structure, and notice shall also be sent by first class mail or other comparable means to the common council member in whose district the structure is located and to the department of neighborhood services. The decision on interim designation shall be made within 5 days after the close of the public hearing, and shall be forwarded by certified letter to the owner or owners of the subject structure and also be sent by first class mail or other comparable means to the common council member in whose district the structure is located and to the department of neighborhood services.

b. **Procedure.** b-1. The hearing described in par. a shall, in cases where a demolition permit on the subject structure has been applied for under s. 200-26-1, be held within 15 days after receipt by the commission of a duly signed and acknowledged petition from any city resident.

b-2. The hearing described in par. a shall in cases where no demolition permit has been applied for under s. 200-26-1, be held within 45 days after receipt by the commission of a duly signed and acknowledged petition from either a city resident, the owner or owners of the subject structure or any city department, board, commission or official.

b-3. Petitions filed under this paragraph shall be filed on forms approved by the commission and available at the commission office. The commission will not consider more than one such petition on a particular structure in a 180-day period or as provided in par. f.

c. **Demolition Permit Withheld.** The commissioner of city development shall not issue a permit for the demolition of the subject structure until the conclusion of the hearing and the entry of the interim designation decision provided for in par. a and the exhaustion of either the appeal to the common council described in par. d, or the expiration of the time for taking an appeal. The commissioner of city development's issuance of a permit for demolition of the structure may be further delayed or otherwise affected by the commission's and common council's decision regarding interim and final historic designation.

d. **Appeal Petition.** If, after holding the hearing set forth in par. a, the commission determines not to designate, on an interim basis, the subject structure, any resident of the city may, within 5 days of the commission's decision, file a duly signed and acknowledged appeal petition with the city clerk for review of the commission's decision by the common council. The appeal petition shall be accompanied with a bond in the form set forth in par. e. The city clerk shall immediately notify the department of neighborhood services and the department of city development of the appeal petition. The common council shall review the commission's decision within 45 days after receipt by the city clerk of the appeal petition. The common council may then, after balancing the interest of the public in preserving the affected structure and the interest of the owner or owners in using the property for his or her own purposes, reverse or affirm the commission's decision on interim designation. If the common council reverses the commission's decision on interim designation, the subject structure shall be deemed designated as a historic structure on an interim basis for a period not exceeding 180 days. The city clerk shall immediately notify the department of neighborhood services and the department of city development of the common council's appeal decision.

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e. **Appeal Bond Required.** Any person desiring to appeal a commission decision, in accordance with par. d, shall, within the time specified in par. d, file with the city clerk a bond in the penal form of \$10,000, which shall be approved by the city comptroller as to sufficiency of surety and by the city attorney as to its form and execution. The bond shall insure that the person or persons taking the appeal shall pay to the owner or owners of the subject structure any or all damages which may be sustained by the owner or owners as a result of the delay caused by an appeal which does not result in the common council's reversal of the commission's decision denying interim designation.

f. **Common Council Review.** If, after holding the hearing set forth in par. a, the commission determines to designate, on an interim basis, the subject structure, the owner or owners of the structure may, within 5 days of the commission's decision, file a duly signed and acknowledged appeal petition with the city clerk for review of the commission's decision by the common council. The common council shall review the commission's decision within 45 days after the receipt by the city clerk of the appeal petition. The common council may then, after balancing the interest of the public in preserving the affected structure and the interest of the owner or owners for using the property for his or her own purposes, reverse or affirm the commission's decision on interim designation. If the common council reverses the decision on interim designation, the commissioner of city development may then issue any permits duly applied for pursuant to s. 200-26-1. The city clerk shall immediately notify the department of neighborhood services and the department of city development of the common council's appeal decision. The commission shall not entertain another petition for a hearing on the subject structure under par. a until 180 days after the common council's reversal of the commission's prior interim designation decision.

g. **Recommendation.** The interim designation of a structure shall be for a period not exceeding 180 days. Within 90 days of the date of the initiation of the interim designation, the commission shall hold the hearing described in sub. 9-b regarding the structure and forward its recommendations to the common council. During the period of interim designation, which

shall run for 180 days except in cases where the common council has taken final action on the commission's recommendation of the structure prior to 180 days, sub. 11 shall apply to the subject structure. The interim designation of any structure shall immediately be terminated if, while the interim designation is in effect, the historic preservation commission decides, pursuant to sub. 9, not to designate the same structure as historic.

14. SUPERVISION OF CERTIFICATE.

The commissioner of neighborhood services or the commissioner's appointed representative shall periodically inspect any undertaking authorized by a certificate of appropriateness. If the commissioner detects any violation of the conditions or standards prescribed in the certificate, or any uncertified change of any structure, the commissioner shall report such violations to the commission and take appropriate action under ss. 200-11-3, 200-12-1 and 200-19.

15. MOTHBALLING CERTIFICATE.

To prevent demolition of structures which should be left standing because of their historic significance, the historic preservation commission may grant the mothballing certificate required by s. 200-11.5 to allow the commissioner of neighborhood services to stay enforcement of property maintenance and condemnation code provisions against structures which have been designated local or national historic structures or which are part of local or national historic sites or districts.

a. **Application.** The owner of any structure with local or national historic designation may file an application for a mothballing certificate with the historic preservation officer, who shall immediately forward the application to the commission for recommendation and report. Application for a mothballing certificate may not be made for any structure which the commissioner of neighborhood services has determined poses an immediate threat to public health and safety.

b. **Hearing.** The commission shall schedule a public hearing on a request for a mothballing certificate within 30 days of its receipt of the application for a certificate. Notice of the time, place and purpose of the hearing shall be sent by regular mail to the applicant at the address stated on the application and to all owners of property within 200 feet of the property containing the

structure to which the mothballing certificate would apply. The notice shall be given at least 10 days prior to the hearing. The notice to the applicant shall also specify that the applicant is required to furnish a rehabilitation plan to the commission on or before the date of the hearing. The notice may require that the plan include one or more of the following: floor plans, detail drawings, elevations, photographs, and information on sources of financing and contractors and materials to be used. The plan shall specify a tentative time line for completion of the project or its various phases.

c. Commission Findings. After conducting the public hearing, the commission shall grant a mothballing certificate if it finds that the applicant has developed a plan for the rehabilitation of the structure which is consistent with the rehabilitation guidelines of sub. 12, which is within the financial means of the applicant, and which will be carried out within a reasonable period of time. The commission shall also determine that issuance of a mothballing certificate will not have a detrimental impact on nearby properties and the surrounding neighborhood. As a condition for granting a certificate, the commission may set any requirements which it deems appropriate. The commission shall notify the applicant of its decision within 15 days of the hearing.

d. Upkeep of Premises. The premises upon which a structure with a valid mothballing certificate is located shall be maintained in such a manner that adjacent sidewalks are kept clean of dirt and snow, lawns, trees and shrubs are suitably mowed and trimmed, and the grounds are free of litter, debris, junk cars and outdoor storage and nuisances of all types. The interior of the building shall be protected from the elements.

e. Periodic Review. A mothballing certificate shall be valid for the period of time deemed appropriate by the commission. The certificate shall be reviewed by the commission within 6 months of the date of original issuance and every 6 months thereafter. Notice of the review shall be given to the certificate holder and area property owners using the procedure described in par. b. At least 10 days prior to each review date, the certificate holder shall provide the commission with a written report on progress that has been made in implementing the rehabilitation plan during the

past 6 months. When reviewing a mothballing certificate, the commission shall evaluate the progress the certificate holder has made towards implementing or completing the rehabilitation project, or the progress that the certificate holder has made in obtaining the necessary financing for the project. The commission shall also consider the extent to which the certificate holder has complied with the provisions of this subsection and with any special conditions the commission placed on the certificate at the time it was issued. The commission may add conditions to a certificate, remove conditions from the certificate, or revoke the certificate after any periodic review of the certificate.

f. Appeal. If, upon a hearing by the commission, the application for a mothballing certificate is denied, the conditions attached to an approved mothballing certificate are unacceptable to the applicant, or a mothballing certificate is revoked by the commission, the applicant may appeal the commission's decision to the common council. Appeals shall be by written request filed with the city clerk within 20 days after the mailing of the certified letter to the applicant of the commission's decision. The city clerk shall file the appeal request with the common council. After a public hearing, the council may, by vote of 2/3 of its members, reverse or modify the decision of the commission if it finds that doing so would:

f-1. Serve the interest of the public by preserving an historic structure.

f-2. Not negatively impact the surrounding neighborhood.

f-3. Relieve the property owner of unreasonable conditions placed on the issuance of the mothballing certificate or hardships relating to implementation of the rehabilitation plan which are not self-created.

g. Revocation. If the department of neighborhood services or any owner or owners of property within 200 feet of a property with a currently valid mothballing certificate files a written petition with the commission requesting revocation of the certificate and stating the reasons for the request, the commission shall consider revocation of the certificate at its next regularly scheduled meeting which is at least 15 days from the date of receipt of the petition. Notice of the request for certificate revocation, along with the time and place of the commission meeting at which revocation will be

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considered, shall be sent to the certificate holder by certified mail at least 10 days prior to the meeting.

16. CERTAIN CHANGES NOT PROHIBITED. Nothing contained in this section shall prohibit the making of any change of any exterior or architectural feature on a designated historic site, historic structure or in a historic district pursuant to the order of any governmental agency or pursuant to any court judgment for the purpose of remedying emergency conditions determined to be dangerous to life, health, or property.

320-22. Milwaukee Commission on Domestic Violence and Sexual Assault.

1. ESTABLISHMENT.

The Milwaukee commission on domestic violence and sexual assault is established as provided in this section.

2. PURPOSE. The purpose of the Milwaukee commission on domestic violence and sexual assault is to increase safety for victims of domestic violence and their children and for victims of sexual assault, and to hold abusers accountable for their violent behavior.

3. COMPOSITION. a. A majority of commission members shall be city residents. The commission shall be composed of the following 33 members, each of whom shall be subject to confirmation by the common council:

a-1. One member appointed by the mayor.

a-2. One member appointed by the common council president.

a-3. One member appointed by the Milwaukee county executive.

a-4. Two representatives from the police department sensitive crimes unit and domestic violence unit, appointed by the chief of police.

a-5. One member appointed by the Milwaukee public schools superintendent.

a-6. One representative of child welfare agencies, appointed by the director of the bureau of Milwaukee child welfare, division of children and families, Wisconsin department of health and family services.

a-7. Three assistant district attorneys, including one who works with the area of sexual assault, one who works with the area of domestic violence and one who works with matters in children's court, appointed by the district attorney.

a-8. One representative of the state legislature, appointed by the mayor.

a-9. One representative of health care service providers, appointed by the common council president.

a-10. One representative of the Wisconsin department of corrections, division of community corrections, appointed by the mayor.

a-11. One representative of victim advocates, appointed by the common council president.

a-12. Four representatives of underserved communities, including one representative each of the African-American, Hispanic, Native American and Southeast Asian communities, 2 appointed by the president of the common council and 2 appointed by the mayor.

a-13. Six representatives of sexual assault and sexual abuse service providers, 3 appointed by the common council president and 3 appointed by the mayor.

a-14. Seven representatives of domestic violence service providers, 4 appointed by the common council president and 3 appointed by the mayor.

a-15. One representative of the LGBT community center, appointed by the common council president.

a-16. One representative of the Milwaukee judicial sector, appointed by the common council president.

b. The president of the common council and the mayor shall appoint commission members listed in par. a-8 to 16 from names recommended by the executive committee of the commission. The executive committee may recommend one or more names for each vacancy. Whenever the executive committee recommends one name for a vacancy, the appointing authority may request that the executive committee recommend additional names for that vacancy.

c. Any member of the commission may name an alternate.

4. TERMS. a. Members shall be appointed no later than 60 days after the third Tuesday in April in even-numbered years to 2-year terms expiring on the third Tuesday of April 2 years thereafter. When a vacancy occurs in a board position the appointing authority shall make an appointment within 60 days after the vacancy occurs.

b. Members of the commission may be reappointed.

5. RESPONSIBILITIES AND DUTIES.

a. The commission is charged with the responsibility of coordinating the community's response to domestic violence and sexual assault by promoting communication and collaboration among members of law enforcement, victims' advocates, court staff, school personnel, health care providers, abuser programs, corrections officials, policy makers, children's service providers and prosecutors.

b. The duties of the commission include, but are not limited to the following:

b-1. Design and provide special training in the areas of domestic violence and sexual assault for all current officers and recruits of the Milwaukee police department.

b-2. Review relevant policies and procedures of appropriate public and private agencies with the goal of improving response to victims of domestic violence and sexual assault.

b-3. Monitor and promote legislation designed to provide victim safety and abuser accountability.

b-4. Provide community awareness efforts aimed at intervention and prevention of domestic violence and sexual assault.

6. STAFFING. The health department shall provide staff assistance to the commission. All city departments are directed to cooperate with the commission and provide assistance whenever the commission so requests.

7. REPORTS. The commission shall submit quarterly written reports of its activities to the common council.

320-23. Community Relations - Social Development Commission.

1. ESTABLISHMENT. a. Pursuant to 66.0125, Wis. Stats., as amended, the city elects to participate in the establishment of an intergovernmental community relations-social development commission in cooperation with Milwaukee county, low income representatives and private sector agencies. It shall be named the "community relations-social development commission in Milwaukee county", and is hereinafter referred to as the commission.

2. PURPOSE: MISSION AND POLICY. In compliance with s. 66.0125, Wis. Stats., as amended, the purpose and function of the

community relations - social development commission shall be as specified in s. 66.0125, Wis. Stats., as amended. In further compliance with s. 66.0125, Wis. Stats., as amended, the mission of the commission is to study the causes and effects of poverty and to develop and implement strategies, programs and services to meet the unmet needs of the community.

a. The commission shall accomplish its mission by:

a-1. Analyzing and studying the factors that prevent residents of the county from participating fully in area social and economic institutions and from promoting healthy and safe communities.

a-2. Working in partnership with public and private institutions, community groups and low income people to effectively fulfill community needs and minimize duplication of services.

a-3. Recommending solutions for the county's social problems, plan for their implementation, coordinate efforts and provide technical assistance to community groups to solve these problems.

a-4. Advocating greater participation in community affairs and creating ways to help the economically or otherwise disadvantaged achieve self sufficiency and independence.

a-5. In cooperation with other governmental and non-governmental organizations, piloting, launching and operating services intended to achieve its mission.

a-6. Analyzing, evaluating and monitoring the effectiveness of programs designed to accomplish its mission.

a-7. Actively working to fight racism and build an inclusive society.

b. The commission may:

b-1. Recommend to the county and city of Milwaukee the enactment of such ordinances or other actions as it deems necessary to achieve its mission.

b-2. Cooperate with state and federal agencies and non-governmental organizations having similar or related functions.

b-3. Employ such staff as is necessary to implement the duties assigned to it.

b-4. Have the authority to determine program policy and approve program plans.

