

## CHAPTER 4

### Boards, Commissions and Committees

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#### SEC. 2-4-1 BOARD OF REVIEW.

- (a) **Composition.** The Board of Review shall consist of the Mayor, Clerk-Treasurer, one (1) Alderman and two (2) citizens. The Alderman member shall be annually selected by majority vote of the Common Council at its organizational meeting. The two (2) citizen members shall be appointed by the Mayor, subject to confirmation by the Common Council, at the organizational meeting. One (1) citizen member shall be appointed in even-numbered years and one (1) in odd-numbered years for a term of two (2) years. The Board of Review members, except members who are full-time employees or officers of the City of Galesville, shall receive such compensation as shall be fixed by resolution or ordinance by the Common Council. (Charter Ordinance.)
- (b) **Duties.** The duties and functions of the Board of Review shall be as prescribed in Sections 70.46 and 70.47, Wis. Stats.
- (c) **Board's Duty.** The Board shall carefully examine the assessment roll and correct all apparent errors in description or computation. It shall add all omitted property but shall not raise or lower the assessment of any property except after hearing, as provided by the Statutes.

State Law Reference: Sections 70.46 and 70.47, Wis. Stats.

#### SEC. 2-4-2 LIBRARY BOARD.

- (a) **Organization; Terms.**
  - (1) There is hereby created, pursuant to Chapter 43 of the Wisconsin Statutes, a municipal Library Board for the Galesville Public Library consisting of a seven (7) member board in three (3) classes; three (3) of such members shall serve for a period of three (3) years, two (2) to serve for two (2) years, and two (2) to serve for a period of one (1) year.

- (2) Terms of such members shall be from July first in the year of their appointment, and thereafter each regular appointment shall be for a term of three (3) years. Not more than one (1) member of the Common Council body shall at any one time be a member of the Library Board. The Mayor shall appoint as one of the Library Board members a school district administrator, or his representative, to represent the public school district or districts in which the library is located. Members shall be residents of the City of Galesville, except that not more than two (2) members may be non-residents.
  - (3) A majority of the membership of the Board shall constitute a quorum.
  - (4) As soon as practicable after the first appointments, at a date and place fixed by the appointing officer, and annually thereafter, within thirty (30) days after the time designated in this Section for the beginning of terms, the members of the Library Board shall organize by election from among their number a President and such other officers that they deem necessary to prescribe and adopt rules and regulations for the operation of the library.
- (b) **Duties and Powers.** The Library Board shall have the duties and powers as prescribed by Chapter 43, and more particularly set forth in Sec. 43.58 of the Wisconsin Statutes. The Library Board shall appoint the Librarian and other library employees.

State Law Reference: Sections 43.54 and 43.58, Wis. Stats.

### **SEC. 2-4-3 BOARD OF HEALTH.**

- (a) **Composition.** The Board of Health shall consist of the members of the Council's Parks and Sanitation Committee.
- (b) **Officers.** The Board of Health shall elect a Chairman and Secretary.
- (c) **Powers of Appointment.** The Board of Health may appoint persons to aid them.
- (d) **Responsibilities.**
  - (1) The Board of Health shall take such measures as shall be most effectual for the preservation of the public health. It shall be the duty of the Board of Health of the City of Galesville to assume the general administration of health and sanitation laws and regulations in the City and to attend to the administration and enforcement of the health laws of the State and the rules and regulations prescribed by the State Board of Health and the ordinances of the City.
  - (2) The Board shall take such measures and make such rules and regulations as shall be necessary and effectual for the preservation and promotion of the public health in the City of Galesville. All orders and regulations of the Board shall be published in the official newspaper and after publication, shall have the force and effect of ordinances, including penalty for violation.

State Law Reference: Sec.141.015, Wis. Stats.

