

CHAPTER II

OFFICIALS

2.01 ELECTED OFFICIALS.

(1) Trustees. There shall be six Trustees of the Village of Elmwood Park. Three Trustees shall be elected at each annual spring election for a term of two years, commencing on the third Tuesday of April in the year of their election.

(2) Other Elected Officers. The President shall be elected at the regular spring election in odd numbered years for a term of two (2) years commencing on the third Tuesday of April in the year of his or her election.

2.02 APPOINTED OFFICIALS.

(1) Village Administrator, Village Clerk, Village Treasurer, Attorney, Building Inspector, Health Officer, Assessor. The Village officials hereinafter set forth shall be appointed at the first regular meeting of the Village Board in May of odd-numbered years or when a vacancy shall occur, by the Village President, subject to confirmation by a majority vote of the Members of the Board of Trustees:

Administrator

Clerk

Treasurer

Attorney

Building Inspector(s)

Health Officer

Assessor

The Village President shall not vote on such appointments except in case of a tie. The terms of office of each official so appointed shall be at the pleasure of the Board. All terms shall commence on the 15th day of May following appointment or forthwith in the case of filling a vacancy in any such office.

(2) Weed Commissioner. The Village Weed Commissioner shall be appointed in May of each year for a term of one (1) year by the Village President.

(3) Assistance to Officers. The Trustees shall have the power to appoint assistants to the officers, or to contract for services for assistance, and to determine the compensation or fees to be paid for such assistants or for contractual services.

(4) Election Inspectors and Clerks.

(a) How Constituted. There shall be at least seven election officials appointed in the Village, consisting of 2 Chief Inspectors and 5 Election Inspectors. The Village of Elmwood Park chooses to officially lower the limit of election inspectors serving on Election Day to a minimum of 3 Election Inspectors, 1 of which shall be a Chief Inspector under the minimum required in the Election Administration Manual updated October 2016.

(b) Appointment. The Village President shall appoint, subject to approval by the Village Board, the election officials from a list submitted by the Village Administrator as provided by law. If no such list is lawfully submitted, the Village President shall make the appointments subject to approval by the Village Board on their own nomination.

(c) Terms. Appointments shall be made at the regular meeting in December of each odd numbered year of the necessary election officials herein required. In all other respects, the provisions of Wis. Stat. 7.30 shall apply.

(5) Finance Chair. There is hereby created an office of the Finance Chair who shall be appointed by the Village President from amongst the current Board of Trustees, subject to confirmation by a majority vote of the members of the Board, and whose duties shall include:

(a) The reviewing of all financial matters affecting the Village.

(b) Such Finance Chair shall perform no duties which are imposed on the Village Treasurer pursuant to law.

(c) The Finance Chair may, by confirmation of either the Village President or Village Administrator, call meetings of a Finance Committee to discuss budgetary matters as they may decide.

(6) Street Lights & Signs Commissioner. There is hereby created an office of the Street Lights & Signs Commissioner who shall be appointed by the Village President from amongst the current Board of Trustees, subject to confirmation by a majority vote of the members of the Board, and whose duties shall include:

(a) The reviewing of all street light and sign matters affecting the Village.

(b) Direct, advise, and provide insight, and expertise on the matters assigned to them to the Village Administrator, President, and Board of Trustees.

(7) Roads & Sewer Commissioner. There is hereby created an office of the Roads & Sewer Commissioner who shall be appointed by the Village President from amongst the current Board of Trustees, subject to confirmation by a majority vote of the members of the Board, and whose duties shall include:

(a) The reviewing of all roads and sewer matters affecting the Village.

(b) Direct, advise, and provide insight, insight, and expertise on the matters assigned to them to the Village Administrator, President, and Board of Trustees.

(8) Village Administrator. The Village Administrator is responsible for the management of daily activities of all offices of the Village of Elmwood Park; directs, coordinates, and expedites the activities of all Village departments, except for such authority vested by the Wisconsin Statutes in certain boards and commissions; makes or directs such studies as are necessary to determine the most economical and efficient operation of all departments; coordinates community planning activities; is responsible to the Village President and Village Board of Trustees for effectuating all actions of the same which require administrative implementation; directs and coordinates the preparation of the annual Village budget; and makes such reports as the Village President and Village Board of Trustees may require as to the current fiscal status of the budget and reports to the Village President and Village Board of Trustees any variations in the operations of the Village budget. The Village Administrator may also act as the de facto Village Clerk and Village Treasurer. This position is contracted on a biennial basis for a previously negotiated and agreed upon annual salary.

(Amended 4-8-2021)

2.03 HIRED STAFF.

(1) Village Maintenance Crew, Hall and Gym Openers and Closers, and the Hall and Gym Sales Representative shall be hired by and report to the Village Administrator for completion of their duties.

a) Maintenance Crew are paid bi-weekly at a rate of ~~\$12.00/hour~~ **\$16.00/hour**.

(b) Maintenance Supervisor is paid ~~\$14.00/hour~~ **\$18.00/hour**.

(c) Hall and Gym Openers and Closers are paid at a rate of \$25.00/hour.

(d) Hall and Gym Sales Representative is paid a 10% stipend of rental income per rental sold.

2.04 EMERGENCY MANAGEMENT.

(1) POLICY AND PURPOSE. (a) Emergency Management shall mean the preparation for and the carrying out of all emergency functions to minimize and repair injury and damage resulting from disaster caused by enemy attack, sabotage or other hostile action, or by fire, flood or other natural causes. (b) By reason of the increasing possibility of disasters or unprecedented destructiveness and to insure that preparation will be adequate to cope with such disasters and to provide for the common defense, to protect the public peace, and to preserve the lives and property of the people, it is hereby declared necessary: 1. To establish a local emergency

government committee. 2. To provide for the exercise of necessary powers during emergencies. 3. To provide for the rendering of cooperation and mutual aid between the Village and other political subdivisions. (c) It is further declared to be the purpose of this section and the policy of the Village that all emergency management functions of the Village be coordinated to the maximum extent applicable with existing services and facilities of the Village and with the comparable functions of the Federal, State and County governments and other political subdivisions, and the various private agencies to the end that most effective preparation and use may be made of manpower, resources and facilities for dealing with any disasters that occur.

(2) EMERGENCY MANAGEMENT COMMITTEE. (a) Membership. The Emergency Management Committee shall consist of the Village President, the Village Administrator, one member of the Sheriff's department to be named if required, and one member of the contracted fire department to be named if required. The Village President shall serve as chairperson of the committee and the Village Administrator shall serve as secretary. Appointments in addition to these members may be added as needed by the Village President's discretion.

(3) HEALTH OFFICER. The Village shall contract with the County of Racine for an appointed Health Officer. The Health Officer shall send quarterly reports to the Village that shall be approved by the Village Board convened as the Board of Health on a quarterly basis.

2.04 BOARD OF REVIEW.

The Board of Review of the Village of Elmwood Park shall be composed of four members including the Village President, the Village Clerk and two members of the Village Board of Trustees. The Board of Review shall have the duties and powers prescribed by Section 70.47 of the Wisconsin Statutes.

2.05 PLAN COMMISSION.

(1) How Constituted. The Village Plan Commission shall consist of seven members as follows: the Village President, who shall be its presiding officer; two Trustees and four citizens. Citizen members shall be persons of recognized experience and qualifications.

(2) Appointments.

(a) Trustee Members. The Trustee members of the Commission shall be elected by a two-thirds vote of the Village Board from those whose terms as Trustee shall not expire in the same year upon creation of the Commission and during each April thereafter.

(b) Citizen Members. Three citizen members shall be appointed by the Village President upon creation of the commission to hold office for a period ending one, two and three years respectively from the succeeding first day of May, and thereafter annually during April one such member shall be appointed for a term of three years.