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3. COMPOSITION. The commission shall be comprised of 18 citizens residing in the county, each of whom shall hold the title of commissioner. The commission shall be nonpartisan and shall include representatives of the clergy and minority groups. One-third of the commissioners shall be representatives of low income residents of the county; one-third of the commissioners shall be representatives of public officials; and one-third of the commissioners shall be representatives of private agencies and organizations in the county. In selecting individuals other than low income representatives to serve as commissioners, consideration shall be given to persons having expertise in legal, financial and management services needed to oversee and direct the business of the commission.

a. The 6 commissioners representing low income residents shall be democratically selected as follows:

a-1. The county shall be divided into 6 districts, each containing approximately equal numbers of low income residents based on the data of the most recent federal census. "Low income resident" means a resident who is a member of a household in which the annual household income is less than 125% of the poverty line as determined by the U.S. department of health and human services.

a-2. A commissioner shall be elected in each district by the residents of the district through popular election. Any resident of the district who is at least 18 years old and who presents verified nomination papers signed by at least 200 other adult residents of the district may be a candidate in the election.

a-3. The election shall be conducted under the supervision of the staff of the commission who shall follow procedures reasonably designed to:

a-3-a. Assure a fair and orderly election process.

a-3-b. Create public awareness that the election is for a commissioner who will represent low income people in the community served by the commission.

b. The 6 commissioners representing public officials and agencies shall be appointed as follows:

b-1. One commissioner appointed by the mayor and confirmed by the common council.

b-2. One commissioner appointed by the county executive and confirmed by the county board of supervisors.

b-3. One commissioner appointed by the governor of the state of Wisconsin.

b-4. One commissioner appointed by the superintendent of Milwaukee public schools and confirmed by the board of school directors of the Milwaukee public schools.

b-5. One commissioner appointed by the president of Milwaukee area technical college.

b-6. One commissioner appointed by the chancellor of the university of Wisconsin-Milwaukee.

c. The 6 commissioners representing private sector agencies and organizations in the county shall be appointed as follows:

c-1. One commissioner appointed by united way of greater Milwaukee, inc.

c-2. One commissioner appointed by the interfaith conference of greater Milwaukee.

c-3. One commissioner appointed by the Hispanic chamber of commerce.

c-4. One commissioner appointed by the African-American chamber of commerce.

c-5. One commissioner appointed by the Milwaukee county labor council, AFL-CIO.

c-6. One commissioner appointed by the greater Milwaukee committee.

4. TERM OF OFFICE. a. The following commissioners initially appointed or elected, shall serve terms of one year:

a-1. The commissioner appointed by the superintendent of the Milwaukee public schools.

a-2. The commissioner appointed by the governor of the state of Wisconsin.

a-3. The commissioner appointed by the Milwaukee area technical college.

a-4. The commissioner appointed by united way of greater Milwaukee, inc.

a-5. The commissioner appointed by the Hispanic chamber of commerce.

a-6. The commissioner appointed by Milwaukee county labor council, AFL-CIO.

b. The following commissioners initially appointed or elected shall serve terms of 2 years:

b-1. The commissioner appointed by the mayor of the city of Milwaukee.

b-2. The commissioner appointed by the county executive of Milwaukee county.

b-3. The commissioner appointed by the university of Wisconsin-Milwaukee.

b-4. The commissioner appointed by the interfaith conference of greater Milwaukee.

b-5. The commissioner appointed by the African-American chamber of commerce.

b-6. The commissioner appointed by the greater Milwaukee committee.

c. Low income representatives shall serve terms of 3 years.

d. The term of each commissioner elected or appointed after initial election or appointment shall be for 3 years. Any vacancy in the position of commissioner shall be filled for the unexpired term in the same manner as the original appointment.

e. Every person appointed or elected as commissioner shall take and file the official oath with the county clerk of Milwaukee county.

f. No person may serve more than 2 consecutive terms as a commissioner, excluding service as a member of any predecessor of the commission.

g. A commissioner may be removed from office for such cause and in such manner as is provided in the bylaws of the commission.

5. ORGANIZATION. The commission shall meet at least monthly and may meet at such additional times as the commission determines or its chair directs. The commission shall elect from the commissioners a chair, vice chair, a treasurer and secretary. A majority of all the commissioners shall constitute a quorum for meetings of the commission. Commissioners shall receive no compensation, but each commissioner shall be entitled to actual and necessary expenses incurred in the performance of commission duties. The commission may appoint consulting committees consisting of either commissioners or non-commissioners or both, the appointees of which shall not receive compensation, but shall be reimbursed their actual and necessary expenses to be paid by the commission on certification by the chair or acting chair.

6. OPEN MEETINGS. All meetings of the commission and its consulting committees shall be publicly held and open to all citizens at all times in accordance with subch. V of ch. 19, Wis. Stats.

320-24. Commission on Supportive Housing.

1. ESTABLISHMENT. There is created a commission on supportive housing consisting of governmental and community leaders, mental health and community advocates, and mental health consumers.

2. PURPOSE: MISSION AND POLICY. a. Purpose. The purpose and function of the commission on supportive housing shall be to serve as a community infrastructure with the institutional commitment and the financial resources necessary for providing safe, affordable and accessible housing options with supportive services for persons with mental illness or other special needs. The commission shall establish goals and benchmarks for the effort to address housing needs for persons with mental illness and other special needs in the community, and monitor progress and hold the community accountable for meeting those goals. The commission shall also provide input regarding special needs housing to the city of Milwaukee in connection with the preparation of the consolidated plan/action plan submitted by the city to the U.S. department of housing and urban development for community development block grant, HOME, emergency shelter grants and housing opportunities for persons with AIDS funds.

b. Guiding Principles. The commission shall accomplish its mission based on the following guiding principles:

b-1. Persons with mental illness or other special needs need to be provided with housing options and supportive service plans that best fit their needs and interest, all offered within the context of recovery and support for their integration into the broader community.

b-2. The input of persons with mental illness and other special needs shall be considered as a critical component in every special needs housing policy, plan and program.

b-3. Affordable housing initiatives, especially for persons with mental illness or other special needs, shall be developed with a full understanding of the profound impact of poverty on individuals' ability to maintain permanent housing.

b-4. Affordable housing initiatives for persons with mental illness or special needs shall be developed and operated with a full understanding that, for many individuals,

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mental illness is a chronic condition, requiring ongoing treatment and support services, and that most individuals with severe and persistent mental illness do not have adequate, sustained access to such services. The lack of adequate, long-term services and treatment contribute to housing instability for people with mental illness or special needs.

b-5. The community's commitment to providing housing for mental illness or special needs requires the development of a sustainable infrastructure for coordination of financial resources, attraction of high-quality developers, and the maintenance of effective permanent housing options.

b-6. Housing developments serving people with mental illness or other special needs shall be subject to the same level of zoning regulation and review as all other housing developments.

b-7. Regulatory barriers to the cost-effective development and operation of permanent housing for people with mental illness or other special needs existing at the federal, state, county or city level need to be eliminated.

b-8. Resources beyond those made available by better coordination of existing local, state and federal resources are necessary for offering the best special needs housing possible; additional resources, especially funding to address supportive services, need to be developed.

3. COMPOSITION. The commission shall be comprised of 16 members:

a. The director of the department of administration or his or her designee.

b. The executive director of the housing authority of the city of Milwaukee or his or her designee.

c. A common council member appointed by the president of the common council.

d. The director of the Milwaukee county department of administrative services or his or her designee.

e. The director of the Milwaukee county department of health and human services or his or her designee.

f. A Milwaukee county supervisor appointed by the county board chair.

g. 2 members representing the philanthropic foundation community, one appointed by the mayor and confirmed by the

common council; the other appointed by the Milwaukee county executive and confirmed by the board of supervisors.

h. 2 members representing the Milwaukee continuum of care, one appointed by the mayor and confirmed by the common council; the other appointed by the Milwaukee county executive and confirmed by the board of supervisors.

i. 2 members representing mental health advocacy organizations, one appointed by the mayor and confirmed by the common council; the other appointed by the Milwaukee county executive and confirmed by the board of supervisors.

j. 2 mental health consumers appointed by the administrator of the Milwaukee county division of behavioral health.

k. A citizen representative appointed by the mayor and confirmed by the common council.

L. A business representative appointed jointly by the Milwaukee county executive and the county board chair.

4. TERM OF OFFICE. a. Term. Commission members shall serve terms of 3 years, with the first terms beginning January 1, 2008, and expiring December 31, 2010.

b. Reappointment. Members of the commission may be reappointed.

c. Vacancy. When a vacancy occurs in the commission, the appointing authority shall make an appointment within 60 days after the vacancy occurs. A vacancy shall be filled for the unexpired term in the same manner as the original appointment.

