

Waupun Common Council  
Special Meeting Minutes – December 19, 2018

Acting-Mayor Westphal calls the meeting to order at 4:32pm.

Council members in attendance on roll call: Vossekul, Mielke, Vanderkin, and Westphal. Nickel, Kaczmarski, Matoushek are absent and excused.

City Department Staff in attendance: Attorney VandeZande, Clerk Hull, Chief Loudon. Those absent and excused are Administrator Schlieve, Chief Demaa, Public Works Director Daane, Recreation Director Kaminski, Finance Director Oosterhouse, Utility General Manager Posthuma, and Library Director Jaeger.

No audience is in attendance.

On July 24, 2018 the Waupun Common Council adopted Ordinance 18-03 for the creation of Chapter 27 entitled Municipal Court. This ordinance provided for the City of Waupun to join with other jurisdictions to the City of Beaver Dam Municipal Court.

WI Statutes Ch.755.01(4) entitled Municipal Court- Option of municipality states:

“Two or more cities, towns or villages of this state may enter into an agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1), except that for purposes of this subsection, any agreement under s. 66.0301 shall be effected by the enactment of **identical ordinances by each affected city, town or village**. Electors of each municipality entering into the agreement shall be eligible to vote for the judge of the municipal court so established. If a municipality enters into an agreement with a municipality that already has a municipal court, **the municipalities may provide by ordinance or resolution** that the judge for the existing municipal court shall serve as the judge for the joint court until the end of the term or until a special election is held under s. 8.50 (4) (fm). **Each municipality shall adopt an ordinance or bylaw** under sub. (1) prior to entering into the agreement. The contracting municipalities need not be contiguous and need not all be in the same county. Upon entering into or discontinuing such an agreement, the contracting municipalities shall each transmit a certified copy of the ordinance or bylaw effecting or discontinuing the agreement to the appropriate filing officer under s. 11.0102 (1) (c) and to the director of state courts. When a municipal judge is elected under this subsection, candidates shall be nominated by filing nomination papers under s. 8.10 (6) (bm), and shall register with the filing officer specified in s. 11.0102 (1) (c).”

Adopted Ordinance 18-03 was provided to the director of the courts. In reviewing the City’s ordinance, the Court stipulated that the City’s ordinance is not identical to that of the other jurisdictions, as they specifically list each municipality by name.

Ordinance 18-11 is before the Council for consideration to amend Chapter 27 entitled Municipal Court to specifically list the other municipalities who are also in the joint agreement with the City of Beaver Dam Municipal Court. These municipalities are City of Beaver Dam, Town of Beaver Dam, Village of Neosho, Town of Rubicon, and the Town of Ashippun.

Motion Vanderkin, second Mielke to waive the first reading and adopt Ordinance 18-11 an Ordinance to amend Chapter 27 of the Municipal Code entitled Municipal Court. Motion carried 4-0 on roll call.

Motion Vanderkin, second Mielke to call the meeting adjourned at 4:35pm. Motion carried 4-0.

Angela Hull, Clerk