

Item 24-0972: Resolution #8-R-24 to Require a Super Majority Vote on Wheel Tax or Wheel Tax Related Fee Increases

Common Council

Wed, Sep 04, 2024 7:00PM

Mayor Jake Woodford 46:39

We'll move along to the next item held. This is item 24-0972 resolution 8-R-24 to require a super majority vote on wheel tax or wheel tax related fee increases. We do have a motion and a second. That will open the floor for discussion. All right. Alder Croatt.

Aldersperson Chris Croatt (District 14) 47:09

Thank you, Mayor. I'm glad we're going to finally take this up and hopefully make a decision on this tonight. Just wanted to say a few things about the reason why I brought this type of resolution forward. As, you know, we make important financial and budgetary decisions throughout the year, sometimes the bar is set higher for those votes, and we just took one on the Valley Transit funding and grant funds, which required a two thirds vote. Of course, it was unanimous, but important decisions like that have a higher bar.

Aldersperson Chris Croatt (District 14) 47:45

The other reason why I brought this forward, as everyone recalls, I hope, that the vote of the council was very, very close. It was, I believe, an eight to seven vote. And one of the things that I thought of after that vote was all of the conversations that I had with not only my constituents but citizens of Appleton in regards to the increase on the wheel tax, and this super majority resolution is asking for a two thirds vote, and I have to have to share that I believe the feedback that I received was well over three fourths from the citizens. And we're elected to represent the constituents in our districts and in my district, I was hearing overwhelmingly that to not support the wheel tax increase.

Aldersperson Chris Croatt (District 14) 48:35

So that that those are the reasons why I brought this forward. And I hope, I hope, because of the impact that this can have on taxpayers and also the Appleton budget that we do set a bar higher in this case and make it make it a two thirds vote. Thank you.

Mayor Jake Woodford 48:52

Alder Firkus.

Aldersperson Brad Firkus (District 3) 48:54

Thank you, Mayor. When this item appeared before committee, I had asked Attorney Behrens two questions. One was the vote threshold to pass this resolution which is a simple majority. And then also, if a future council want to revoke this, go back to a simple majority for the wheel tax actions, how many votes would that take? That would also take a simple majority. The way I look at this item, it's really low stakes, because a future Council can just come in and change this rule with a simple majority and take action on the wheel tax in the future with a simple majority. So that—really don't have a strong argument for how people vote tonight because future councils are going to deal with this in the manner they see fit. All I ask is that if we do talk to people after this, and it does pass, that we're honest that this doesn't really, really stop a simple majority from changing the wheel tax in the future. Thank you.

Mayor Jake Woodford 49:51
Alder Hartzheim.

Aldersperson Sheri Hartzheim (District 13) 49:53

Thank you, Chair. In my mind, this resolution is not to stop something from happening like a future council from doing something. It's to start a robust discussion about what are the important things to our constituents, and the wheel tax is very important. Any budgetary action that is taken in this council requires a two thirds vote, so I think that at the very least, wheel tax should apply to that as well. To Alder Firkus point, a future Council can come in here at any point in time and make any change to anything so using that as an excuse not to make this change to better affect our constituents, I think, is a poor excuse. Thank you.

Mayor Jake Woodford 50:45

Any further discussion? Hearing none we—Alder Fenton.

Aldersperson Denise Fenton (District 6) 50:52

I'm sorry.

Mayor Jake Woodford 50:53

Go ahead.

Aldersperson Denise Fenton (District 6) 50:54

May I direct this—or you can refer it to Attorney Behrens. So, my question is, with respect to some of the budget items that we just approved, is not some of that defined by state statute in how councils operate?

Mayor Jake Woodford 51:16

Attorney Behrens.

Attorney Christopher Behrens 51:19

Correct. Some requirements are statutory in nature, but where there isn't a statutory requirement, the council has the option to set their own voting requirements whether it's simple majority or two thirds, three fourths, yeah.

Aldersperson Denise Fenton (District 6) 51:38

So, may I follow up?

Mayor Jake Woodford 51:39

Please.

Aldersperson Denise Fenton (District 6) 51:40

So, in actuality, a future Council can't just come and change everything. Is that true?

Attorney Christopher Behrens 51:49

What do you mean by everything?

Aldersperson Denise Fenton (District 6) 51:50

In other words, any anything that is mandated by state statute, a future Council can't come in and change that. We can't arbitrarily say that for actions like we just took on the budget amendments, we can't arbitrarily change that to a simple majority, because we've got some state statutes there.

Attorney Christopher Behrens 52:08

Correct. The statutes require two thirds vote. You can't make that a simple majority.

Aldersperson Denise Fenton (District 6) 52:13

Okay. Thank you.

Mayor Jake Woodford 52:16

Any further discussion? Alder van Zeeland.

