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CITY OFFICERS

[History:]

- X.01 OFFICERS OF THE CITY.** Pursuant to Wis. Stat. § 62.09(1)(a) and this ordinance of the Common Council, the officers of the City of Richland Center shall be the Mayor, the Treasurer, the Clerk, the Comptroller, the City Attorney, the City Engineer, one or more City Assessors, the Health Officer, the Chief of Police, the members of the Board of Health, and other such officers or boards as may be created by law or by ordinance of the council, all of which are incorporated herein by reference.
- X.02 GENERAL POWERS AND DUTIES OF THE CITY OFFICERS.** Officers shall have all the duties, powers, and responsibilities found in statute, as well as those which may be assigned to them by the Common Council by ordinance, resolution or other act, all of which shall be incorporated herein by reference. City Officers may make the necessary rules for the conduct of their duties and incidental proceedings. City Officers shall be subject to the City's personnel policies so long as they do not conflict with the Officers' statutory duties.
- X.03 OFFICERS TO BE APPOINTED BY MAYOR SUBJECT TO CONFIRMATION BY THE COUNCIL.** Unless otherwise specified herein, Officers shall be, pursuant to Wis. Stat. § 62.09(3)(b)2, appointed by the mayor subject to confirmation by the Council by a 2/3 affirmative vote of members present. The council may not place conditions on the mayor's power to appoint but may adopt such policies as it feels reasonably necessary to ensure the suitability of appointees. Any such policies shall be incorporated herein by reference.
- X.04 BAR ON REJECTED APPOINTEES.** An appointee whose appointment is rejected by the council shall be ineligible for appointment to the same office for one year thereafter.
- X.05 DURATION OF TERM; REMOVAL FROM OFFICE.** Unless otherwise specified in statute or herein, Officers shall hold office for an indefinite term, subject to removal as provided in Wis. Stat. § 17.12(1)(c)
- X.06 EFFECTIVE DATE OF ORDINANCE.** This ordinance shall be effective immediately upon its passage and publication.

X.07 REPEAL OF INCONSISTENT ORDINANCES. All ordinances or parts of ordinances or other legislative acts of the city in conflict with this ordinance are hereby repealed.

MAYOR

X.08 MANNER OF CHOOSING. The mayor shall be elected by the voters.

X.09 SPECIFIC POWERS AND DUTIES OF THE MAYOR. The mayor shall be the chief executive officer of the City of Richland Center and shall have the following powers and duties:

- (1) Take care that city ordinances and state laws are observed and enforced.
- (2) Ensure that all employees and officers of the city discharge their duties.
- (3) From time to time provide the council with such information and make such recommendations as deemed advantageous to the city.
- (4) Preside over meetings of the council subject to such rules as the council may adopt, which shall be incorporated herein by reference.
- (5) Veto power over all acts of the council except those where it is expressly or by necessary implication otherwise provided.

ADMINISTRATOR

X.10 [UNDER DISCUSSION]

CLERK

X.11 SPECIFIC POWERS AND DUTIES OF THE CLERK. The Clerk shall have the following powers and duties:

- (1) The clerk shall have the care and custody of the corporate seal and all papers and records of the city.
- (2) The clerk shall attend the meetings of the council and keep a full record of its proceedings.

- (3) The clerk shall enter at length, immediately after it goes into effect, every ordinance in an "ordinance book," with proof of publication, date of passage and page of journal where final vote is recorded. The clerk shall keep a record of all licenses and permits granted and record all bonds, in appropriate books.
- (4) The clerk shall draw and sign all orders upon the treasury in the manner provided by statute and keep a full account thereof in appropriate books. The clerk shall carefully preserve all receipts filed with the clerk.
- (5) The clerk shall keep an accurate account with the treasurer and charge the treasurer with all tax lists presented for collection and with all moneys paid into the treasury.
- (6) The clerk shall keep all papers and records in the clerk's office open to inspection at all reasonable hours.
- (7) The clerk shall have power to administer oaths and affirmations.
- (8) The clerk may, in writing filed in the clerk's office, appoint a deputy who shall act under the clerk's direction, and in the clerk's absence or disability or in case of a vacancy shall perform the clerk's duties, and shall have power to administer oaths and affirmations. The deputy shall receive such compensation as the council shall provide. The clerk and the clerk's sureties shall be liable on the clerk's official bond for the acts of such deputy.
- (9) The clerk shall notify the Richland County Treasurer, by February 20, of the proportion of property tax revenue and of the credits that are to be disbursed by the treasurer to each taxing jurisdiction located in the city.
- (10) The clerk shall stamp or endorse street trade permits at the request of an employer.
- (11) The clerk shall stamp or endorse traveling sales crew worker permits at the request of an employer.
- (12) The clerk shall make a certified claim against the state, without direction from the council, in all cases in which the reimbursement is directed in Wis. Stat. § 16.51(7), upon forms prescribed by the department of administration. The forms shall contain information required by the clerk and shall be filed annually with the department of corrections on or before June 1.

TREASURER

X.12 SPECIFIC POWERS AND DUTIES OF THE TREASURER. The Treasurer shall have the following powers and duties:

- (1) Except as provided in Wis. Stat. § 66.0608 (3m), the treasurer shall collect all city, school, county, and state taxes, receive all moneys belonging to the city or which by law are directed to be paid to the treasurer, and shall deposit immediately upon receipt thereof the funds of the city in the name of the city in the public depository designated by the council.
- (2) Pay over money in the treasurer's hands according to law.
- (3) Keep a detailed account in suitable books in such manner as the council shall direct. The treasurer shall keep in a separate book an account of all fees received. The treasurer's books shall at all reasonable times be open to inspection.
- (4) Each month at the first meeting of the council and as often as the council shall require make to it a verified report of moneys received and disbursed and of the condition of the treasury.
- (5) Ten days before each regular city election the treasurer shall file in the clerk's office a full and minute verified report of moneys received and disbursed, tax certificates, vouchers and other things of pecuniary value in the treasurer's custody, and of all transactions of the treasurer's office from the date of the preceding like report.

COMPTROLLER

X.13 SPECIFIC POWERS AND DUTIES OF THE COMPTROLLER. The comptroller shall have the following powers and duties:

- (1) The comptroller shall monthly report in writing to the council at its first meeting the condition of outstanding contracts and of each of the city funds and claims payable therefrom, and shall each year on or before October first file with the clerk a detailed statement of the receipts and disbursements on account of each fund of the city and of each aldermanic district or other financial district during the preceding fiscal year, specifying the source of each receipt and the object of each disbursement, and also an estimate of the receipts and disbursements for the current fiscal year.
- (2) The comptroller shall each month and as often as reported examine the treasurer's accounts as reported and as kept, and attach thereto a report to the council as to their correctness and as to any violation by the treasurer of the treasurer's duty in the

manner of keeping accounts or disbursing moneys.

(3) The comptroller shall examine each claim presented against the city, and determine whether it is in proper form, and if it is on contract, whether authorized and correct. For these purposes the comptroller may swear witnesses and take testimony. If the comptroller finds no objection the comptroller shall mark his or her approval on the claim. If the comptroller disapproves in whole or in part, the comptroller shall report the reasons for that disapproval to the council. The comptroller shall in all cases report evidence taken. No claim shall be considered by the council or be referred to a committee until it has been so examined and reported on.

(4) The comptroller shall countersign all contracts with the city if the necessary funds have been provided to pay the liability that may be incurred thereunder, and no contract shall be valid until so countersigned.

(5) The comptroller shall each year make a list of all certificates for the payment of which special taxes are to be levied, in time for the same to be inserted in the tax roll, and certify its correctness.

(6) The comptroller may in writing, filed in the office of the clerk, appoint a deputy who shall act under the comptroller's direction and in the comptroller's absence or disability, or in case of a vacancy shall perform the comptroller's duties. The deputy shall receive such compensation as the council provides. The acts of such deputy shall be covered by official bond as the council directs.

DIRECTOR OF PUBLIC WORKS

X.14 SPECIFIC POWERS AND DUTIES OF THE DIRECTOR OF PUBLIC WORKS. The Director of Public Works shall have the following powers and duties:

(1) The Director of Public works shall perform all the duties and exercise the powers of the City Engineer or shall bear responsibility for their execution.

(2) [UNDER DISCUSSION]

CITY ASSESSOR

X.15 SPECIFIC POWERS AND DUTIES OF THE CITY ASSESSOR. The city assessor shall have the following powers and duties:

(1) Perform property tax assessments for all property within the City as required under statute.

X.16 QUALIFICATIONS TO SERVE AS CITY ASSESSOR. In addition to those qualifications which apply to all Officers, the city assessor must be certified by the

department of revenue as required by Wis. Stats. §§ 70.05(1) and 73.09 as qualified to perform the functions of the office of assessor.

CITY ATTORNEY

X.17 SPECIFIC POWERS AND DUTIES OF THE CITY ATTORNEY. The city attorney shall have the following powers and duties:

- (1) Conducting all the law business in which the City is interested.
- (2) When requested by other officers, giving written legal opinions which shall be filed with the city clerk.
- (3) Drafting ordinances, bonds and other instruments as may be required.
- (4) Examining the tax assessment rolls and other tax proceedings and advising in regard thereto.
- (5) Appointing an assistant who shall have the power to perform the attorney's duties but who shall not receive compensation from the city unless otherwise provided. The city attorney shall bear responsibility for all acts performed by any assistant appointed.
- (6) Defending actions brought against any officer or employee of the City or of the Council or any board or commission thereof, growing out of any acts done in the course of employment, or out of any alleged breach of duty as such officer or employee, excepting actions brought to determine the right of such officer or employee to hold or retain that person's office or position, and excepting also actions brought by the City against any officer or employee thereof.

X.18 QUALIFICATIONS TO SERVE AS CITY ATTORNEY. In addition to those qualifications which apply to all Officers, the City Attorney must be an attorney licensed to practice in the State of Wisconsin and be a member in good standing with the Wisconsin State Bar.

X.19 REMOVAL OF THE CITY ATTORNEY. The City Attorney may only be removed from office for inefficiency, neglect of duty, official misconduct or malfeasance in office.

CHIEF OF POLICE

X.20 SPECIFIC DUTIES AND POWERS OF THE CHIEF OF POLICE. The chief of police shall have the following powers and duties:

- (1) The chief of police shall have command of the police force of the City, under direction of the mayor.
- (2) The chief of police shall collect fees for service as prescribed by law.
- (3) The chief of police shall have charge of the city jail, and shall keep a record concerning each person placed in the jail including the person's name, residence and description, the time and cause of the person's confinement, the authority under which the person was confined, and at the time of the person's release the time and authority for such release.
- (4) The chief of police shall obey all lawful orders of the mayor or the Council.
- (5) The chief of police shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law on constables, and shall be included in all writs and papers addressed to constables.
- (6) The chief of police shall, with or without process and with reasonable diligence, arrest and take before the proper court every person found in the city engaged in any disturbance of the peace or violating any law of the state or ordinance of the City. The chief of police may command any or all persons present in such cases to assist.

CONSTABLE