

LINE-BY-LINE JUSTIFICATION

CITY ADMINISTRATOR CHARTER ORDINANCE (FILE 26-0071)

Prepared: February 1, 2026

This document explains the source, rationale, and expert input for each provision of the proposed charter ordinance. Where experts offered differing recommendations, those differences are noted along with how conflicts were resolved. Items identified as suitable for immediate amendment are clearly labeled.

AMENDMENTS EXPECTED AT FEBRUARY 3RD J&A HEARING:

1. Broaden qualifications (Section I(e)) to include military, nonprofit, private sector experience
2. Clarify department head hiring authority (Section I(f)(2)) to respect existing charter ordinances
3. Add WCMA language on subordinate staff authority (Section I(f)(2))
4. Add Council subcommittee to search process (Section VI(b))
5. Correct typo in Section VI(a) - change reference to "Section I(f)"

TITLE

Provision

"A CHARTER ORDINANCE to create Section 20 of Appendix A of the Code of Ordinances of the City of La Crosse creating the position, duties and responsibilities of the Office of the City Administrator and removing duties from the Office of the Mayor."

Source

City Attorney (Stephen Matty)

Rationale

Charter ordinances must follow specific statutory formatting requirements under Wis. Stat.. The title must clearly state both what is being created and what is being removed. This language satisfies that requirement.

Expert Input / Recommendation

No disagreement.

SECTION I(a): OFFICE OF THE CITY ADMINISTRATOR

Provision

Creates the Office of City Administrator to ensure efficient, effective, and responsible government in a context of increasing municipal complexity, while acknowledging La Crosse's structure of a full-time Mayor and part-time Common Council.

Source

UW-Extension presentation (December 2025); consistent with 2024 charter amendment language

Rationale

Establishes the "why" of the ordinance. UW-Extension identified that La Crosse's operational scope has outgrown its current governance structure. The provision explicitly recognizes the city's unique institutional setup.

Expert Input

- UW-Extension: Emphasized administrative complexity as the core justification.
- Department Heads: Questioned whether this was the specific problem being solved

Resolution

Retained UW-Extension framing as it provides clear policy rationale.

SECTION I(b): APPOINTMENT, TERM OF OFFICE, AND REMOVAL

Appointment

Provision

Administrator appointed by majority vote of those present and voting, based on merit and professional qualifications.

Source

Standard municipal management language; validated by WCMA

Rationale

Ensures merit-based hiring using standard Council voting thresholds.

Recommendation

No disagreement.

Term of Office

Provision

Administrator serves under a renewable contract of three (3) to five (5) years.

Source

WCMA best practices; UW-Extension presentation

Rationale

Addresses concerns raised about the 2024 ordinance's indefinite term, which created instability. A fixed contract balances accountability with continuity.

Expert Input

- 2024 Ordinance: Indefinite term
- UW-Extension: Flagged indefinite term as problematic
- WCMA: Typical contracts range from 1–3 years

Recommendation:

A 3–5 year term provides greater stability than WCMA's minimum while avoiding an indefinite appointment.

Removal

Provision

Administrator may be removed by a three-fourths (3/4) vote of the full Council, consistent with contract terms.

Source

City Attorney (Wis. Stat. compliance)

Rationale

2024 ordinance's "Mayor with approval of ¾ of Council" language violated Wis. Stat. This version complies with statute by making removal a Council-only action.

Expert Input

- 2024 Ordinance: "Mayor with approval of ¾ of Council" (legally non-compliant)
- City Attorney: Must be Council-only removal to comply with Wis. Stat.

Recommendation

No disagreement.

SECTION I(c): EVALUATION

Provision

Administrator evaluated jointly by the Common Council and Mayor using agreed-upon performance metrics.

Source

Original drafting, responding to Department Heads' memo (January 2026)

Rationale

Directly addresses the question "How is the Administrator held accountable?" Joint evaluation preserves accountability while ensuring the Mayor has a meaningful role.

Expert Input

- 2024 Ordinance: No evaluation provision
- Department Heads: Requested clarity on accountability
- WCMA: Recommends annual evaluation

Recommendation
No disagreement.

