

City of Whitewater Memorandum

To: City of Whitewater Common Council
From: Attorney Jonathan K. McDonell
Date: 12/31/2024
Re: Temporary Appointments to Ensure Quorum: Applicability of Whitewater Ordinance 2.08.130

Below is a list relating to Whitewater Ordinance 2.08.130 regarding temporary appointments to ensure a quorum for city boards, committees and commissions. The following list details whether or not it is permitted to appoint a Common Council member under 2.08.130 for the corresponding board, committee, or commission:

Permitted

Alcohol Licensing Committee

- The committee is comprised of three council members, so appointing an alternate council member is proper.

Board of Review

- The board consists of five members, including the city manager, the city clerk (nonvoting), and council members serving the second year of their term. An alternate council member can be appointed but only in place of an absent council member.

Community Development Authority

- An alternate council member can be appointed but only in place of an absent council member.

Community Involvement and Cable TV Commission

- An alternate council member can be appointed but only to fill the role of the absent Common Council member.

Disability Rights Commission

- Alternates may be appointed.

Finance Committee

- The committee consists of three council members, so an alternate council member may be appointed.

Landmarks Commission

- One member is a council member, and six are community members. An alternate council member may be appointed for an absenter member.

Library Board

- An alternate may be appointed but only to fill the role of the absent Common Council member.

Plan and Architecture Review Commission

- Allowed if both the regular council member and alternate city council member are unable to attend, as per the ordinance.

Police and Fire Commission

- Allowed pursuant to Wis. Stat. § 62.13, which specifies the commission must consist of five citizen members. Council members are considered citizens.

Public Works Committee

- The committee consists of three council members, so an alternate council member may be appointed.

Permitted with Limitations

Parks and Recreation Board

- Alternates can be appointed but cannot replace non council ex officio members, including the district administrator and the university chancellor (or their designees).

Urban Forestry Commission

- An alternate may be appointed for an absent one of the five citizen members but is not permitted to replace ex officio members.

Not Permitted

Board of Zoning Appeals

- Current members of the Common Council and/or Plan Commission cannot serve as members of the Board of Zoning Appeals per the ordinance.

Ethics Committee

- Elected officials or employees are not eligible for appointment per the ordinance.