5. ORGANIZATION. a. Meetings. The commission shall meet at least quarterly and may meet at such additional times as the commission determines or its chair directs. The commission shall elect from the commissioners a chair and vice-chair. A majority of the commissioners shall constitute a quorum for meetings of the commission. Commissioners shall receive no compensation for their services as commission members unless expressly provided for by ordinance or resolution.

b. Rules. The commission may adopt rules, guidelines and criteria to assist the commission in carrying out its responsibilities. In the absence of a commission rule to the contrary, the provisions of Robert's rules of order, latest edition, shall govern the proceedings of the commission.

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6. OPEN MEETINGS. All meetings of the commission shall be publicly held and open to all citizens at all times in accordance with subch. V of ch. 19, Wis. Stats.

7. STAFFING. The housing authority of the city of Milwaukee and the Milwaukee county department of health and human services shall provide staff assistance to the commission.

8. REPORTS. The commission shall submit a written annual report of its activities under this section to the common council and the mayor.

320-25. Fourth of July Commission. There is created a Fourth of July commission consisting of 11 members appointed by the mayor. Nine members on the commission shall serve staggered 3-year terms. Two seats on the commission shall be reserved for active members of 2 park associations. On a rotating basis, a representative from 2 different park associations shall be selected to sit on the commission for a term of one year. These association representatives shall serve as liaisons to the associations and shall have full voting rights on the commission, but shall not be eligible for election as commission officers. No park association representative may serve more than one consecutive term. The department of city development shall provide staff support to the commission. The commission shall provide suitable activities for the celebration of the Fourth of July in the city.

320-27. Safety Commission. 1. CREATION. There is created a safety commission consisting of 9 members appointed by the mayor for staggered 3-year terms and confirmed by the common council. Two-thirds of the members shall be residents of the city who hold no other public office or public employment. One-third of the members shall be representatives of private sector agencies and organizations providing public safety education and injury prevention training.

2. OFFICERS. The safety commission shall select from among its members a chair, vice-chair and secretary. It shall be the duty of the secretary to call meetings of the commission, to keep minutes of its meetings and accounts, and to advise city officials as to the work and recommendations of the commission.

3. POWERS AND DUTIES.

a. General. a-1. It shall be the duty of the safety commission to investigate, advise and report to the mayor, common council, police department and commissioner of public works and other city officials concerning the best methods of providing for the safety and convenience of the public in matters of safety and to give the greatest possible publicity as to safety precautions. The matters of safety under the review of the commission shall include, but not be limited to, motor vehicle, pedestrian, bicycle, water, fire and firearm safety and accidental poisoning.

a-2. The commission is authorized to establish advisory committees to assist the commission in carrying out its duties.

b. Crossing Guards. The commission shall serve in an advisory capacity to the police department relating to the establishment of standards for and the placement of school crossing guards pursuant to s. 312-23-1.

c. Coordination. The commission shall be responsible for the coordination of citywide cooperative public safety actions involving public and private agencies and organizations.

d. Report. Each year, and with the assistance of the police department and department of public works, the commission shall prepare and submit to the common council 3 reports:

d-1. A report on motor vehicle traffic accident trends. This report shall include, but not be limited to, comprehensive accident data, a narrative interpreting the data and a listing of the locations of all traffic fatalities.

d-2. A report containing data, including tables, charts or maps, highlighting locations with high accident frequencies in the previous calendar year.

d-3. A report summarizing the status of the matters the safety commission has the responsibility under par. a to review. The reports shall include, but not be limited to, recommendations on appropriate actions necessary or advisable to be taken by the various departments, boards, commissions or agencies or by the mayor and common council to reduce the rates of accident occurrences, and comparisons and analyses of citywide public safety actions over time to determine the extent of progress being made to reduce and eliminate the public safety matters.

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320-28. Transit Stop Technical Committee.

There is created a transit stop technical committee consisting of 3 members: the city engineer or his or her designee, a representative from Milwaukee Transport Services, Inc., and a citizen member appointed by the public works committee chair. The committee shall approve all locations for the receiving and discharging of passengers of common carriers. The citizen member shall be appointed no later than 60 days after the third Tuesday in April in even-numbered years to a 2-year term expiring on the third Tuesday of April 2 years thereafter. When a vacancy occurs in the citizen member position the appointing authority shall make an appointment within 60 days after the vacancy occurs.

[Pages 363-364 are blank]

**SUBCHAPTER 4
COMMITTEES**

320-31. City Information Management Committee.

1. COMPOSITION. There is created a city information management committee consisting of 10 members:

- a. One member of the common council appointed by the common council president who shall be the chair of the committee.
- b. The mayor.
- c. The city comptroller.
- d. The city treasurer.
- e. The city clerk.
- f. The director of administration.
- g. The city librarian.
- h. The commissioner of public works.
- i. The fire chief.
- j. The police chief.

1.3. DESIGNEES Each official listed in sub. 1-b to j may appoint a designee to serve in place of the official on the committee. Designees for officials listed in sub. 1-c to h shall be in pay ranges 1G to 1P or 2KX to 2NX. Designees for the fire chief or police chief shall be in pay range 1G to 1P, 2KX to 2NX or 4M to 4R.

1.5. ALTERNATIVES. Each member of the committee, except the common council member, may name an alternate. Alternates shall meet the same salary grade requirements as provided in sub. 1.3

2. DEFINITIONS. In this section:

- a. "Archives" means noncurrent records with permanent administrative or historical value.
- b. Committee means the city information management committee.
- c. "Records" means any material on which written, printed, drawn, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created by, kept in custody of, under control of, or filed with any department, agency, board, commission, officer or employe of the city except library materials kept for public use or examination. "Record" includes, but is not limited to handwritten, typed or printed pages, maps, charts, photographs, films, recordings,

tapes (including computer tapes), computer printouts and any machine-readable record.

3. DUTIES. The committee shall:

a. Recommend policies to the mayor and the common council for the management of the city's information resources, including but not limited to access, distribution, documentation, security and appropriate use.

b. Assist the chief information officer in the implementation of the department of administration's information technology and management responsibilities.

b-1. Promote a citywide vision for information and technology management through the coordination and effective management of information technology resources.

b-2. Review and recommend approval of the citywide information technology strategic plan submitted by the chief information officer.

b-3. Review the chief information officer's reports on progress toward achieving the goals established in the strategic plan.

b-4. Assist the chief information officer in analysis of and recommendations on information technology issues.

c. Promote intergovernmental sharing of information resources.

d. Promote the use of the city's information resources to improve the policymaking process and administration of city government.

e. Promote public access to the city's information resources.

f. Provide guidelines for development and maintenance of a city records management program including standards for creation, distribution, organization, maintenance, use and disposition of all city records.

g. Promote implementation and maintenance of records management programs within city departments including development of safeguards against unauthorized use or removal of city records.

h. Analyze and survey records of city departments, agencies, boards and commissions and set up systems for the preservation, retention and disposition of such records.

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i. Disseminate records management information to city departments to facilitate training of department personnel in records management.

j. Review and approve, reject or modify departmental requests for retention, transfer to inactive storage and final disposition of city records, including retention of records in some form other than the original record and including the storage of vital city records at the alternate site of city government.

k. Provide guidelines for the operation of the city records center, which shall provide the following services for all city departments: storage, retrieval and disposition of city records; central imaging and microfilming services; and maintenance of secure and non-secure structure plans.

L. Transfer to the city archives at the city records center or the Milwaukee public library records of historical interest that are no longer needed for the proper administration of city business.

m. Promulgate rules and regulations for the effective administration of this section.

4. LENDING OF CITY RECORDS. Any city department or agency may lend any of the records over which it is the custodian to any entity it deems fit. All loans shall be governed by written agreements negotiated by the department or agency and the borrowing entity. All such agreements shall be approved by the committee and shall indemnify and hold the city harmless for any loss, damage or destruction of city property lent under the agreement.