Provision
Council may establish additional employment terms through the Administrator's contract.

Source
Standard municipal practice

Rationale
Clarifies that compensation, benefits, and similar terms are contract-level decisions, not ordinance-level details. Addresses Department Heads' questions about these operational matters.

Recommendation
No disagreement.

SECTION I(d): RESIDENCY

Provision
Administrator must reside within 15 miles of the city within three months of appointment.

Source
City Attorney (Wis. Stat.)
Residency language was provided to ensure statutory compliance. The 15-mile standard mirrors common emergency-personnel requirements.

Expert Input

- 2024 Ordinance: No residency requirement
- City Attorney: Required if residency is imposed; must comply with Wis. Stat.
- Municipal Administrators (informal): Residency requirements can limit candidate pool
- League of Wisconsin Municipalities: Question pending on whether this is advisable

⚠ AMENDMENT-READY NOTE

This provision remains under review pending League of Wisconsin Municipalities guidance.

SECTION I(e): QUALIFICATIONS

Minimum Qualifications

Provision
Bachelor's degree and five (5) years of progressively responsible senior-level municipal or county government experience.

Source
Original drafting

Rationale

Sets a professional baseline while maintaining specificity around public-sector leadership experience.

Expert Input

- 2024 Ordinance: Required prior Administrator/Manager title, which severely limited candidate pool
- Chamber panel & public comment (James Szymalak): Current language may still be too restrictive and exclude qualified candidates from military, nonprofit, state, or private-sector backgrounds. Screening should focus on competencies, not just credential pathways

⚠ AMENDMENT-READY RECOMMENDATION

Broaden qualifications from "municipal or county government experience" to "progressively responsible senior leadership experience in public administration, military, nonprofit, or private sector management" to expand candidate pool while maintaining professional standards.

Preferred Qualifications

Provision

Master's degree preferred (MPA, public finance, business administration, or related field).

Source

Standard professional qualification language

Rationale

Signals professional expectations without disqualifying strong candidates.

Recommendation

No disagreement.

Additional Qualifications

Provision

Council may establish additional qualifications consistent with professional standards.

Source

Original drafting

Rationale

Allows flexibility to tailor searches to evolving city needs without amending the ordinance.

Recommendation

No disagreement.

SECTION I(f): FUNCTIONS AND DUTIES OF THE ADMINISTRATOR

Provision

Administrator serves as the City's chief administrative officer, responsible to the Common Council.

Source

WCMA best practices; standard municipal administrator language

Rationale

Clarifies reporting structure and resolves prior ambiguity about who Administrator reports to.

Expert Input

- UW-Extension: Asked "Who does Administrator report to?"
- Department Heads: Asked "Who does Administrator report to day-to-day?"
- Comparable Cities: Most have Administrator report to Council as body

Resolution

Administrator reports to Council as body (standard practice).

Key Duties (Summary)

1. Supervise department heads (excluding Police, Fire, Library Directors) and collaborate with protected departments

Source

City Attorney (statutory protections) and original drafting

Rationale

Police Chief, Fire Chief, and Library Director have statutory protections under Wisconsin law that limit Administrator's direct supervisory authority. "Collaborate" language ensures coordination without violating statutes.

Expert Input

- 2024 Ordinance: Unclear about authority over department heads
- City Attorney: Must respect statutory protections for Police, Fire, Library
- WCMA: Warned that excluding department heads from Administrator supervision "can lead to issues" - they may circumvent Administrator and go directly to Council

Recommendation:

Excluded Police/Fire/Library per statute, but included "collaborate" language to maintain coordination. Acknowledged WCMA concern but prioritized legal compliance. Will address coordination through employment contract and administrative policies.

2. Hire, evaluate, discipline, and remove department heads

Source

Standard administrator authority; addresses UW-Extension concern, Approved by City Attorney amendment proposed by Neberry on 2/2/26

Rationale

UW-Extension asked "Is firing clear?" in 2024 ordinance. This makes authority explicit.