(c) Additional Citizen Members. The additional citizen member, who shall be appointed by the Village President, shall be first appointed to hold office for a period ending one year from the succeeding first day of May and thereafter annually during April.

(3) Functions. It shall be the function and duty of the commission to make and adopt a master plan for the physical development of the village, including any areas outside of its boundaries that in the commission's judgment bear relation to the development of the village provided, and zoning, however, that in any county where a regional planning department has been established, areas outside the boundaries of a city may not be included in the master plan without the consent of the county board of supervisors. The master plan, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the commission's recommendations for such physical development. (2). The commission may from time to time amend, extend, or add to the master plan or carry any part or subject matter into greater detail. The commission may adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record.

2.06 ZONING BOARD OF APPEALS.

Per State statute 62.23(7) (e) A Board of Appeals is hereby established.

(1) How Constituted. The Village Board of Appeals shall consist of 5 members appointed by the Village President, subject to confirmation by the Village Board, for 3-year terms.

(2) Appointments. The Village President shall designate one of the members as chairman. The Village President shall also appoint, subject to confirmation by the Village Board, two alternate members for staggered terms of 3 years. Annually, the Village President shall designate one alternate as 1st alternate, who shall act with full power only when a member is absent or refuses to vote because of interest, and the other as 2nd alternate, who shall act with full power only when the 1st alternate or a member is absent or refuses to vote because of interest. Vacancies shall be filled for the unexpired terms of members and alternates whose terms become vacant.

(3) The Board of Appeals shall adopt rules for its government and procedure.

(4) Meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board of Appeals may determine. The Chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

(5) The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Appeals and shall be a public record.

(6) Functions. The primary role of the zoning board, as outlined in state statutes, is to hear and decide administrative appeals and variances related to general zoning. The Zoning Board of Appeals of the Village of Elmwood Park shall act as the appellate body and are authorized to hear and decide special exceptions/ conditional use permits related to various the types of zoning.

2.07 GENERAL REGULATIONS GOVERNING ALL VILLAGE OFFICERS.

(1) Effect. The provisions of this section shall apply to all officers of the Village regardless of the time of creation of the office or selection of the officer unless otherwise specifically provided by ordinance or resolution of the Village Board.

(2) Oath of Office. Every officer of the Village, including members of the Village Board and Commissions shall, before entering upon his duties and within five days of his election or appointment or notice thereof, take the oath of office prescribed by law and file said oath in the office of the Village Clerk, except the Village Administrator who shall file his oath in the office of the Village President. Any person re-elected or reappointed to the same office shall take and file an official oath for each term of service.

(3) Bond. Every officer shall, if required by law or the Village Board upon entering upon the duties of his office, give a bond in such amount as may be determined by the Village Board with such sureties as are approved by the Village President, conditioned upon the faithful performance of the duties of his office. Official bonds shall be filed as are oaths as provided in subsection (2) of this section. The Village will be responsible for covering the costs of these bonds.

(4) Salaries and Fees, etc. Effective with the spring election of 1997, and thereafter, each Village officer shall receive a salary for his services as follows:

Village President ~~\$4,000.00 (Effective New Term 2014)~~ \$6,000.00 annually (Effective New Term 2023)

Village Trustees ~~\$1,000.00 (Effective New Terms 2014)~~ \$2,000.00 annually (Effective New Terms 2022 and 2023)

Village trustees' salaries shall be paid quarterly; maintenance workers are paid weekly; Village Administrator is paid bi-weekly; Village Assessor is paid quarterly; and Village Inspectors and others contracted by the Village on an as-needed basis.

(5) Vacancies. Vacancies in elective offices shall be filled by appointment by a majority vote of the Village Board for the remainder of the unexpired term. Vacancies in appointive offices shall be filled in the same manner as the original appointment for the residue of the unexpired term, unless the term for such office is indefinite.