5. RECORDS TO REMAIN CITY PROPERTY. All records shall remain the property of the city and shall be preserved, stored, transferred, destroyed, disposed of or otherwise managed in accordance with this section and the laws of the state of Wisconsin. No record shall be destroyed, transferred out of the control of the city or otherwise disposed of without the approval of the committee. The committee may approve the transfer of title, custody and control of noncurrent records that are no longer needed for administrative purposes by the city to the state historical society.

6. STAFFING. The department of administration shall provide staff support to the committee. The chief information officer shall serve as its executive secretary. The city

attorney shall designate an assistant city attorney to be present at all meetings of the committee.

7. TASK FORCES. The committee may create task forces to recommend policy issues for committee action, review policies proposed by the committee, assist the chief information officer in the implementation of policies established by the common council, and coordinate the development and use of related information resources.

320-33. Skywalk Design Committee.

1. CREATION. There is created a skywalk design committee consisting of 9 members: the chair of the common council's zoning and development committee or alternate, who shall serve as chair of the committee; the chair of the historical preservation committee or a designee; the chair of the city plan commission or a designee; a member of the city plan commission appointed by the common council president; the planning manager in the department of city development; the superintendent of buildings and fleet services or a designee; the chair of the space, air and subterranean space structures lease committee or a designee; a representative of the downtown business improvement district (#21), appointed by the president of the common council; and the chair of the building owners management association or a designee. The city clerk's office shall staff the committee. The terms of the member of the city plan commission and the representative of the downtown business improvement district shall expire at the end of the common council term in which those members were appointed.

2. DUTIES. The committee shall evaluate each proposed skywalk design and make recommendations to the common council concerning the final development agreement for each proposed skywalk. The committee shall make its recommendations to the common council not more than 30 days after each proposed development agreement has been introduced to the common council.

320-35. Disabled Employees Placement Appeal and Advisory Committee.

1. CREATION. There is created a disabled employees placement appeal and advisory committee, which is attached to the department of employe relations. The committee shall consist of 5

members, with one representative from each of the departments of city attorney, health and public works, and 2 representatives from the department of employe relations. The director of employe relations shall appoint the committee chair.

2. DUTIES. The committee shall resolve employe placement problems with respect to placing injured city employes in positions they are qualified to perform within the employes' physical and mental limitations.

320-37. Anti-graffiti Policy Committee.

1. COMPOSITION. There is created an anti-graffiti policy committee consisting of 7 members serving 2-year terms:

a. Four members appointed by the common council president, of which a minimum of two members shall be members of the common council.

b. One representative of the mayor's office.

c. Two citizen members appointed by the mayor.

d. The common council president and the mayor shall make their appointments pursuant to pars. a and c within 60 days after assuming office; and then within 60 days following 2 years of assumption of office. If a vacancy occurs in a committee position, the president or the mayor, as the case may be, shall make an appointment within 60 days after the vacancy occurs.

e. The common council president shall also designate the committee chair and vice-chair.

2. DUTIES. The committee shall develop and monitor plans to coordinate citywide graffiti removal efforts with respect to residential, commercial and governmental entities; and programs designed to reduce the proliferation of graffiti.

3. STAFFING. The city clerk's office shall provide staff assistance to the committee with additional assistance from other departments as needed. All city departments are directed to cooperate with the committee and provide assistance whenever the committee so requests.

4. REPORTS. The committee shall submit a written annual report to the common council and the mayor.

320-41. Charter School Review Committee.

1. ESTABLISHMENT. The Milwaukee charter school review committee is established as provided in this section.

2. PURPOSE. The purpose of the committee is to assist the city, through its common council, with establishment and regulation of charter schools, pursuant to s. 118.40, Wis. Stats., as amended, and ch. 330.

3. COMPOSITION. a. The committee is comprised of the following 7 members:

a-1. Three members appointed by the common council president and subject to common council confirmation.

a-2. Three members appointed by the mayor and subject to common council confirmation.

a-3. The comptroller, who shall serve ex officio, or the comptroller's designee.

b. The members of the committee shall include broad representation from Milwaukee's educational community and other interested and affected segments of the community.

4. TERM OF OFFICE. a. Each appointed member shall serve at the pleasure of the appointing authority for a 3-year term, unless terminated earlier, or until his or her successor is appointed. Members of the committee may be reappointed.

b. A vacancy shall be filled for the unexpired term in the same manner as the original appointment.

5. ORGANIZATION. a. The committee shall select a chair and vice-chair and may select such other officers as it sees fit.

b. The committee may adopt rules, guidelines and criteria to assist the committee in carrying out its responsibilities.

c. In the absence of a committee rule to the contrary, the provisions of Robert's rules of order, latest edition, shall govern the proceedings of the committee.

6. POWERS AND DUTIES. a. The committee is charged with the responsibility of reviewing applications for charter school status pursuant to s. 118.40, Wis. Stats., as amended, and ch. 330, making findings for each application, making recommendations to the common council for approval of

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applications, making regular reports about the charter school program, performing ongoing review of the financial, educational, staffing and facility status of charter schools, investigating and making recommendations to the common council concerning possible termination of contracts and revocation of charters, and adopting rules, guidelines and criteria to assist the committee in carrying out its responsibilities.

b. The committee shall establish, subject to approval by the common council, and shall file with the legislative reference bureau:

b-1. Guidelines for applicants, including reasonable application periods, time periods and deadlines for submission of applications and correction of deficiencies in applications.

b-2. Criteria for approval of applications.

c. The committee shall:

c-1. Establish guidelines for members to govern ethical issues, including conflicts of interest, particularly with respect to review and recommendations of applications.

c-2. Establish rules and guidelines specifying the technical requirements for applications which, if not met, render an application technically deficient.

c-3. Obtain the services of a technical reviewer.

c-4. Establish written educational, experience and other job qualifications for the position of technical reviewer to review charter school applications pursuant to s. 330-9. Such job qualifications shall include provisions to avoid conflicts of interest and the appearance of conflicts of interest.

c-5. Create all necessary application and other forms and modify them as needed.

c-6. Hear and decide appeals filed by unsuccessful charter school applicants under s. 330-19.

c-7. Be responsible for continuing oversight and ongoing review of the financial, educational, staffing and facility status of charter schools.

c-8. Investigate and make findings and recommendations concerning possible termination of charter school contracts and revocation of school charters.

c-9. Serve as a clearinghouse for all information requests received from common council members relative to charter school entities.

d. The committee may:

d-1. Obtain the services of experts, advisors and such other persons whom the committee finds necessary in accomplishing its responsibilities.

d-2. Adopt rules for the conduct of its hearings and for its procedures not in conflict or inconsistent with s. 118.40, Wis. Stats., as amended, or ch. 330.

d-3. Establish such standing or ad hoc subcommittees as it deems necessary to carry out its responsibilities.

d-4. Recommend to the common council the establishment of reasonable application fees for charter school applicants and reasonable oversight fees for charter schools, and an amount for such fees which is sufficient to defray the actual and necessary costs that the committee incurs in fulfilling its responsibilities under ch. 330 and this section.

d-5. Take any other action that it finds necessary or useful in fulfilling its responsibilities under ch. 330 and this section.

7. STAFFING. The department of administration shall provide staff assistance to the committee. All city departments and agencies are directed to cooperate with the committee and provide assistance whenever the committee so requests.

8. REPORTS. The committee shall annually provide a written report of its activities to the common council and the mayor and shall report more frequently as the committee, the common council or the mayor may find proper.

320-43. Frank P. Zeidler Public Service Award Selection Committee.

1. CREATED. a. There is created the Frank P. Zeidler public service award selection committee consisting of:

a-1. The mayor or the mayor's designee.

a-2. One common council member, appointed by the common council president.

a-3. One community member, appointed by the common council president.

a-4. One community member, appointed by the mayor.

a-5. One member representing the Frank Zeidler center for public discussion.

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b. The common council president shall designate the committee chair and vice-chair.

c. Each member shall serve a 2-year term.

