



CITY OF WAUWATOSA

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COMMUNITY DEVELOPMENT COMMITTEE MEETING

Tuesday, December 11, 2007

PRESENT: Alds. Birschel, Didier, Donegan, Herzog, Krill, Meaux, Minear, Treis -8

ALSO J. Archambo, City Admin.; A. Kesner, City Atty.; N. Welch, Community Dev. Dir.;

PRESENT: Alds. Maher, Grimm

Ald. Treis as Chair called the meeting to order at 8:08 p.m.

Conditional Use – 11430 W. Blue Mound Road

The committee reviewed a request by Nick Griswold and Desiree Scherdin for a Conditional Use for a wellness center including massage therapy in the AA Business District at 11430 W. Blue Mound Road. The Plan Commission unanimously recommended approval with hours of operation from 8 a.m. to 10 p.m. Jim Scherdin, 6334 W. Cedar Street, was present representing the applicant, who currently operates a wellness center in Brookfield.

Moved by Ald. Krill, seconded by Ald. Donegan to recommend to Council approval of the Conditional Use. Ayes: 8

Proposal to Reduce the Size of the Common Council

Following a Common Council hearing on December 4, the committee resumed discussion of the proposal by Ald. Herzog to reduce the size of the Common Council from 16 to 10 alderpersons. The City Administrator noted that he has provided a memo that updates information provided in September and a 2003 article from "The Wisconsin Taxpayer."

Ald. Maher cited a finding in "The Wisconsin Taxpayer" article of a relationship between county board size and per capita spending and that larger boards with fewer constituents per member can help keep spending in check. He then provided a summary showing per capita spending by council size in comparably sized cities based on data from the League of Municipalities and reported that he found no statistical relationship or direct effect between spending per capita and council size. When talking to professional public administration associations about more effective government, he said, the arguments are more along the lines of structure. There has been an historical tendency throughout the nation to move from mayor-council to manager-council forms of government in which the manager's role is execution of policy and the council's role is to make policy. He provided a handout from the National Association of City and County Managers titled "Council-Manager Government" and commented that this is something to think about when trying to identify the most effective means by which to execute policy.

Ald. Krill said that consideration should also be given to the structure that better represents the community, and he asked if separation of powers is any less important at this level than at higher levels. Ald. Maher said he believes it is different in that the role in municipalities is not so much one of making laws but of executing policy. Although manager-council government is the only form in which the executive is not elected, it has been working quite well for over 100 years and there is a tendency for most rapidly growing communities to have that form. It does not seem that size of the governing body is directly attributable to efficiency in terms of lowering costs. If the question is how to best execute policy, a change in structure should be considered.

Ald. Herzog pointed out that the question of structure—mayor-council vs. manager-council—was not properly noticed as a part of this agenda item. The question tonight is only reducing the size of the council.

Brian Randall, 2602 N. 88th Street, spoke of the traditions and expectations citizens have for city government and said that having two representatives per district provides appropriate coverage to meet those expectations. Although there have been references to downsizing done at other levels of government, he noted that county supervisors all have at least one professional, paid staff assistant. If the Council's numbers are cut, it is possible that future needs would require hiring some professional support staff, negating any savings. The ability to attract candidates for office is also a consideration. The Council represents a broad diversity of people in the city, and its own diversity in such areas as age, sex, and employment is an important element. Government should be a deliberate and purposeful process, and this Council does a very good job of that. Issues are not railroaded through with winks and nods but are given a fair shake. In addition, with two representatives serving staggered terms, citizens have the ability to execute change every two years. Referring to the current \$4,200 per year salary, Mr. Randall felt that an increase would be appropriate if the number of alderpersons decreases, also affecting savings. He said that Wauwatosa is most comparable to Brookfield in terms of the size of their council (14) versus population (39,740) and in what residents expect. Although Wauwatosa is landlocked, there is much development going on and there are opportunities for population increases. The more voices there are the better residents can be served.

Ald. Birschel was concerned about quorum issues with smaller council committee sizes. He also referenced the apparently low level of resident interest. He commented that the fact that the two representatives of a district cast opposing votes on an issue does not mean there is no representation. He reported finding that representatives in communities with a small council do tend to serve for a long period of time; there is very little turnover and they are very powerful. Size seems to drive the turnover, which has been a good thing for Wauwatosa. He later commented that, if going to 10 alderpersons, they should cover five districts, two per district, so that there is coverage in the event of a death, resignation, etc.

