

RULES OF PROCEDURE

APPOINTMENT REVIEW COMMITTEE

CITY OF БЕЛОIT, WISCONSIN

July, 1997

Committee Members

Mary Nickolette	Florence Mishler
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TABLE OF CONTENTS

ADMINISTRATION	2
CREATION	2
REGULAR/SPECIAL MEETINGS	2
AGENDA	3
DUTIES OF CHAIRPERSON, VICE-CHAIR, SECRETARY	3
ACCESS TO RECORDS	3
RECRUITMENT/APPLICATION PROCESS	4
QUALIFICATIONS OF APPLICANTS	4
SELECTION PROCESS	5
SELECTION CRITERIA	5
RECOMMENDATIONS	5
REJECTION OF APPLICANTS	5
REMOVAL OF COMMITTEE MEMBERS	6
CRITERIA FOR REMOVAL	6
PUBLIC HEARINGS	6
DECISION	7
AMENDMENTS - RULES OF ORDER	8

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Part I
ADMINISTRATION

1.01 CREATION - APPOINTMENT REVIEW COMMITTEE The Appointment Review Committee (hereinafter the "Committee") is created by Section 1.49 of the Code of General Ordinances of the City of Beloit for the purpose of nominating citizens to serve on City boards, committees and commissions. The Committee consists of seven (7) members appointed by the City Council.

1.02 ANNUAL MEETING The Committee shall hold an annual meeting on the 2nd Monday in January of each year at 4:30 p.m.

1.03 REGULAR MEETING

(A) Regular meetings shall be held on the second Monday of each month at 4:30 p.m. If that day is a legal holiday, the regular meeting shall be held on the next date available for a majority of members.

(B) If there are no items on the agenda or there is a known lack of a quorum, the Chairperson, or the Secretary at the Chairperson's direction, may unilaterally cancel the meeting by notifying each Committee member. The Chairperson, or the Secretary at the Chairperson's direction, shall also notify the public and the media of any such cancellation.

1.04 SPECIAL MEETINGS Special meetings may be held on call of the Chairperson or written request by any three (3) Committee members.

1.05 LOCATION OF MEETINGS All Committee meetings shall be held in the City Manager's Conference Room, 4th floor, 100 State Street, or at a location designated in the meeting notice/agenda.

1.06 PUBLIC NOTICE OF MEETINGS

(A) Annual and Regular Meetings. Public notice shall be given seventy-two (72) hours in advance of each annual and regular meeting.

(B) Special Meetings. Public notice shall be given at least twenty-four (24) hours in advance of each special meeting.

(C) Content of Notice. Public notice of each meeting shall be in writing and shall specify the date, time and place of the meeting and the business to be conducted at the meeting. No other business shall be conducted at the meeting.

1.07 AGENDA The agenda of items of business for each meeting shall be prepared by the Chairperson and the Secretary. The agenda for a regular or annual meeting shall be closed at noon on the Wednesday preceding the meeting. The agenda for a special meeting shall be closed twenty-four (24) hours prior to the meeting. A copy of each agenda shall be sent to the City Clerk and City Manager.

1.08 QUORUM Five (5) members shall constitute a quorum sufficient to transact business. A fewer number may adjourn any meeting.

1.09 VOTING A majority vote shall be necessary to adopt any motion, resolution or other proposed action.

1.10 OFFICERS The Committee shall elect a Chairperson and Vice-Chairperson at the Committee's initial meeting and thereafter at the Committee's annual meeting. They shall hold office until the next annual meeting. The City Personnel Analyst shall act as Secretary to the Committee.

1.11 DUTIES OF CHAIRPERSON/VICE-CHAIRPERSON

The duties of the Chairperson shall be to preside over all meetings of the Committee and to receive written charges filed against a commission member. In the event of the absence or disability of the Chairperson, the Vice-chairperson shall

1.12 DUTIES OF SECRETARY

The Secretary shall conduct all correspondence of the Committee; send out all notices required by law, ordinance, these rules or as requested by the Committee; prepare and keep records and minutes of the Committee's proceedings showing all important facts pertaining to each meeting and hearing.

1.12 MINUTES The Secretary shall be the custodian of the records of the Committee and keep minutes of all meetings. The minutes of each meeting and hearing shall be signed by the Chairperson and Vice-Chairperson. A copy of the minutes shall be provided to each member as soon after each meeting as is possible.

1.13 ACCESS TO RECORDS The minutes and records of meetings shall be open for public inspection, excluding executive session minutes until such time as the subject matter is made public. Th meeting minutes and records shall be retained by the City Clerk.

Part II
RECRUITMENT/APPLICATION PROCESS

2.01 RECRUITMENT EFFORTS Recruitment efforts shall be comprised of:

- (A) Council President's announcement at Council meetings of all Committee vacancies,
- (B) Volunteer campaign promotion through local media: newspapers, radio stations, cable television public access station,
- (C) Increased availability of applications for appointment by placing at City facilities and businesses
- (D) Promotion letters with application forms to various area organizations,
- (E) Application forms in tax statements,
- (F) Recognition of those appointed and those who have served

2.02 QUALIFICATIONS OF APPLICANTS Every applicant for appointment to a municipal committee shall:

- (A) Maintain primary residence within the City limits, unless otherwise stipulated by committee ordinance.
- (B) Indicate their interest in serving by completing an approved application form. All applications shall be processed through the Personnel Department. Incomplete applications shall be grounds for rejection. Failure to complete the appropriate supplemental application form shall result in rejection of the application. Rejected applicants shall be notified of the reason therefore. Applications shall be maintained and considered valid for two (2) years from the date of receipt.
- (C) Provide supporting information through a detailed resume or letter of reference, of their qualifications and interest.
- (D) Incumbents may request reappointment through the staff person, which should advise incumbent of renewal qualifications (e.g. No incumbent may serve more than two full consecutive terms unless the original appointment was for a four or five year term in which case only one term is permitted unless otherwise provided for by ordinance.)