2. DUTIES. a. The committee shall determine the nomination procedure, nomination criteria, selection process and criteria, type of award and award presentation for the Frank P. Zeidler public service award, which may be an annual award that recognizes up to 2 city residents, who are not elected officials, that best exemplify Frank P. Zeidler's legacy of social justice and civic accomplishment.

b. The committee shall develop the selection criteria for such award and submit its report to the common council for approval.

3. STAFFING. The city clerk's office shall provide staff assistance to the committee.

320-45. Youth Council. **1. CREATION.** There is created a city youth council, which is attached to the office of the city clerk, to serve and advance the interests of city youth as a representative body in city government through a working partnership with the common council and the mayor.

2. COMPOSITION. The youth council shall be comprised of 15 members, one residing in each aldermanic district. Each youth council member shall:

a. Currently attend high school or alternative school, or demonstrate the intent to attend a high school or alternative school.

b. Be committed to improving the lives of all the young people of Milwaukee.

3. SELECTION. The city clerk's office shall be responsible for recruitment of individuals to serve on the youth council. Nominations shall be submitted annually no later than October 1 to the common council for confirmation. No person shall be nominated who is scheduled to graduate before the end of the term for which he or she is being nominated.

4. TERM OF OFFICE. a. All youth council members shall take an oath of office before beginning their terms.

b. Members shall serve a term from November 1 to October 31 of the following year.

c. A member shall continue to serve until he or she resigns or is replaced.

d. Vacancies shall be filled for unexpired terms of 120 days or more in the same manner as original appointments.

5. OFFICERS AND RULES. a. The youth council shall elect a president and vice-president for one-year terms and may select such other officers as it provides by rule.

b. The youth council may adopt rules to assist the council in carrying out its responsibilities.

c. The president may appoint youth council members and other interested parties to serve on committees.

d. In the absence of a youth council rule to the contrary, the provisions of Robert's rules of order, latest edition, shall govern the proceedings of the council.

6. DUTIES AND POWERS. a. The youth council shall:

a-1. Participate in the operation of programs as specifically authorized or directed by the common council, including such programs as may be financed in whole or in part by city financial contributions used to carry out a particular youth council program or accomplish a particular youth council goal.

a-2. Assess and evaluate community needs and resources relative to the protection and promotion of city youth and communicate those assessments and evaluations to the common council and mayor.

a-3. Encourage and assist in studies designed to evaluate and recommend changes in laws, policies, procedures and practices for the purpose of improving community conditions and promoting wholesome youth development.

a-4. Receive program proposals from youth groups within the city.

a-5. Recommend funding allocations for the execution of program proposals authorized by the common council.

b. The president may designate representatives to attend community forums and meetings.

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7. STAFFING. a. The office of the city clerk shall provide staff assistance to the youth council and the selection committee and maintain the records of both bodies.

b. All city departments and agencies shall cooperate with the youth council and assist the youth council to achieve its objectives.

8. REPORTS. The youth council shall annually provide a written report of its activities to the common council and the mayor and shall report more frequently as the youth council, the common council or the mayor may find proper.

9. FUNDING. Ten percent of annual city community development block grant reprogramming dollars shall be allocated to support the recommendations for youth service activities and objectives. The city shall create, administer, and audit all revenue and expenditure accounts related to the youth council according to city budget and accounting standards and procedures.

10. OVERSIGHT. The common council shall review all programs and contracts proposed for funding by the youth council and may reject any youth council decision by a majority vote.

320-47. Sister Cities Committee.

1. ESTABLISHMENT: PURPOSE. The sister cities committee is created to assist the city, through its common council, with the establishment and maintenance of sister city relationships pursuant to Sister Cities International regulations.

2. COMPOSITION. The sister cities committee shall consist of 5 members:

a. The chair of the community and economic development committee, who shall serve as chair of the committee.

b. A representative from the mayor's office.

c. A representative of the International Institute of Wisconsin, appointed by the common council president. This member need not be a city resident.

d. A public member, appointed by the common council president.

e. The health commissioner or his or her designee.

3. TERM OF OFFICE. Members appointed pursuant to sub. 2-c and d shall serve a 2-year term.

4. RULES. The committee may adopt rules, guidelines and criteria to assist the committee in carrying out its responsibilities.

5. POWERS AND DUTIES. The sister cities committee shall:

a. Establish guidelines for applicant sister cities, including reasonable expectations from the relationships.

b. Review requests and make recommendations pursuant to the Sister Cities International guidelines.

c. Investigate and make recommendations to the common council concerning possible establishment, termination and maintenance of sister city relationships.

d. Oversee and review the status of sister city relationships.

e. Serve as a clearinghouse for all information requests received from common council members relative to sister city agreements.

6. STAFFING. The city clerk's office shall provide staff assistance to the committee. All city departments and agencies shall cooperate with the committee and provide assistance whenever the committee so requests.

7. REPORTS. The committee shall annually provide a written report of its activities to the common council and the mayor and shall report more frequently as the committee, the common council or the mayor may find proper.

320-49. Capital Improvements Committee.

1. ESTABLISHMENT. There is created the capital improvements committee to develop, maintain and update a long-term capital improvements program for the city's construction and maintenance of its infrastructure and facilities.

2. COMPOSITION. a. The committee shall be comprised of the following members:

a-1. The commissioner of public works or alternate.

a-2. The department of administration budget and management director or alternate.

a-3. The comptroller or alternate.

a-4. The chair of the public works committee or alternate.

a-5. The chair of the finance and personnel committee or alternate.

a-6. The common council president or alternate.

a-7. A public member appointed by the mayor for a 3-year term and confirmed by the common council.

b. The common council president shall designate the chair of the committee.

3. DUTIES. The committee shall:

a. Develop a prioritized 6-year capital improvements program based on anticipated construction and maintenance of infrastructure and facilities for all departments under control of the common council. Following development, this 6-year capital improvements program shall be reviewed and adopted by the common council.

b. Establish criteria upon which a determination as to the priority of each capital program or project for the construction and maintenance of infrastructure and facilities may be based to include, but not be limited to:

b-1. The effect of a program or project on the achievement of any strategic objective that the mayor has submitted to the capital improvements committee for its consideration.

b-2. The interrelationship of each capital program with other capital programs.

b-3. The effect of each project on replacement cycles, condition ratings, operating and maintenance expenses, and other indicators of infrastructure system performance.

b-4. Each project's relationship to the city's "smart growth" plan pursuant to s. 16.965(4), Wis. Stats., and any area or other development plans that the common council has approved, with emphasis upon the 6-year capital improvements program.

b-5. The capacity of a program's or project's funding level to fit within funding and debt service targets, as determined by the committee.

c. Establish a priority for each project within the program based upon the established criteria.

d. Secure supporting data and justification for proposed projects, arrive at accurate cost estimates and secure from city

departments a list of services and facilities and a projection of operating costs related to each construction project.

e. Monitor completion of the capital improvements program as contained in the annual budget.

4. REPORTS. a. By February 1 annually, the committee shall:

a-1. Submit to the common council for its information the 6-year program and its total estimated construction and maintenance costs, the effect of the total costs upon estimated tax levies and debt service, and recommendations concerning financing of the program.

a-2. Prepare a report describing the condition of the city's infrastructure and facilities and the adequacy of the effort level made by the city to preserve such infrastructure and facilities and eliminate any deferred capital maintenance. Infrastructure networks and facilities comprising this report shall include the following systems: city sewerage, streets, street lights, traffic control, underground conduit and wired communications, water treatment and distribution, city buildings, bridges, alleys, sidewalks, parking, harbor and urban forestry. Information provided shall include replacement cycles, condition ratings, operating and maintenance expenses, and other appropriate quantitative measures of condition.

b. Based on capital budget recommendations submitted by city departments and within such guidelines as may be established from time to time by the common council, submit to the department of administration budget and management division a requested capital improvements budget for the construction and maintenance of infrastructure and facilities for the ensuing fiscal year not later than the 2nd Tuesday in May of each year, such request to be acted upon as are requests for all other parts of the total budget under control of the common council. This requested capital improvements budget shall be accompanied by narrative explaining how and to what extent this capital budget serves to implement the 6-year capital improvements program.

c. Prepare quarterly progress reports, with emphasis on the status of projects in relation to their predetermined construction schedule, for submission to the common council.

