

RESOLUTION NO. 2026-11

**VILLAGE OF YORKVILLE
COUNTY OF RACINE, STATE OF WISCONSIN**

**A RESOLUTION ADOPTING A POLICY ON DISCUSSION AND ACTION ON
REPORTS FOR THE VILLAGE OF YORKVILLE**

THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, COUNTY OF RACINE, STATE OF WISCONSIN, RESOLVES AS FOLLOWS:

WHEREAS, Village staff prepared a draft policy for discussion and action on reports for consideration by the Yorkville Village Board; and

WHEREAS, this draft policy, titled “Policy on Discussion and Action on Reports” (attached hereto as “**Exhibit A**”), was presented to and reviewed by the Yorkville Village Board at their meetings on February 9, 2026, and March 9, 2026; and

WHEREAS, the Village Board aims to ensure compliance with Wisconsin Statutes § 19.84, related to public notices; and

WHEREAS, the adoption of a formal, written policy for discussion and action on reports will ensure that reports given during publicly noticed meetings will be for informational purposes only, and, if warranting further deliberation, discussion or action, will be placed on a future meeting agenda as a separately noticed agenda item; and

WHEREAS, the Village Board believes it is in the best interest of the Village and its residents to formally adopt the proposed “Policy on Discussion and Action on Reports”.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Yorkville, County of Racine, State of Wisconsin, hereby adopts a policy on discussion and action on reports for the Village of Yorkville, attached hereto and incorporated herein as “**Exhibit A**”.

This Resolution was adopted by the Village Board of the Village of Yorkville, County of Racine, State of Wisconsin, this 9th day of March, 2026.

VILLAGE OF YORKVILLE

Ayes: 3

By: /s/ Douglas Nelson
Douglas Nelson, President

Nays: 0

Attest: /s/ Janine Carls
Janine Carls, Clerk

Abstentions: 0

Absences: 2

Exhibit A

Village of Yorkville

Policy on Discussion and Action on Reports

I. Purpose

This policy establishes clear guidelines for the content, presentation, and subsequent discussion of Reports presented during a publicly noticed meeting, ensuring compliance with **Wisconsin Statutes §19.84** (Public Notice).

II. Principle of Limited Discussion

Reports are intended to be **informational only**. A report should provide factual updates, report on the status of ongoing projects, or relay communications received by the Village.

A. **Information Only:** Board/Commission members shall limit their response to Reports to:

- Asking **clarifying questions** of the submitting party regarding the presented facts.
- **Directing staff** to gather further information.
- **Directing staff** to place a topic on a future meeting agenda for discussion or action.

B. **Prohibited Discussion & Action:** Board/Commission members **shall not** initiate deliberation or make decisions on any specific subject introduced in a Report that was **not listed as a separate, specific item** on the published agenda. Prohibited actions include:

- Taking a vote (motion and second) on the matter.
- Reaching a formal or informal "consensus" on a course of governmental action.
- Substantively discussing the merits or drawbacks of a policy, project, or contract not on the agenda.

III. Agenda Requirement for Action

Any item mentioned in a submitted Report that the Board/Commission **determines warrants deliberation, discussion leading to a decision, or formal action** must be **clearly directed to be placed on a future meeting agenda as a separate, noticed item**.

IV. Why We Do This

1. Transparency: Residents have a right to know when a specific topic will be discussed so they can attend.
2. Validity: Actions taken without proper notice can be declared void by a judge.
3. Protection: Prevents individual Board members from facing personal forfeitures/fines for Open Meetings Law violations.

Note: Open Meetings Law violations can result in personal fines and the voiding of Village actions. When in doubt, **put it on the next agenda**.

Village of Yorkville Discussion of Reports Compliance Guide

PURPOSE: To ensure the Village complies with Wisconsin Open Meetings Law (**Wis. Stat. § 19.84**) by preventing "surprise" decisions on items not listed on the public agenda.

1. The Rule of Thumb

If an item is listed under "**Reports**," the Board is in **Information-Gathering Mode**, not **Decision-Making Mode**.

YOU CAN (Permissible)	YOU CANNOT (Violation Risk)
✓ Ask " Who, What, When, Where? "	✗ Share your Opinion on the merits.
✓ Ask for a Project Status update.	✗ Propose a Change in the project.
✓ Request Future Research from staff.	✗ Ask for a " Show of Hands " or Consensus.
✓ Direct staff to Agenda-ize the item.	✗ Make a Motion or take a Vote .

2. The "Clarifying Question" Test

Before speaking, ask yourself: "*Am I asking for more facts, or am I trying to influence an outcome?*"

- **GREEN LIGHT:** "How many residents have called about this?"
 - **GREEN LIGHT:** "Does the current budget cover this unexpected cost?"
 - **RED LIGHT:** "I think those residents are right; we should stop the project."
 - **RED LIGHT:** "Let's just agree right now to tell the contractor 'No'."
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3. HOW TO TRANSITION TO ACTION

If a Report reveals an issue that requires a decision, use a **Standard Pivot**:

- "This seems like a matter that requires Board deliberation. I request that staff place this item on the next available agenda for discussion and potential action."
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4. CHAIRPERSON'S "STOP" PHRASES

- "Let's keep our comments to clarifying questions for the reporter."
- "We are drifting into deliberation; let's move this to a future agenda."
- "To ensure we provide the public with proper notice, I am ending the discussion on this report."

Remember: If it isn't a specific item on the agenda, you can't decide it, you can't debate it, and you can't "agree" on it.