#### SEC. 2-4-4 BOARD OF APPEALS.

- (a) **Establishment.** A Zoning Board of Appeals shall be appointed as specified in Sec. 62.23(7)(e) of the Wisconsin Statutes. The Zoning Board of Appeals shall consist of five (5) members, appointed by the Mayor, subject to confirmation by the Common Council. The Mayor shall appoint, for staggered terms of three (3) years, two (2) alternate members of such board, in addition to the five (5) members above provided for. Annually, the Mayor shall designate one of the alternate members as 1<sup>st</sup> alternate and the other as 2<sup>nd</sup> alternate. The 1<sup>st</sup> alternate shall act, with full power, only when a member of the board refuses to vote because of interest or when a member is absent. The 2<sup>nd</sup> alternate shall so act only when the 1<sup>st</sup> alternate so refuses or is absent or when more than one member of the board so refuses or is absent. The above provisions, with regard to removal and the filing of vacancies, shall apply to such alternates. The members shall be compensated as determined by the Council and shall be removable by the Common Council for cause upon written charges and upon public hearing. The Mayor shall designate one of the members chairman. *[Amended 2/14/2008]*
- (b) **Powers.** The Zoning Board of Appeals shall have the following powers:
- (1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the City's zoning ordinances.
  - (2) To hear and decide special exceptions to the terms of City zoning and floodplain zoning regulations upon which the Board of Appeals is required to pass.
  - (3) To authorize, upon appeal in specific cases, such variance from the terms of the City's zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of the zoning code shall be observed, public safety and welfare secured and substantial justice done; provided, however, that no such action shall have the effect of establishing in any district a use or uses not permitted in such district.
  - (4) To permit the erection and use of a building or premises in any location subject to appropriate conditions and safeguards in harmony with the general purposes of the zoning code, for such purposes which are reasonably necessary for public convenience and welfare.
  - (5) The Zoning Board of Appeals may reverse or affirm wholly or in part or may modify any order, requirement, decision or determination as in its opinion ought to be made regarding the premises. The concurring vote of three (3) members of the Zoning Boards of Appeals shall be necessary to reverse any order, requirement, decision or determination appealed from or to decide in favor of the applicant on any matter on which it is required to pass, or to effect any variation in the requirements of the City's zoning ordinances. The grounds of every such determination shall be stated and recorded. No order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than six (6) months from the date of such order unless a zoning permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such period.

- (c) **Meetings and Rules.** All meetings of the Zoning Board of Appeals shall be held at the call of the chairman and at such other times as the Board may determine. All hearings conducted by the said Board shall be open to the public. The Zoning 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 records of its examination and other official actions, all of which shall be immediately filed in the office of the City Clerk-Treasurer and shall be a public record. The Board shall adopt its own rules of procedure not in conflict with this Section or with applicable Wisconsin Statutes.
- (d) **Offices.** The Common Council shall provide suitable meeting space for holding the Zoning Board of Appeals' hearings.
- (e) **Appropriations.** The Common Council shall appropriate funds to carry out the duties of the Zoning Board of Appeals, and the Board shall have the Authority to expend, under regular procedures, all sums appropriated to it for the purpose and activities authorized herein.

State Law Reference: Sec. 62.23(7), Wis. Stats.

## **SEC. 2-4-5 CITY PLAN COMMISSION.**

- (a) **Composition.** The Plan Commission shall consist of seven (7) members as follows: The Mayor, one (1) Alderman, the Chairperson of the Park Commission and four (4) citizens. The City Engineer shall be an ex officio member.
- (b) **Appointment.**
  - (1) Election/Appointment of Alderman Members. At its annual meeting in April of each year the Common Council shall, by a majority vote of its members, elect one (1) of its number as member of the Plan Commission for a period of one (1) year from and after the first day of May next ensuing.
  - (2) Appointment and Terms of Citizen Members. The Chairperson of the Park Commission shall have a one (1) year term. The four (4) citizen members shall be appointed by the Mayor and confirmed by the Common Council to hold office for a period ending respectively one (1), two (2) and three (3) years thereafter from the succeeding first of May. Annually during April, members shall be appointed for a term of three (3) years.
- (c) **Organization of Commission.** The Mayor shall serve as presiding officer. The Plan Commission shall organize by the election of a vice-chairman, secretary and such other officers as may in their judgment be necessary.
- (d) **Record.** The Plan Commission shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the City Clerk-Treasurer. Four (4) members shall constitute a quorum but all actions shall require the affirmative approval of a majority of all of the members of the Commission.
- (e) **Duties.**
  - (1) The Master Plan.
    - a. The Plan Commission may make, adopt and, as necessary, amend, extend or add to the master plan, subject to Common Council confirmation, for the physical development of the City including areas outside of its boundaries which, in the

Plan Commission's judgment, bear relation to the development of the City. The master plan, with the accompanying maps, plats and descriptive and explanatory matter, shall show the Commission's recommendations for such physical development, and may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, parking areas, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, and the general location and extent of sewers, water conduits and other public utilities whether privately or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, the general location, character and extent of community centers and neighborhood units, and a comprehensive zoning plan.