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5. STAFFING. Staff for the capital improvements committee shall be provided by the city clerk's office. Salaries required for capital improvements administration, along with supporting supplies, equipment and administrative costs shall be provided annually out of capital improvement funds. All city departments and agencies shall cooperate with the committee and provide assistance whenever the committee so requests.

Boards, Commissions and Committees 320—(HISTORY)

**LEGISLATIVE HISTORY
CHAPTER 320**

Abbreviations:

am = amended
cr = created

ra = renumbered and amended
rc = repealed and recreated

rn = renumbered
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
Ch. 320	cr	881930	3/7/89	3/25/89
320-2	cr	051188	1/18/2006	2/4/2006
320-4	cr	051188	1/18/2006	2/4/2006
320-5	cr	041443	3/16/2005	4/2/2005
320-6	cr	071144	1/15/2008	2/2/2008
320-11-3	am	912458	5/26/92	6/12/92
320-11-3	rn to 320-11-3-a	960372	6/25/96	6/29/96
320-11-3-b	cr	960372	6/25/96	6/29/96
320-11-3-b	rc	051188	1/18/2006	2/4/2006
320-11-6	rn to 320-11-6-a	081475	3/3/2009	3/20/2009
320-11-6-b	cr	081475	3/3/2009	3/20/2009
320-11-6-c	cr	081475	3/3/2009	3/20/2009
320-11-6-d	cr	081475	3/3/2009	3/20/2009
320-12	cr	891614	1/16/90	2/3/90
320-12-1	am	912412	5/26/92	6/12/92
320-12-1	am	930431	7/27/93	8/13/93
320-12-1	am	051188	1/18/2006	2/4/2006
320-12-2-j	cr	930431	7/27/93	8/13/93
320-12-2-j	rp	010687	9/25/2001	10/12/2001
320-12-3-c	am	971464	2/10/98	2/27/98
320-12-3-c	rp	020593	11/8/2002	1/1/2003
320-12-3-d	am	941797	6/6/95	6/23/95
320-12-3-d	am	971464	2/10/98	2/27/98
320-12-3-d	rp	020593	11/8/2002	1/1/2003
320-12-3-e	rn to 320-12-3-c	020593	11/8/2002	1/1/2003
320-12-3-f	rn to 320-12-3-d	020593	11/8/2002	1/1/2003
320-12-4-a	am	081746	6/16/2009	7/3/2009
320-12-4-b	am	081746	6/16/2009	7/3/2009
320-12-4-c	cr	081746	6/16/2009	7/3/2009
320-13	rp	920982	11/20/92	12/20/92
320-13	cr	930663	9/28/93	10/15/93
320-13	rp	060775	11/10/2006	1/1/2007
320-13-3-b	am	891160	9/25/90	10/12/90
320-15-1	rc	091312	2/9/2010	2/26/2010
320-15-3	cr	060586	9/26/2006	10/13/2006
320-16	cr	101220	2/8/2011	7/1/2011
320-16-1-a	am	110090	5/24/2011	6/14/2011
320-16-1-b	am	110090	5/24/2011	6/14/2011
320-16-1-e	cr	110206	5/24/2011	7/1/2011
320-16-1-f	cr	110206	5/24/2011	7/1/2011
320-16-2	am	111233	1/18/2012	2/4/2012
320-17	cr	971477	1/20/98	4/7/98
320-17-1	rc	111325	2/7/2012	2/24/2012
320-17-1	rc	111485	4/11/2012	4/28/2012
320-17-1-a-7	am	051188	1/18/2006	2/4/2006
320-17-1-a-8	am	051188	1/18/2006	2/4/2006
320-17-1-a-9	am	051188	1/18/2006	2/4/2006
320-17-1-b	am	051188	1/18/2006	2/4/2006
320-17-1-c	am	051188	1/18/2006	2/4/2006
320-17-1-e	rc	051188	1/18/2006	2/4/2006

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320-19	cr	040858	11/3/2004	11/20/2004
320-19	rp	111485	4/11/2012	4/28/2012
320-19-1	am	041442	2/22/2005	3/11/2005
320-19-1	rc	051188	1/18/2006	2/4/2006
320-19-3	rp	070109	5/8/2007	5/25/2007
320-19-4	rn to 320-19-3	070109	5/8/2007	5/25/2007
320-19-5	rn to 320-19-4	070109	5/8/2007	5/25/2007
320-20	cr	051188	1/18/2006	2/4/2006
320-21	am	941719	3/8/95	3/25/95
320-21	rp	030983	12/19/2003	1/13/2004
320-21	cr	090276	7/28/2009	1/1/2010
320-22	cr	960231	7/12/96	7/31/96
320-22-3	rc	991684	2/29/2000	3/17/2000
320-22-3-a-0	am	011497	3/5/2002	3/22/2002
320-22-3-a-0	am	041442	2/22/2005	3/11/2005
320-22-3-a-15	cr	011497	3/5/2002	3/22/2002
320-22-3-a-16	cr	011497	3/5/2002	3/22/2002
320-22-3-b	am	011497	3/5/2002	3/22/2002
320-22-3-c	cr	991898	4/11/2000	4/29/2000
320-22-3-c	rc	051188	1/18/2006	2/4/2006
320-22-4	rc	011497	3/5/2002	3/22/2002
320-22-4-a	rc	991684	2/29/2000	3/17/2000
320-22-4-a	rc	051188	1/18/2006	2/4/2006
320-22-4-b	rc	991684	2/29/2000	3/17/2000
320-22-6	rn to 320-22-7	970465	7/11/97	7/30/97
320-22-6	cr	970465	7/11/97	7/30/97
320-23	rn from 2-309	881930	3/7/89	3/25/89
320-23	rc	961342	12/19/96	1/31/97
320-23	rc	970945	11/25/97	12/16/97
320-23-1	am	001458	2/27/2001	3/16/2001
320-23-2-0	am	001458	2/27/2001	3/16/2001
320-23-3-i	am	912458	5/26/92	6/12/92
320-23-5	rp	941797	6/6/95	6/23/95
320-24	cr	070721	9/25/2007	10/12/2007
320-25	am	090766	11/3/2009	11/20/2009
320-26	rp	920986	10/30/92	12/20/92
320-26-1	am	890787	10/10/89	10/28/89
320-27	rc	040134	7/7/2004	7/24/2004
320-27-1	rc	040788	2/1/2005	2/18/2005
320-27-1-0	rn to 320-27-1	090950	12/22/2009	1/9/2010
320-27-1-a	rp	090950	12/22/2009	1/9/2010
320-27-1-b	rp	090950	12/22/2009	1/9/2010
320-27-3-0	am	040788	2/1/2005	2/18/2005
320-27-3-a	am	040788	2/1/2005	2/18/2005
320-27-3-b	rc	040788	2/1/2005	2/18/2005
320-27-3-c	rn to 320-27-3-d	040788	2/1/2005	2/18/2005
320-27-3-c	cr	040788	2/1/2005	2/18/2005
320-27-3-d-0	am	040788	2/1/2005	2/18/2005
320-27-3-d-3	cr	040788	2/1/2005	2/18/2005
320-27.5*	cr	892294	5/8/90	5/25/90
320-28	cr	891619	1/16/90	2/3/90
320-28	rp	030983	12/19/2003	1/13/2004
320-28	cr	051188	1/18/2006	2/4/2006
320-28-1	am	901415	12/21/90	1/12/91
320-29	cr	891790	1/16/90	2/3/90

* Note: 320-27.5 became null and void after 7/31/95 (sunset provision) per the provisions of File #892294.