Part III
SELECTION PROCESS

3.01 SELECTION CRITERIA The following selection criteria shall be reviewed, when appropriate, in order to ensure a fair and equitable process:

- (A) Expertise of the candidate in areas critical to successful performance of Committee-related duties as outlined within Committee ordinances. This information may be gathered by the appropriate committee chairperson and forwarded to the Appointment Review Committee for consideration.
- (B) Community involvement,
- (C) Freedom from conflict(s) of interest,
- (D) Educational background,
- (E) Vocational background,
- (F) Availability,
- (G) Committee preferences identified in the application,
- (H) Balance between Committee representation and the total population based upon demographics: age, sex, economic status, race or ethnic background and interests.

3.02 RECOMMENDATIONS Final recommendations are forwarded to the City Council for approval.

- (A) A preference will be given to incumbents who are eligible to serve again.
- (B) The Committee shall compare the selection criteria to the information obtained from a candidate's application.
- (C) The Committee may request additional input from the appropriate committee chairperson regarding the desirable qualifications of applicants and particular needs of the committee.
- (D) Adequate consideration will be given to all applicants, no selection will be hastily made. Selections may be laid over until the next regular meeting if additional information is required.
- (E) Recommendations are sent to the City Council members prior to the regular meeting. This notice will include information regarding the reason for the vacancy and the qualifications of the successful candidate.

3.03 REJECTION OF APPLICANTS

If for any of the above reasons an applicant is not considered to be qualified, the Committee staff person shall notify the applicant in writing. That applicant will be encouraged to apply for other committees as appropriate.

Part IV
REMOVAL OF COMMITTEE MEMBERS

4.01 CRITERIA FOR REMOVAL

(A) Any municipal committee member who misses more than 25% of the regular meetings during any year of his or her term shall be subject to removal from the commission.

(B) Any municipal committee may remove any member for cause. Prior to such action, the commission shall prepare a written complaint setting forth the facts that constitute cause. The complaint shall be approved by a majority of the members of the commission. The member charged in the complaint shall either resign or request a public hearing on the complaint before the Appointment Review Committee.

4.02 PUBLIC HEARINGS If a member charged as outlined above requests a hearing, the Appointment Review Committee shall conduct a public hearing to determine whether the allegations of the complaint are true.

(A) A complaint setting forth charges may be filed against a member by the Chair, or by a member of the Committee or by the Committee as a body. Such charges shall be in writing, shall be signed by the Complainant and shall state that the Complainant believes the charges to be true. If a Complaint is made in whole or in part upon information and belief, the sources of such information and belief shall be stated, including the names and addresses of witnesses having knowledge. Such information, including names and addresses of witnesses, may be embodied in a separate statement and filed with the charges. The charges shall identify the person complained about, specify the date and place of the alleged offense and specify the rule or other provision of law violated. Such charges shall be filed with the Chairperson of the Appointment Review Committee.

(B) Upon the filing of charges as above provided, the Committee may then conduct a preliminary investigation, as it sees fit. If in the judgment of the Committee the charges do not appear to come within the jurisdictional powers of the Committee or there is no basis for the charges, the charges may be dismissed forthwith.

(C) Following the filing of the Complaint in any case, a copy thereof shall be sent to the person charged. The Committee shall set a date for Hearing not less than 10 days nor more than 30 days following service of the Complaint.

(D) Prior to the hearing, each party will provide the other party with a list of witnesses they intend to call to prove the allegations of the Complaint, copies of or access to documents and other exhibits they intend to use at the Hearing. Parties shall not be prevented from calling witnesses whose names are not included on the lists for good cause shown. The names of witnesses. Access to exhibits discovered after the lists are exchanged shall be provided to the opposing party within a reasonable time frame. Neither part will be required to call all of the witnesses listed on their witness lists.

4.03 HEARING PROCEDURES

At the Hearing, the Complainant shall present evidence first. After each of the Complainant's witnesses testifies, the Respondent may cross-examine the witness. After all of the Complainant's witnesses testify, the Respondent may testify and call witnesses to testify. They shall be subject to cross-examination following their testimony. Members of the Committee may question any witness at any time. The Chairperson shall rule on questions of evidence. After all witnesses have testified, each party may make a statement to the Committee. The Complainant shall speak first.

4.04 TESTIMONY

Generally, any witness may testify regarding matters about which the witness has personal knowledge under usual administrative evidentiary procedure. Witnesses may be asked questions intended to show whether or not they should be believed. Only upon application to the Committee for good and sufficient cause shown may either party request that depositions be taken of witnesses unable to attend the hearing.

4.05 DECISION

After hearing all the evidence and the statements of the parties, the Commission may retire into closed session(s) to deliberate. Within three (3) days of the close of the adjourned hearing, the Appointment Review Committee shall enter written findings of fact and furnish copies of those findings to the member charged and to the commission.

If the Committee makes a determination adverse to the member charged, that member may appeal the decision to the City Council.

Part V
AMENDMENTS - RULES OF ORDER

5.01 AMENDMENT OF RULES

These rules shall not be changed, amended or repealed unless the amendment is introduced at a regular meeting and the same is laid over for consideration to the next meeting.

5.02 ROBERTS' RULES OF ORDER

The rules of parliamentary practice comprising Roberts' Rules of Order Revised shall govern the proceedings of the Committee in all cases to which they are applicable, if not inconsistent with any special rule adopted for the government of the Committee or contrary to the laws of the State of Wisconsin.