Expert Input

- City Attorney (January 2026): Identified conflict with existing charter ordinances governing department head appointments. Some department heads are appointed by Mayor and confirmed by Council; some by Council directly; some by other bodies and

confirmed by Council. Administrator cannot "hire" department heads without amending those individual charter ordinances.

- WCMA: Recommends adding language clarifying Administrator's authority over "all subordinate officers and employees in such departments"

⚠ AMENDMENT-READY

Revise to: "Manage the recruitment and selection process for department head positions, recommend candidates to the appropriate appointing authority as specified in applicable charter ordinances, and supervise, evaluate, discipline, and recommend removal of department heads and all subordinate officers and employees in such departments, consistent with the statutes of the State of Wisconsin, City charter ordinances, and City policies." Newberry submitted amendment 2/2/26

3. Prepare and submit the annual budget

Source

Standard administrator duty; addresses City Attorney concern

Rationale

City Attorney noted 2024 ordinance had "budget preparation vacuum" - didn't clearly assign responsibility. This makes it explicit.

Recommendation

No disagreement.

4. Execute the adopted budget and ensure fiscal responsibility

Source

Standard administrator duty

Rationale

Administrator implements budget Council adopts.

Recommendation

No disagreement.

5. Implement ordinances, resolutions and policies adopted by the Mayor and Common Council

Source

Standard administrator duty

Rationale

Administrator implements policy set by elected officials.

Recommendation

No disagreement.

6. Serve as the City's Public Information Officer or designate a department head

Source

Addresses City Attorney concern about 2024 ordinance

Rationale

City Attorney noted 2024 ordinance assigned PIO role to Administrator but "creates practical problems." "Or designate" language provides flexibility.

Recommendation

No disagreement.

7. Keep the Common Council and Mayor regularly informed about City operations

Source

Standard administrator duty

Rationale

Ensures transparency and accountability to elected officials.

Recommendation

No disagreement.

8. Perform such other duties as may be prescribed by the Common Council in the employment contract

Source

Standard flexibility provision

Rationale

Allows Council to assign additional duties through contract without amending ordinance.

Recommendation

No disagreement.

SECTION I(g): ROLE OF THE MAYOR

Purpose

Explicitly defines the Mayor's political and strategic role, which was absent in the 2024 ordinance.

Source

Original drafting, addressing Department Heads' and UW-Extension concerns

Rationale

2024 ordinance had no Mayor role definition, creating governance vacuum. Department Heads asked "What is Mayor's role?" and "What powers will remain with Mayor and Common Council collectively?" This section addresses those concerns by explicitly defining Mayor's political/strategic role as distinct from Administrator's operational role.

Expert Input

- 2024 Ordinance: No Mayor role definition
- UW-Extension: Noted absence of Mayor role definition as significant gap
- Department Heads: Asked "What powers will remain with Mayor and Common Council collectively?"

Recommendation:

Created explicit Mayor role definition to fill governance gap.

Mayor Responsibilities

1. Serve as the City's chief public representative and spokesperson on matters of policy
 - Mayor remains public face of city on policy matters; Administrator handles operational communications
2. Set strategic vision and policy priorities for the City
 - Mayor is elected official who sets direction; Administrator implements that direction
3. Introduce initiatives and legislation to the Common Council
 - Existing Mayor power under La Crosse charter; made explicit that Mayor retains this authority
4. Serve as lead negotiator with other governments, institutions, and stakeholders
 - Mayor is political executive who represents city in external relationships
5. Participate in the City Administrator search process and joint evaluation of the City Administrator
 - Ensures Mayor has meaningful role in Administrator selection and accountability even though Council formally appoints
6. Retain all emergency powers provided by law and charter
 - Makes explicit that Mayor retains statutory emergency powers
 - WCMA Note: Recommended policies and procedures document to clarify operational roles during emergencies, as ordinance language alone may be impractical. Will be addressed through administrative policies after Administrator is hired.

Overall Recommendation

No disagreement on substance; WCMA noted need for emergency operations policies.

SECTION I(h): LINES OF AUTHORITY

Purpose

Creates a single chain of command to prevent operational interference and confusion.