- b. The Commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan. The adoption of the plan or any part; amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the Plan Commission, subject to confirmation by the Common Council. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the Commission, and a copy of the plan or part thereof shall be certified to the Common Council. The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the Plan Commission and the Common Council in the performance of their duties.
- (2) Mandatory Referrals to Commission. The Common Council or officer of the City having final authority thereon shall refer to the Plan Commission, for its consideration and report before final action is taken by the Council, public body or officer, the following matters: the location of any statue or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public ways, park playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats of lands in the City or within the territory over which the City is given platting jurisdiction by Chapter 236, Wis. Stats.; the location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any land use ordinance. Unless such report from the Commission is made within thirty (30) days, or such longer period as may be stipulated by the Common Council, the Council or other public body or officer may take final action without it.
  - (3) Miscellaneous Powers. The Commission may make reports and recommendations relating to the plan and development of the City to public officials and agencies,

public utility companies, civic, educational, professional, and other organizations and citizens. It may recommend to the Common Council programs for public improvements. All public officials shall, upon request, furnish to the Commission, within a reasonable time, such available information as it may require for its work.

The Commission, its members and employees, in the performance of its functions, may enter upon any land, make examinations and surveys, and place and maintain necessary monuments and markers thereon. In general, the Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning in cooperation with the Common Council.

- (f) **Vacancies.** Vacancies shall be filled by appointment for the remainder of the unexpired term in the same manner as appointment for the full term.
- (g) **Compensation.** No compensation shall be paid for service on the Commission. Citizen members shall take the official oath as required by Sec. 19.01, Wis. Stats., said oath to be filed with the City Clerk-Treasurer.

#### **SEC. 2-4-6 PARK COMMISSION.**

- (a) **Membership.** The Park Commission shall consist of the Chairman of the Council's Street and Sidewalk Committee, the Chairman of the Parks and Sanitation Committee and three (3) citizens who shall be annually appointed at the organizational meeting by the Mayor, subject to Council confirmation.
- (b) **Vacancies.** Vacancies shall be filled in the same manner as the original appointment for the residue of the unexpired term.
- (c) **Associate Members.** The Park Commission may appoint to its membership such nonvoting members as the Commission may desire.
- (d) **Remuneration.** The Park Commission shall serve without remuneration.
- (e) **Organization and Meetings.** The Commission shall elect a Chairperson and a Secretary. Meetings shall be held at such times and places as determined by the Commission and upon such notice to members as the Commission may determine.
- (f) **Procedure.** Three (3) members shall constitute a quorum. The Chairperson, or acting Chairperson, shall be considered in determining a quorum. Action shall be by a majority of those present and voting. The Park Commission shall adopt rules of procedure for governing the conduct of its meetings.
- (g) **Powers and Duties.** The Park Commission shall have all the powers conferred by law upon park and recreation commissions and shall be chargeable with all the duties so required such as recommend, oversee work, and oversee funds of all parks, playgrounds, and recreational activities as part of properties within the City. The Park Commission is specifically empowered and directed:
  - (1) To govern, manage, control, improve and care for all public parks located within, or partly within and partly without, the corporate limits of the City and secure the quiet, orderly, and suitable use and enjoyment thereof by the people; also to adopt rules and regulations to promote these purposes.
  - (2) To acquire in the name of the City for park purposes by gift, purchase, devise, bequest or condemnation, either absolutely or in trust, money, real or personal property, or any incorporeal right or privilege, provided gifts to the City of money or

other property, real or personal, either absolutely or in trust, for park purposes shall be accepted only after they have been recommended by the Board to the Common Council and approved by said Common Council by resolution.

- (3) With prior Council approval, to buy or lease lands in the name of the city for park purposes within or without the City and, with the approval of the Common Council, to sell or exchange property no longer required for its purpose.
  - (4) To execute every trust imposed upon the use property or property rights by the deed, testament or other conveyance transferring the title of such property to the City for park purpose.
  - (5) To have the powers, necessary and convenient for the effective and efficient management, control, supervision and operation of the City park system and recreation program, subject to budgetary approval by the Common Council.
  - (6) To have jurisdiction of the parks, swimming pool and playgrounds throughout the City and assume full responsibility for the equipping, developing and maintaining the physical facilities of the park system.
  - (7) To establish such rules and regulations to promote the quiet, orderly, and suitable use of the City parks and playgrounds as the Board shall deem necessary.
  - (8) To establish rules and regulations, including user fees as deemed necessary as approved by the Council and desirable for the proper use, care and operation of parks, park facilities, recreation programs and other activities under their control, provided however that such rules and regulations do not conflict with the laws of the State of Wisconsin or this Code of Ordinances.
  - (9) To have the powers and duties specified in Sec. 27.08, Wis. Stats.
  - (10) To assist in the planting and maintenance of all trees and shrubbery in the street areas, terraces and tree lanes in the City.
  - (11) And such other and further duties as may be necessary for the proper carrying out of the purposes of said Commission.
- (h) **Public Recreation Program.** The Park Commission shall determine the recreational needs and shall have jurisdiction over the public recreation program of the City and shall be empowered to:
- (1) Recommend park rules and program policies.
  - (2) Cooperate and coordinate with public school activities.
  - (3) Cooperate with any private recreational activities.
  - (4) Approve any schedules of all recreational activities in public parks and school buildings.
- (i) **Record.** The Park Commission shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the City Clerk-Treasurer.
- (j) **Finance.**
- (1) Budget. The Commission shall assist in preparing an annual budget for submission to the Common Council, which budget shall reflect the Commission's recommendations as to maintenance or acquisition of City parks, open spaces, park and related facilities, recreation programs and equipment, summer or seasonal employees, etc. Said annual budget request, to be submitted by October 1<sup>st</sup>, shall contain estimates as to revenues to be derived from recreation programs or activities as well as estimated expenditures for operating the parks and recreation system.