2.08 RECEIPT OF GIFTS AND GRATUITIES PROHIBITED.

(1) It shall be unlawful for any public employee or public official to receive or offer to receive either directly or indirectly, any gift, gratuity, or anything of value which he is not authorized to receive from any person, if such person:

(a) Has or is seeking to obtain contractual or other business or financial relationships with such public employee's employer or the governmental body of the public official; or

(b) Conducts operations or activities which are regulated by such public employee's employer or the governmental body of a public official; or

(c) Has interests which may be substantially affected by such public employee's employer or the governmental body of the public official.

(2) The receipt of any gift, gratuity, or anything of value as denoted above is contrary to the public policy of the Village of Elmwood Park.

2.09 DUPLICATE TREASURERS BOND ELIMINATED.

The village elects not to give the bond on the village treasurer provided for by § 70.67(1), Wis. Stats. Pursuant to § 70.67(2), Wis. Stats., the village shall be obligated to pay, in case the village treasurer fails to do so, all state and county taxes required by law to be paid by such treasurer to the county treasurer.

2.10 GOVERNING BODY DUTIES AND ACTION GUIDELINES.

The presiding officer, Village President, shall appoint trustees to such duties and committees as may be necessary to afford the village a smooth-running government entity. Terms of the appointments shall be dictated by completion of the task or re-appointment by the Village President. When performing task, the trustee assigned shall attend all meetings relevant to the task, meet with contractors, procure bids, and report all findings to the Governing Body for action. Reports to the body should be written and contain all findings and recommendations.

2.11 VILLAGE CLERK REQUEST GUIDELINES.

The Village of Elmwood Park wishes to be transparent in regard to records retained by the custodian of the records, the clerk/treasurer. To process request as soon as practicable and without delay guidelines are hereby established.

(1) Open Records Request

The Wisconsin public records law authorizes requesters to inspect or obtain copies of "records" maintained by government "authorities." The identity of the requester or the reason why the requester wants particular records generally does not matter for purposes of the public records law. Records are

presumed to be open to inspection and copying, but there are some exceptions. Requirements of the public records law apply to records that exist at the time a public records request is made. The public records law does not require authorities to provide requested information if no responsive record exists, and generally does not require authorities to create new records in order to fulfill public records requests.

(a) A written or oral request shall be made to the custodian of the records by:

Calling the Village Clerk/Treasurer 262-554-7818

Mailing a request to: Clerk/Treasurer

E-mailing a request to: treasurer@vil.ep.wi.us

(b) Inspection of records shall be made to the Village Clerk/Treasurer and require a 48-hour notice. Records may be inspected at the Village Hall, 3131 Taylor Avenue, Racine, WI, Building 1.

(c) The record request shall be completed or denied as soon as practicable and without delay. The Village of Elmwood Park Clerk/Treasurer, the custodian of the records, is a part time position and may require up to 21 days to complete or deny the request.

(d) Fees:

.50 Per sheet for copies (Only standard size copies 8.5 x 11 are available)

Actual and direct cost of mailing or shipping of a record which is mailed or shipped to the requester. An additional fee may be imposed for locating a record, not exceeding the actual, necessary and direct cost of location, if the cost is \$50.00 or more.

2.12 VILLAGE ATTORNEY.

Village Trustees may at any time use a period of up to 1 (one) billable hours per month to discuss municipal matters with the Village Attorney without notice or permission by the Village President.

No individual, except for the Village President and Village Administrator, shall meet with the village attorney beyond the aforementioned time limit; except by the majority vote of the Village Board or by special assignment from the Village President.

Pursuing legal action against any individual or entity shall be approved by a majority vote by the Village Board.

~~(Amended and Approved August 15th, 2019)~~

~~(Amended and Approved June 10th, 2021)~~

(Amended and Approved October 14th, 2021)