

CHAPTER 50

BOARD OF PARK COMMISSIONERS FOR THE CITY OF RICHLAND CENTER

[History: Ord 228, 474, 1988-18, 2016-1]

50.01 CREATION. Pursuant to Wis. Stat. § 27.08, the Common Council of the City of Richland Center vests in a Board of Park Commissioners, alternatively referred to herein as the Park Board, the powers of general government, management, control, improvement and care of all public parks, parkways, and pleasure drives, now existing and as may be hereafter acquired. Notwithstanding the foregoing, the Common Council reserves the right to supersede the Board of Park Commissioners by ordinance or resolution as to any matter pursuant to the powers of the Council under Wis. Stat. § 62.11(5).

50.02 COMPOSITION.

- (1) Said Park Board shall consist of seven (7) members.
- (2) One member of said Park Board shall be a member of the Common Council of the City of Richland Center, appointed by the Mayor and confirmed by the Common Council for a two (2) year term. If during a term on the Park Board such person ceases to be a member of the Common Council, a replacement shall be appointed by the Mayor and confirmed by the Common Council for the remainder of the two year term.
- (3) The remaining members shall be residents of the City who shall be appointed by the Mayor and confirmed by the Common Council.
- (4) Board members shall be considered local public officials as that term is used in ordinance and statute, and subject to all the provisions of law applicable thereunto, including but not limited, to the Code of Ethics found in Wis. Stat. § 19.59.

50.03 TERMS OF OFFICE OF CITIZEN MEMBERS.

(1) **Term of Office.** The full term of each member other than the Common Council member shall be for five (5) years beginning upon confirmation of his or her appointment on the third Tuesday in April and until his or her successor is appointed and qualifies. The commencement of the terms shall be staggered that one member's term expires each year. Upon the ending of any member's full term the Mayor shall appoint his or her successor for a full five year term and submit the appointment to the Council for confirmation.

(2) Vacancy During a Term; Replacement. In the event a citizen member ceases to serve on the Park Board during his or her term, the Mayor shall appoint a successor for the remainder of that member's five year term, subject to confirmation by the Common Council.

50.04 QUALIFICATION. Each member of the Park Board shall be a resident of the City and shall take and file the official oath.

50.05 OFFICERS OF THE BOARD; OFFICER'S TERMS. The officers of the Park Board shall be a president, a vice president and a secretary. The term of office of the officers shall be for one year. Officers shall be elected at the first meeting of the Board after the third Tuesday in April of each year. Ministerial duties of the secretary may, at their discretion, be performed by the City Parks Director.

50.06 MEETINGS.

- (a)** Meetings of the Park Board shall be considered meetings of a governmental body as that term is used in ordinance and statute, and shall be subject to applicable provisions of law, including but not limited to the open meetings law found in Subch. V of Ch. 19, Wis. Stats. (2026).
- (b)** Four members of said Park Board shall constitute a quorum to transact business.

50.07 COMPENSATION. Compensation of the members of the Park Board shall be in the amount set forth by the Common Council by resolution or ordinance.

50.08 POWERS. The Board of Park Commissioners shall have all powers and be chargeable with all duties as set by Wis. Stat. § 27.08(2) and by the Common Council through ordinance or resolution. The Park Board is directed and empowered to:

- (a)** To govern, manage, control, improve and care for all public parks, parkways, boulevards and pleasure drives located within, or partly within and partly without, the corporate limits of the City, including all City buildings in said areas, and secure the quiet, orderly and suitable use and enjoyment thereof by the people, including through the offer and management of such programming as is approved by the Board; also to adopt rules and regulations to promote those purposes;
- (b)** To establish park fees and see to their collection, and to manage the Park Fund and make deposits thereunto and expenditures therefrom for park purposes;
- (c)** To acquire in the name of the City for park, parkway, boulevard or pleasure drive purposes by gift, devise, bequest or condemnation, either absolutely or in trust, money, real or

personal property, or any incorporeal right or privilege; except for those acquisitions prohibited by law. Gifts to the City of money or other property, real or personal, either absolutely or in trust, for park, parkway, boulevard or pleasure drive purposes shall be accepted only after they shall have been recommended by the Park Board to the Council and Council approves said gifts by resolution. Money gifts are to be transferred to the Park Fund. Gifts rejected by the Park Board may still be accepted by the City so long as such acceptance does not violate the terms of the gift. Subject to the approval of the Council the Park Board may execute every trust imposed upon the use of property or property rights by the deed, testament or other conveyance transferring the title of such property to the City for park, parkway, boulevard or pleasure drive purposes;