Source

Standard council-manager governance principle; WCMA best practices

Rationale

Addresses Department Heads' question "How will decision-making authorities be delineated in areas where responsibilities may overlap?" Creates clear chain of command to prevent confusion and political interference in operations.

Expert Input

- 2024 Ordinance: No lines of authority provision
- Department Heads: Asked about decision-making authority delineation

- WCMA: Emphasized importance of Mayor and Council being "aligned in their support for the city administrator and remain firm in letting folks know that they need to work through that person"

Key Provisions

(h)(1) Single Chain of Command

Neither Mayor nor individual Council Members shall direct, supervise, or give orders to City staff or department heads except through the City Administrator.

Rationale

Prevents confusion and political interference in operations.

(h)(2) Access and Communication

Individual Council Members and Mayor may communicate with Administrator at any time to request information, ask questions, provide input or discuss City matters. Administrator shall provide requested information in a timely manner.

Rationale

Ensures elected officials can get information they need without violating chain of command. Administrator is responsive to elected officials while maintaining operational authority.

(h)(3) Council Direction

Common Council, acting as a body, may direct Administrator to take specific actions through duly adopted resolutions or ordinances, through direction provided during Council meetings, or through consensus expressed by the Council. Individual Council Members may request that Administrator consider specific actions but may not direct Administrator or staff to act.

Rationale

Clarifies that Council as body (not individual members) directs Administrator. Allows flexibility for Council direction through formal and informal means while preventing individual Council members from giving orders.

(h)(4) Emergency Exception

Nothing in this section shall prevent the Mayor from exercising emergency powers as provided by law and charter.

Rationale

Ensures lines of authority don't interfere with Mayor's statutory emergency powers.

Overall Recommendation

Strong expert consensus; WCMA emphasized importance of this section.

SECTION II: SEVERABILITY

Provision

Standard severability clause ensuring that if one provision is found legally invalid, the remainder of the ordinance remains in effect.

Source

City Attorney - standard legal language

Rationale

Standard severability clause protects ordinance from complete invalidation if one provision is challenged.

Recommendation

No disagreement - this is boilerplate legal language.

SECTION III: REMOVAL OF MAYOR DUTIES

Provision

"This charter ordinance specifically removes those duties from the Office of Mayor to oversee the day-to-day operations, management and administration of the City of La Crosse that are found under, Wis. Stat. Any charter provision or any previously enacted ordinance or charter ordinance inconsistent or in conflict with this ordinance is expressly repealed."

Source

City Attorney - legal requirement

Rationale

Wisconsin statute gives Mayor authority over day-to-day operations. Charter ordinance must explicitly remove those duties and transfer them to Administrator. Second sentence ensures this ordinance supersedes any conflicting provisions.

Recommendation

No disagreement - this is legally required language.

SECTION IV: EMERGENCY PERSONNEL DESIGNATION

Provision

"Pursuant to Wis. Stat, the Common Council finds and determines that the City Administrator is emergency personnel."

Source

City Attorney

Rationale

City Attorney provided this language as legal basis for residency requirement in Section I(d). Wis. Stat. allows municipalities to require residency for "emergency personnel."

Expert Input

- City Attorney: Provided this language to enable residency requirement
- Municipal Administrators (informal feedback): Questioned whether emergency personnel designation is necessary or advisable

- League of Wisconsin Municipalities: Question pending on whether designation is required or optional, and whether residency requirement is advisable

⚠ AMENDMENT-READY NOTE

This provision remains under review pending League of Wisconsin Municipalities guidance.

SECTION V: EFFECTIVE DATE

Provision

"This charter ordinance shall take effect sixty (60) days after its passage and publication subject to the provisions of Wis. Stat."

Source

City Attorney - statutory requirement

Rationale

Wis. Stat. requires 60-day waiting period for charter ordinances to allow for referendum petition. Reference to statute ensures compliance with referendum provisions.

Expert Input

- League of Wisconsin Municipalities: Question pending on whether charter ordinance can have contingent effective date tied to Administrator hire

Resolution

Used standard 60-day effective date per statute. Awaiting League guidance on whether effective date can be contingent on Administrator hire.

Recommendation

No disagreement on current language; may consider amendment if League confirms contingent effective date is permissible.

SECTION VI: TRANSITION AND ACTING ADMINISTRATOR

Section VI(a): Acting Administrator

Provision

"Upon the effective date of this ordinance, the Common Council shall immediately appoint an Acting City Administrator to serve until a permanent City Administrator is hired and assumes office. The Acting City Administrator shall have full authority to exercise all powers and duties specified in Section (f)."

Source

Original drafting, addresses UW-Extension and Department Heads concerns

Rationale

UW-Extension presentation ended with "What does the transition look like ???" (literal question marks). Department Heads asked "How will continuity of operations be maintained during a

transition period?" This provision addresses both concerns by ensuring immediate appointment of Acting Administrator.

Expert Input

- 2024 Ordinance: No transition provision
- UW-Extension: Raised transition as major unanswered question
- Department Heads: Asked about continuity during transition
- City Attorney: Noted that under Wis. Stat., Mayor is likely prohibited from serving as Acting Administrator
- Municipal Administrators (informal feedback): Warned that appointing Acting Administrator immediately could create disruption if they make changes the permanent hire later reverses

Resolution

Included immediate Acting Administrator appointment to ensure continuity. Acting Administrator will likely be internal candidate (Finance Director or similar) who maintains status quo rather than making major changes during search period.

⚠ TECHNICAL AMENDMENT

WCMA identified typo: Last reference should read "Section I(f)" not "Section (f)"

Section VI(b): Search Process

Provision

"Upon the effective date of this ordinance, the City shall immediately initiate a transparent, professional search for a permanent City Administrator. The search process shall include participation by the Mayor and shall be conducted in accordance with best practices for municipal executive recruitment."

Source

Original drafting, addresses UW-Extension concern

Rationale

UW-Extension noted 2024 ordinance had "No public engagement provisions" and "No process defined for public participation in hiring." This provision addresses that concern.

Expert Input

- 2024 Ordinance: No search process provisions
- UW-Extension: Noted absence of public engagement provisions as significant gap
- WCMA: Recommended adding "participation by the Mayor and a subcommittee of the Common Council in the preliminary screening before bringing finalists to the entire Council for interviews"

⚠ AMENDMENT-READY

Add WCMA-recommended language: "The search process shall include participation by the Mayor and a subcommittee of the Common Council in the preliminary screening before bringing finalists to the entire Council for interviews, and shall be conducted in accordance with best practices for municipal executive recruitment."

SECTION VII: NON-RETROACTIVITY

Provision

"Nothing in this charter ordinance shall alter the term, compensation or benefits of the current Mayor during the remainder of the current term of office ending in April 2029."

Source

Original drafting - political protection provision

Rationale

Intended to demonstrate that ordinance is about governance structure, not about current Mayor. Protects Mayor's term, compensation, and benefits to remove "power grab" argument.

Expert Input

- 2024 Ordinance: No such provision
- City Attorney: Believes this section is legally redundant - ordinance doesn't affect Mayor's term, compensation, or benefits anyway, so stating it is unnecessary

No Recomendation:

SUMMARY OF KEY SOURCES

Primary Sources:

- UW-Extension Presentation (December 2025) - identified gaps in 2024 ordinance
- City Attorney Legal Review (December 2025-January 2026) - ensured statutory compliance
- Department Heads Memo (January 2026) - raised governance and implementation questions
- WCMA Best Practices Report (January 2026) - provided professional management standards
- Municipal Administrator feedback (Chamber panel, informal consultations) - provided practitioner perspective
- League of Wisconsin Municipalities (questions pending) - legal guidance on residency, emergency personnel, contingent effective date

Key Improvements Over 2024 Ordinance:

- Fixed contract term (3-5 years) instead of indefinite
- Joint evaluation by Council and Mayor
- Explicit Mayor role definition
- Clear lines of authority
- Transition provisions
- Legal compliance with Wis. Stat. (removal), (Mayor duties), (succession)
- Broader qualifications (pending amendment)
- Clearer department head authority (pending amendment)

Document prepared by Council Member Aron Newberry
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