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320-29	rn to 304-27.5	111233	1/18/2012	2/4/2012
320-29-3-e	cr	950106	5/16/95	8/2/95
320-29-3-e	rn to 320-29-3-f	950106	5/16/95	8/2/95
320-29-3-e*	rn to 320-29-3-f	030701	11/5/2003	11/22/2003
320-29-3-e*	cr	030701	11/5/2003	11/22/2003
320-29-3-e	rn to 320-29-3-f	040130	6/15/2004	7/2/2004
320-29-3-e	cr	040130	6/15/2004	7/2/2004
320-29-3-f	rn to 320-29-3-g	970623	7/25/97	8/13/97
320-29-3-f	cr	970623	7/25/97	8/13/97
320-29-3-f**	rn to 320-29-3-g	030701	11/5/2003	11/22/2003
320-29-3-f	rn to 320-29-3-g	040130	6/15/2004	7/2/2004
320-29-3-g	rn to 320-29-3-h	991247	11/29/99	1/1/2000
320-29-3-g	cr	991247	11/29/99	1/1/2000
320-29-3-g**	rn to 320-29-3-h	030701	11/5/2003	11/22/2003
320-29-3-g	rn to 320-29-3-h	040130	6/15/2004	7/2/2004
320-29-3-h	rn to 320-29-3-i	000974	11/10/2000	1/1/2001
320-29-3-h	cr	000974	11/10/2000	1/1/2001
320-29-3-h***	rn to 320-29-3-i	030701	11/5/2003	11/22/2003
320-29-3-h	rn to 320-29-3-i	040130	6/15/2004	7/2/2004
320-29-3-j***	rn to 320-29-3-j	030701	11/5/2003	11/22/2003
320-29-3-i	rn to 320-29-3-j	040130	6/15/2004	7/2/2004
320-29-4	am	970623	7/25/97	8/13/97
320-29-4	am	000974	11/10/2000	1/1/2001
320-29-4	am	020593	11/8/2002	1/1/2003
320-29-5	rn to 320-29-6	000974	11/10/2000	1/1/2001
320-29-5	cr	000974	11/10/2000	1/1/2001
320-29-6	rn to 320-29-7	000974	11/10/2000	1/1/2001
320-31	cr	941527	3/8/95	3/25/95
320-31	rc	030767	10/14/2003	10/31/2003
320-31	rc	040630	9/21/2004	10/8/2004
320-31-1-0	am	041396	2/22/2005	3/11/2005
320-31-1-a-0	am	950052	5/16/95	6/3/95
320-31-1-a-0	am	980411	7/24/98	8/12/98
320-31-1-a	am	060323	7/12/2006	7/29/2006
320-31-1-a	rc	111340	2/28/2012	3/16/2012
320-31-1-a-1	am	950052	5/16/95	6/3/95
320-31-1-a-1	am	980411	7/24/98	8/12/98
320-31-1-b	rc	111340	2/28/2012	3/16/2012
320-31-1-b-3	cr	960240	6/4/96	6/21/96
320-31-1-c	rc	111340	2/28/2012	3/16/2012
320-31-1-d	rc	111340	2/28/2012	3/16/2012
320-31-1-e	rc	111340	2/28/2012	3/16/2012
320-31-1-f	rc	111340	2/28/2012	3/16/2012
320-31-1-g	rc	111340	2/28/2012	3/16/2012
320-31-1-h	cr	041396	2/22/2005	3/11/2005
320-31-1-h	rc	111340	2/28/2012	3/16/2012
320-31-1-i	cr	041396	2/22/2005	3/11/2005
320-31-1-i	am	090665	10/13/2009	10/30/2009
320-31-1-i	rc	111340	2/28/2012	3/16/2012
320-31-1-j	cr	041396	2/22/2005	3/11/2005
320-31-1-j	am	090665	10/13/2009	10/30/2009

*Note: 320-29-3-e became null and void after 5/22/2004 (sunset provision) per the provisions of File #030701.

**Note: 320-29-3-g and h reverted to 320-29-3-f and g, respectively, as of 5/23/2004 (sunset provision) per the provisions of File #030701.

*** Note: 320-29-3-i and j reverted to 320-29-3-h and i, respectively, as of 5/23/2004 (sunset provision) per the provisions of File #030701

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320-31-1-j	rc	111340	2/28/2012	3/16/2012
320-31-1.3	cr	111340	2/28/2012	3/16/2012
320-31-1.5	cr	110258	7/6/2011	7/23/2011
320-31-1.5	am	111340	2/28/2012	3/16/2012
320-31-2-b-0	am	010687	9/25/2001	10/12/2001
320-31-2-c	am	010687	9/25/2001	10/12/2001
320-31-3-b	rn to 320-31-3-c	041396	2/22/2005	3/11/2005
320-31-3-b	cr	041396	2/22/2005	3/11/2005
320-31-3-c	rn to 320-31-3-d	041396	2/22/2005	3/11/2005
320-31-3-c	rc	041396	2/22/2005	3/11/2005
320-31-3-d	rn to 320-31-3-e	041396	2/22/2005	3/11/2005
320-31-3-e	rn to 320-31-3-f	041396	2/22/2005	3/11/2005
320-31-3-f	rn to 320-31-3-g	041396	2/22/2005	3/11/2005
320-31-3-g	rn to 320-31-3-h	041396	2/22/2005	3/11/2005
320-31-3-h	rn to 320-31-3-i	041396	2/22/2005	3/11/2005
320-31-3-i	rn to 320-31-3-j	041396	2/22/2005	3/11/2005
320-31-3-j	rn to 320-31-3-k	041396	2/22/2005	3/11/2005
320-31-3-k	rn to 320-31-3-L	041396	2/22/2005	3/11/2005
320-31-3-L	rn to 320-31-3-m	041396	2/22/2005	3/11/2005
320-33	am	971310	12/16/97	1/8/98
320-33	rp	040630	9/21/2004	10/8/2004
320-33	cr	051501	3/23/2006	4/11/2006
320-33-1	am	960235	6/4/96	6/21/96
320-33-1	am	971310	12/16/97	1/8/98
320-33-1	am	991247	11/29/99	1/1/2000
320-33-1	am	091312	2/9/2010	2/26/2010
320-33-2	am	901245	11/27/90	12/15/90
320-33-3.1	cr	991067	11/9/99	11/24/99
320-33-4-g	am	901245	11/27/90	12/15/90
320-33-5	cr	901245	11/27/90	12/15/90
320-33-5	rp	961316	12/17/96	1/9/97
320-37	cr	960233	6/4/96	6/8/96
320-37-1-0	am	051188	1/18/2006	2/4/2006
320-37-1-a	rc	040630	9/21/2004	10/8/2004
320-37-1-c	am	040630	9/21/2004	10/8/2004
320-37-2	am	051188	1/18/2006	2/4/2006
320-37-3	am	971310	12/16/97	1/8/98
320-39	cr	961805	4/22/97	5/9/97
320-39	rp	000024	6/1/2000	6/8/2000
320-41	rp	911075	9/24/91	10/11/91
320-41	cr	971759	5/5/98	5/14/98
320-41-4-a	am	051188	1/18/2006	2/4/2006
320-41-4-c	rp	051188	1/18/2006	2/4/2006
320-43	rp	951007	12/19/95	1/13/96
320-43	cr	060541	9/26/2006	10/13/2006
320-43	am	071252	2/5/2008	2/22/2008
320-43-2-a	am	090469	9/22/2009	10/9/2009
320-43-2-c-1	am	891611	12/19/89	1/13/90
320-45	cr	040220	7/7/2004	7/24/2004
320-45	rc	070141	5/20/2008	6/7/2008
320-45-2-0	am	091288	6/15/2010	7/1/2010
320-45-3	rc	091288	6/15/2010	7/1/2010
320-45-4-b	rc	091288	6/15/2010	7/1/2010
320-45-4-d	am	091288	6/15/2010	7/1/2010
320-47	cr	050290	9/27/2005	10/14/2005
320-47-2-c	am	060228	6/20/2006	7/8/2006
320-49	cr	081215	3/3/2009	3/20/2009

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320-49-2-b	rc	090090	5/27/2009	6/13/2009
320-49-5	am	090090	5/27/2009	6/13/2009
320-49-5	rc	090592	11/6/2009	1/1/2010

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