(d) Subject to the approval of the Council, to buy or lease lands in the name of the City for park, parkway, boulevard or pleasure drive purposes within or without the City and, with the approval of Council, to sell or exchange property no longer required for its purposes;

(e) To change or improve all parks, parkways, boulevards or pleasure drives within the City limits, controlled by the Board, at the expense of the real estate to be benefited thereby, to be collected via special assessment against such real estate, as provided in Wis. Stat. § 27.10(4);

(f) To oversee the performance of the Parks Director, including the authority order the attendance of the Parks Director at its meetings in order to report on matters under consideration by the Board. Otherwise, the Board shall have no authority over personnel matters, even those relating to parks employees. The Board may not employ its own employees, nor fix the compensation of parks employees. The Board may refer personnel matters to the Council or designated committee thereof;

(g) It is the intent of Council that the administration of the parks shall be coordinated with the City Administrator to insure efficiency and planning on an overall City basis; and

(g) The Board shall have such other powers as are necessary or convenient to park operations, and Council intends that the Board shall have full authority respecting the parks, parkways, boulevards and pleasure drives unless that authority is expressly withheld by statute or other action of Council.

50.09 BUDGET. The Board of Park Commissioners shall, prior to the first day of September in each year, make an estimate of the proposed appropriation from City general funds for expenditure by said Board during the ensuing calendar year for park operations and transmit the same to the Common Council. This estimate shall include all necessary incidental expenses, including the repair and maintenance of parks and City buildings contained therein, and also an estimate for the purchase of land for parks, parkways, boulevards and pleasure drives. Such part of said estimate as Council shall approve and appropriate for park operations shall be subject to expenditure by the Board of Park Commissioners. Such estimate shall contain a report on the current balance of the Park Fund. The Board shall transmit to Council, prior to March 1 of each year, a full detailed report of all its transactions for the preceding year, together with an itemized account of all receipts and expenditures, a list of employees, and an inventory of property in charge of the Board. In order to ensure public oversight of park operations, the Board shall have the sole

responsibility to prepare said report, and may only call on such employee assistance as is required to obtain the necessary information to prepare the report.

50.10 FINANCE AND CONTRACTS.

(1) All moneys under the control of the Park Board received by fee, subscription or gift for parks, parkways or pleasure drives shall be held by the City Treasurer in a separate account and shall constitute a separate fund denominated the Park Fund. Moneys in the Park Fund may be expended by the Park Board for park purposes at the Park Board's discretion, except where prohibited.

(2) All funds appropriated by Council for park purposes out of general City revenue shall be transferred to the Park Fund and may be expended upon approval by the Park Board. Appropriation of funds by Council shall constitute approval of their use by the Park Board and does not require additional authorization by Council.

(3) The Park Board shall have full authority to let bids and enter into contracts in the name of the City, provided that such contracts are necessary or convenient to park operations.

50.11 APPLICABILITY. The areas under the control and management of the Park Board shall be those public park areas enumerated in Ch. 701.02(1) of the Code of Ordinances or as elsewhere provided by Council.

50.12 CONSTRUCTION

(1) This Chapter shall be liberally construed to effect its purpose. As used herein, the terms "management and control" or "management and operation" shall be construed broadly and shall include, without limitation by enumeration, all authority related to the utility properties of the city, and all authority related to purchasing, acquiring, leasing, constructing, adding to, improving, conducting, controlling, operating or managing the city's public utilities, except as specifically withheld herein, by other action of Council and by statute.

(2) It is the intent of this Chapter that the power retained by Council shall be exercised generally as a supervisory power, and the Council does not intend to assume the responsibility of park operations or interfering in matters of everyday management of the parks.

(3) Provided, however, Council intends to reserve its duty and power to decide matters of policy in all fields of municipal activity, including parks, having particular regard to fiscal matters and the expenditure of major sums of money which may or will affect municipal credit immediately or cumulatively.