

TITLE 3

Finance and Public Records

Chapter 1	Finance
Chapter 2	Special Assessments
Chapter 3	Public Records
Chapter 4	Desposal of Lost, Abandoned and Surplus Property

CHAPTER 1

Finance

3-1-1	Fee for Returning Checks with Insufficient Funds; Reimbursement of Collection Costs
3-1-2	Duplicate Treasurer's Bond Eliminated
3-1-3	City Budget
3-1-4	Changes in Budget
3-1-5	City Funds to be Spent in Accordance with Appropriation
3-1-6	Fiscal Year
3-1-7	Public Depositories
3-1-8	Claims Against City
3-1-9	Temporary Investment of Funds Not Immediately Needed
3-1-10	Facsimile Signatures
3-1-11	Receiving Money; Receipt for Same
3-1-12	Statement of Real Property Status
3-1-13	Accounts Receivable Billing Procedures
3-1-14	Annual Audits
3-1-15	Payment of Taxes; Interest; Penalty
3-1-16	Finality of Gifts to City

SEC. 3-1-1 FEE FOR RETURNING CHECKS WITH INSUFFICIENT FUNDS; REIMBURSEMENT OF COLLECTION COSTS.

- (a) There shall be a Ten Dollar (\$10.00) fee for processing checks made payable to the City that are returned because of insufficient funds in the account in question.
- (b) Collection costs and attorneys fees shall be added to the principal amounts of unpaid bills owed to the City that are placed with collection agencies.

SEC. 3-1-2 DUPLICATE TREASURER'S BOND ELIMINATED.

- (a) **Bond Eliminated.** The City of Galesville elects not to give the bond on the City Clerk-Treasurer provided for by Sec. 70.67(1), Wis. Stats.
- (b) **City Liable for Default of Treasurer.** Pursuant to Sec. 70.67(2), Wis. Stats., the City shall be obligated to pay, in case the City Clerk-Treasurer shall fail to do so, all state and county taxes required by law to be paid by such City Clerk-Treasurer to the County Treasurer.

State Law Reference: Section 70.67, Wis. Stats.

SEC. 3-1-3 CITY BUDGET.

- (a) **Departmental Estimates.** On or before October 1 of each year, each officer, department, board and committee shall file with the City Clerk-Treasurer an itemized statement of disbursements made to carry out the powers and duties of such officer, department, board or committee during the preceding fiscal year, and a detailed statement of the receipts and disbursements on account of any special fund under the supervision of such officer, department, board or committee during such year, and of the conditions and management of such fund; also detailed estimates of the same matters for the current fiscal year and for the ensuing fiscal year. Such statements shall be presented in the form prescribed by the City and shall be designated as "Departmental Estimates", and shall be as nearly uniform as possible for the main division of all departments.
- (b) **Consideration of Estimates.** The City Clerk-Treasurer and Mayor shall consider such departmental estimates in consultation with the department head and recommend to the Common Council a budget amount for such department or activity.
- (c) **Proposed Budget.** On or before November 1, the Mayor shall prepare and submit to the Common Council a proposed budget presenting a financial plan for conducting the affairs of the City for the ensuing calendar year. The budget shall include the following information:
 - (1) The expense of conducting each department and activity of the City for the ensuing fiscal year and last preceding fiscal year, with reasons provided for increase and decrease recommended as compared with appropriations for the current year.
 - (2) An itemization of all anticipated income from the City from sources other than general property taxes and bonds issued, with a comparative statement of the amounts received by the City from each of the same or similar sources for the last preceding and current fiscal year.
 - (3) An estimate of the amount of money to be raised from general property taxes which, with income from other sources, will be necessary to meet the proposed expenditures.
 - (4) Such other information as may be required by the Common Council and by state law.
- (d) **Copies of Budget.** The City Clerk-Treasurer shall provide a reasonable number of copies of the budget summary thus prepared for distribution to citizens. The entire fiscal budget shall be available for public inspection in the Office of City Clerk-Treasurer during regular office hours.

(e) **Hearing.**

- (1) The Mayor shall submit to the Council at the time the annual budget is submitted the draft of an appropriation ordinance providing for the expenditures proposed for the ensuing fiscal year. Upon the submission of the proposed appropriation ordinance to the Council, it shall be deemed to have been regularly introduced therein.
- (2) A summary of such budget and notice of the time and place where such budget and detail is available for public inspection and notice of the time and place for holding the public hearing thereof shall be published in the official newspaper of the City at least fifteen (15) days prior to the time of such public hearing.
- (3) Not less than fifteen (15) days after the publication of the proposed budget and the notice of hearing thereof, the public hearing shall be held at the time and place stipulated, at which time any resident or taxpayer of the City shall have an opportunity to be heard on the proposed budget. The budget hearing may be adjourned from time to time.
- (4) A majority vote of the Common Council is required to adopt the proposed budget and a vote of three-quarters (3/4) of the Council is necessary to adopt the appropriations ordinance.

State Law Reference: Section 62.12, Wis. Stats.

SEC. 3-1-4 CHANGES IN BUDGET.