Ald. Herzog said that he did not include any pay increase in his proposal; the salary would be the same but the number would be reduced from 16 to 10. In 2012, The alderpersons elected in 2010 would serve two-year terms so that all 16 terms expire in 2012, at which time all 16 positions would be up for re-election to 10 seats and district lines could be redrawn based on the 2010 census. Three members would be needed for a quorum on the two major five-member committees. The minor committees would have three members. Alderpersons take their jobs seriously, and there have been only one or two times when a quorum has been lacking for a council committee. The proposal can be approved at this point or sent to referendum.

Ald. Krill commented that no one has come forward with any significant reason for a change nor is there a ground swell in favor but almost a complete lack of interest by the public. The burden of proof is on those who want the change. This issue has helped him realize the effectiveness of the 16-member council. The spending cap discussion last week was a textbook example of how well the system works in terms of the type of discussion that took place. The more opinions there are the better it is. He noted that the Council had 16 members when portions of the city were first annexed and the population was smaller. Population then rose somewhat and has since decreased. We have a fine tradition of people coming forward to do this job regardless of the amount paid and can be proud of having a system that works.

Asked about process for making a change, Mr. Kesner said that there is no city ordinance requiring two members per district. It is the default under state statute, which says that it can be changed by a two-thirds vote of the members of the Common Council. It is not clear in the statutes that a referendum could be binding on this issue. It could be put to an advisory referendum.

Ald. Didier noted that very few residents are here on most issues. She has received input from residents on this proposal. She commented on the need to make government more efficient. With less people, we would

see efficiencies in the discourse and how meetings are run. She disagreed with Ald. Krill's assessment of the previous Council meeting.

Ald. Minear said he received a lot of calls in the past two weeks on many subjects and, although it wasn't their primary topic, most callers did want to talk about reducing the Council's size. With 10 members, each person would still be representing fewer citizens than in most other local communities. Having a single representative in each district may actually raise the bar and make alderpersons more responsive. It may also generate more interest in running and bring in more committed people. Ald. Minear favored moving this issue forward to Council or referendum.

Ald. Krill said that going smaller raises the danger and the possibility that four very active members with an ally in the mayor's office could gain control of city government. Having 16 assures more balanced representation.

Ald. Donegan said he remains undecided and wants to hear from other members, especially those who are more experienced. He would lean toward a smaller council precisely because the city may need a more powerful and effective council that can form consensus easier. Having a strong council that hired a professional administrator to whom department heads report, we seem to pretty much have a council-manager system with a weak mayor who acts as a tie breaker. With 16 votes, the council's strength is diluted, however, and the \$4,200 salary makes it difficult for a lot of people to commit an appropriate amount of time. That creates a vacuum of power that is filled by the professional administrative staff, which is probably what was desired—the Council provides oversight. The city has been run very well, Ald. Donegan said, but he foresees some crises in the near future, largely financial, that would require a more powerful council.

Ald. Meaux commented that without eight members this committee would not have had the same level of discourse tonight. He would like this proposal to move forward; he believes more discussion is needed. He is not willing and it is not possible to simply "try this for size," and he was concerned about going to an advisory referendum.

Moved by Ald. Krill, seconded by Ald. Meaux to reject the proposal
to reduce the size of the Common Council –

Ald. Herzog said that this information has been on the table for months and there is no more available than what has already been provided. This proposal would not take effect until 2012, so in theory we would have until 2010 to change back to what we have now if it is somehow found to be a drastic mistake.

Noting his long tenure on the Council, the Chair said that Wauwatosa has one of the finest systems of any in the area and it is running very efficiently. We have cross-checks and coverage in case of illness, death, or resignations. He acknowledged that population is dropping but noted that there has been an increase in the number of households that each alderperson represents. This city does not run on the dictates of one district but on the basis of 16 alderpersons elected by the public, and he is opposed to tinkering with that number.

Roll call vote on the motion, Ayes: 4; Noes: 4 (Didier, Donegan,
Herzog, Minear)

The meeting adjourned at 9:32 p.m.

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Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin