



AN ORDINANCE: By Committee of the Whole  
Re: Amending Code Section 2-178 revising the quorum requirements and authority of the Board of Public Works and providing for the time and location of regular Board meetings.

ORDINANCE NO. 2014-15  
Introduced: August 18, 2014  
Committee/Commission Action:  
**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

**Section 1.** Section 2-178 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

### **Sec. 2-178. Board of Public Works.**

- (a) *Composition and attendance.* The Board of Public Works shall be composed of the Mayor, City Attorney, Directors of Public Works, Finance, Community Development, and two Aldermen who are also members of the Public Services and Safety Committee. The Mayor shall serve as Chair of the Board and one of the Alderman members shall serve as Vice-Chair. In addition to the members of the Board, the Board may compel the attendance of any City department head or officer necessary for the Board to complete its work.
- (b) *Meeting and quorum.* The Board shall meet at the call of the Mayor or at the request of any two Aldermen and a majority of its members, including at least one aldermanic member, shall constitute a quorum for conducting business. The Board may establish a regular meeting time in addition to any on-call meetings.
- (c) *Jurisdiction and duties.* The Board shall implement and supervise the annual capital improvement program for the City as recommended by the Public Services and Safety Committee and approved by the Council. In addition, it shall have the duties assigned to the Board by Wis. Stat. § 62.14. The Council shall approve all Board recommendations before they go into effect, unless otherwise directed or delegated by the Council.
- (d) *Public works contracts.* The Board shall supervise the bidding of public works projects and recommend the award of public works contracts to the Council and review the same; it shall approve contract change orders and approve

interim contract payments; it shall review and recommend action to the Council on contract final payments. It shall regularly report any change orders approved to the Council. Change orders on public works contracts which increase the original contract price by 15% or more require Council approval.

- (e) *Development agreements.* The Board shall review the terms of proposed development agreements involving the development of land within the City of Neenah to insure consistency with the ordinances and policies adopted by the Council.

**Section 2. Noncodified Provision: Meeting Time & Place.** Regular meetings of the Board of Board of Public Works should be held in the Hauser Room at least thirty minutes prior to the regular meeting of the Public Services and Safety Committee.

**Section 3. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 4. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Ald. Ramos/Pollnow  
Adopted: 9-0 August 18, 2014  
Approved: August 18, 2014  
Published: August 25, 2014

Approved:



Dean R. Kaufert, Mayor

Attest:



Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:  
City Attorney James G. Godlewski  
211 Walnut Street  
Neenah, WI 54956  
State Bar No. 1005210