- (2) Deposits. All revenues and income from the operation of park and recreation programs shall be deposited with the City Clerk-Treasurer as general revenue of the City.
- (3) Monetary Contributions. All moneys donated to the City specifically for park or recreation use shall be deposited in City accounts as a non-lapsing fund or reserve for such specific use.

State Law Reference: Sec. 27.08, Wis. Stats.

#### **SEC. 2-4-7 NURSING HOME ADVISORY BOARD.**

- (a) **Composition.** The principal office of the Nursing Home Advisory Board shall be located in the City of Galesville. The Board shall be comprised of ten (10) persons, all being
- (b) bona fide residents of the Towns of Caledonia, Trempealeau, Dodge, Gale and Ettrick, the Villages of Ettrick and Trempealeau and the City of Galesville.
- (c) **Appointment.** The members of the Nursing Homes Advisory Board shall be nominated to the Board by the Mayor of the City of Galesville and the nominations confirmed by the Common Council. Two (2) members of the Board shall be Aldermen of the Common Council of the City of Galesville. The terms of the members shall commence with March 1. All members of the Board shall be appointed for a five (5) year term, with two (2) appointments made annually. In the event a member of the Common Council serving as a member of the Board shall no longer be entitled to serve on such Council, another member of the Common Council shall be selected in the manner above provided to serve for the remainder of such five (5) year term.
- (d) **Officers.** The Board at its first meeting shall organize itself by electing a Chairman, a Vice-Chairman and a Secretary of such Advisory Board.
- (e) **Meetings.**
  - (1) The Board shall meet monthly, the meetings to be held at the Marinuka Manor in the City of Galesville, such meetings to be held as scheduled by the Board.
  - (2) Special meetings of the Board may be called by the President and one (1) member of the Board.
- (f) **Quorum.** A majority of the board shall constitute a quorum for the transaction of business at any meeting of the Board but when there is less than a majority of the members present at said meeting, a majority of the members present may adjourn the meeting from time to time without further notice.
- (g) **Order of Business.**
  - (1) The order of business at any regular or special meeting of the members of the Board shall be:
    1. Reading and approval of any unapproved minutes.
    2. Reports of officers and committees.
    3. Unfinished business.
    4. New business.
    5. Adjournment.
  - (2) The Chairman and Vice-Chairman of the Board may, at any time, nominate and appoint committees of members of the Board for the purpose of discharging any



duties of the Board subject to a review of the action of the Committee at the next regularly scheduled meeting of the Board.

**SEC. 2-4-8 GENERAL PROVISIONS REGARDING MEETINGS AND PUBLIC NOTICE.**

- (a) **Regular Meeting: Public Notice.** Every Board, Committee and Commission created by or existing under the ordinances of the City shall:
- (1) Fix a regular date, time and place for its meeting;
  - (2) All meeting notices shall be filed with the City Clerk-Treasurer who shall cause the notice to be published and posted in full compliance with the Open Meeting Law Requirements.
  - (3) Post at the front door of the City Hall, or publish, an agenda of the matters to be taken up at such meeting.
- (b) **Special Meetings.** Nothing in Subsection (a) shall preclude the calling of a special meeting or with dispensing with the publication of notice or such posting of the agenda, for good cause, but such special meetings shall nonetheless comply in all respects with the provisions of Sections 19.81 to 19.89, Wis. Stats.

**SEC. 2-4-9 RESIDENCY REQUIRED FOR SERVICE ON BOARD OR COMMISSIONS.**

No person not a resident of and not residing in the City of Galesville shall be appointed to any City board or commission, except that the Library Board or Nursing Home Advisory Board, pursuant to state law, may have as members up to two (2) persons who reside in towns adjacent to the City. Any board or commission member who moves from the City shall immediately be removed from such board or commission.