Aldersperson Katie Van Zeeland (District 5) 52:20

Thank you, Chair. Most of these discussions occurred without me, as I wasn't able to make the meeting. So, I think it's important that my constituents know where I stand on this. I appreciate Alder Croatt bringing this forward so that we could have this discussion. I spoke with him shortly after the passage of the wheel tax increase and told him that I shared his frustration, that I'd strongly consider anything that he would bring forward, but ultimately I thought about what the issues were, why it was reacting so strongly to the passage of this resolution, and it was because there wasn't a written plan for the funding. I felt it was giving our constituents unrealistic expectations, etc, the economic outlook, and, ultimately, I just felt that the author of the resolution didn't want to address these issues, and that's not something that adding your—more bureaucracy is going to fix here. I still feel very strongly that this wasn't the right thing to do, but half of this chamber is up for election every single year, and I think that's where we'll see what the citizens think about this. So, I would encourage my—alders to vote against this. This is—if I could just ask, this is, was for set for approval, correct?

Mayor Jake Woodford 53:55

Yes.

Aldersperson Katie Van Zeeland (District 5) 53:55

So, could we have the vote notwithstanding?

Mayor Jake Woodford 54:00

Yes. That's fine.

Aldersperson Katie Van Zeeland (District 5) 54:02

So, I would advise other alders to take a look at this and vote against it. Thank you.

Aldersperson Chris Croatt (District 14) 54:15

With standing when it came out of committee on a three one to approve?

Mayor Jake Woodford 54:21

Alder van Zeeland?

Aldersperson Katie Van Zeeland (District 5) 54:22

I'm sorry, I thought it came out to not be approved.

Mayor Jake Woodford 54:25

Oh, no, it did—

Aldersperson Katie Van Zeeland (District 5) 54:26

Oh, okay.

Mayor Jake Woodford 54:26

I heard—yeah. I heard you say with with—

Aldersperson Katie Van Zeeland (District 5) 54:29

Yeah. That's what I meant was was—that's why I thought it should—so—

Mayor Jake Woodford 54:33

Effectively it is, effectively, it is anyway. So.

Aldersperson Katie Van Zeeland (District 5) 54:36

Like I said, I wasn't here. So.

Mayor Jake Woodford 54:38

All good.

Aldersperson Katie Van Zeeland (District 5) 54:39

Thank you.

Mayor Jake Woodford 54:39

All right. Alder Croatt, you're next.

Aldersperson Chris Croatt (District 14) 54:42

Thank you. I was just going to ask about that, but I'm a little bit unclear about the comment about not wanting to address the issues. I don't want to get too far into the weeds on this, but part of what I was hearing about the presentation of the increase of the wheel tax was I don't want to say inaccurate data, but an angle that made people think it was we—if we don't do this, we're going to have to do this. And that was not the case. So, I was not afraid to address any issues that came up regarding the wheel tax and answered all the questions that were asked of me. So, thank you.

Mayor Jake Woodford 55:20

Alder van Zeeland.

Aldersperson Katie Van Zeeland (District 5) 55:21

Thank you, Chair. My apologies, Alder Croatt, I was talking about the author of the wheel tax resolution.

Mayor Jake Woodford 55:30

Alder Smith.

Aldersperson Martyn Smith (District 4) 55:31

Yeah, thank you. Thank you, Mayor. I just wanted to—I wanted to say that I think, as a symbolic vote, I think this is good if it would assure people that this was a this was—we raise the wheel tax after 10 years, and it isn't something that is going to be on our plate in the next few years, and I, I feel confident about that, and so I don't have a huge objection to this. But at the same time, I guess I'm constitutionally wary of resolutions that would tie our hands or set us down the path to doing other things like this, where we raise—we limit our ability to act on budget matters and things like paying for roads in various ways. And so that makes me negative on this, not

because I have any plans or I think it's going to come up anytime soon to raise the wheel tax, but just because I think it sets a bad precedent for dealing with these kinds of questions that we vote on in the course of ordinary matters.

Mayor Jake Woodford 56:35

Alder Hartzheim.

Aldersperson Sheri Hartzheim (District 13) 56:37

Thank you, Chair. I would just like to disagree respectfully that something that is going to directly affect our constituents this strongly should—it should be a higher bar. There should be more discussion. We should be—not handcuffed; that's an incorrect—that's a negative connotation word. But we should be much more thoughtful about and require a higher bar for something that so directly affects our constituents. Thank you.

Mayor Jake Woodford 57:09

Alder Smith.

Aldersperson Martyn Smith (District 4) 57:10

Yeah, I just want to comment. That thought about handcuffing ourselves, I really don't think as a council we should handcuff ourselves. We see at other levels of government the same problems that come when we kind of we're handcuffed and can't just act in a majority way on issues that come before us. So again, it's not that I think—it's not the wheel tax itself, but it's just kind of the precedent of this that that bothers me a little bit, and why I'll vote against it.

Mayor Jake Woodford 57:42

Any further discussion? We have a motion and a second to approve. Please cast your votes. That motion fails three to 10.