Upon written recommendation of the Mayor, the Council may at any time, by a two thirds (2/3) vote of the entire membership, transfer any portion of an unencumbered balance of an appropriation to any other purpose of object. Notice of such transfer shall be given by publication within ten (10) days thereafter in the official newspaper of the City.

SEC. 3-1-5 CITY FUNDS TO BE SPENT IN ACCORDANCE WITH APPROPRIATION.

No money shall be drawn from the treasury of the City, nor shall any obligation for the expenditure of money be incurred, except in pursuance of the annual appropriation in the adopted budget or when changed as authorized by Section 3-1-4 of this Chapter. At the close of each fiscal year, any unencumbered balance of an appropriation shall revert to the general fund and shall be subject to reappropriation; but appropriations may be made by the Common Council, to be paid out of the income of the current year, in furtherance of improvements or other objects or works which will not be completed within such year, and any such appropriation shall continue in force until the purpose for which it was made shall have been accomplished or abandoned.

SEC. 3-1-6 FISCAL YEAR.

The calendar year shall be the fiscal year.

SEC. 3-1-7 PUBLIC DEPOSITORIES.

The Common Council shall designate the public depository or depositories within this state within which City funds shall be deposited, and when the money is deposited in such depository in the name of the City, the City Clerk-Treasurer and bondsman shall not be liable for such losses as are defined by state law. The Clerk-Treasurer shall invest and the interest arising therefrom shall be paid into the City Treasury. A copy of the resolution designating public depositories shall be filed annually with the State Commissioner of Banking. Pursuant to state law, designated public depositories shall be required to pledge U.S. Treasury Notes equal in amount to any uninsured balance of the City's deposit.

State Law Reference: Chapter 34 and Section 62.12, Wis. Stats.

SEC. 3-1-8 CLAIMS AGAINST CITY.

- (a) **Payment of Claims.** In addition to, and in lieu of the other methods provided by statute for the payment of claims against the City, financial claims against the City may be paid from the City Treasury after the Clerk-Treasurer shall have audited and approved each such claim as a proper charge against the Treasury and shall have endorsed his approval thereon, after having determined that the following conditions have been complied with:
- (1) That funds are available therefore, pursuant to the budget approved by the Council;
 - (2) That the item or service covered by such claim has been duly authorized by the proper official, department head or board or commission;
 - (3) That the item or service has been actually supplied or rendered in conformity with such authorization;
 - (4) That the claim is just and valid, pursuant to law. The Clerk-Treasurer may require the submission of such proof and evidence to support the foregoing as in his discretion he may deem necessary.
- (b) **Payment of Regular Wages or Salaries.** Regular wages or salaries of City officers and employees shall be paid by payroll, verified by the proper City official, department head, board or commission and filed with the Clerk-Treasurer in time for payment on the regular pay day.

SEC. 3-1-9 TEMPORARY INVESTMENT OF FUNDS NOT IMMEDIATELY NEEDED.

The City Clerk-Treasurer may invest any City funds not immediately needed, pursuant to Sections 66.04(2) and 219.05, Wis. Stats.

State Law Reference: Sections 66.04(2) and 219.05, Wis. Stats.

SEC. 3-1-10 FACSIMILE SIGNATURES.

In lieu of the personal signatures of the City Clerk-Treasurer and Mayor, there may be affixed on order checks the facsimile signatures of such persons adopted by them and approved by the Common Council, but the use of the facsimile signature shall not relieve such official from any liability to which he is otherwise subject, including the unauthorized use thereof. In the absence of the Mayor or Clerk-Treasurer, the Council President may sign checks for the City.

SEC. 3-1-11 RECEIVING MONEY; RECEIPT FOR SAME.

- (a) The City Clerk-Treasurer or his deputies shall not receive any money into the Treasury from any source except on account of taxes levied and collected during the fiscal year for which he or she may then be serving, without giving a receipt therefore in the manner specified by the Common Council.
- (b) Upon the payment of any money (except for taxes as herein provided), the City Clerk-Treasurer shall make out a receipt in duplicate for the money so received. The Clerk-Treasurer shall charge the amount thereof to the Treasury and credit the proper account. The payment of the money to any receiving agent of the City or to the City or to the Clerk-Treasurer shall be safeguarded in such manner as the Common Council shall direct.

State Law Reference: Section 66.113, Wis. Stats.

SEC. 3-1-12 STATEMENT OF REAL PROPERTY STATUS.

The Clerk-Treasurer is authorized to prepare a Statement of Real Property Status form to be used to provide information often requested for transfers of real property such as the amount of outstanding special assessments, deferred assessments, changes in assessments, amount of taxes, outstanding water, electric, and sewer bills, current water and sewer bills, contemplated improvements, floodplain status, violations of the building and health codes and similar information. Any such information sought shall be provided to the person requesting it on said form. The City shall collect a fee of Five Dollars (\$5.00) for furnishing such information on said form. A minimum of forty-eight (48) hours is required for preparation of a statement of real property status.

SEC. 3-1-13 ACCOUNTS RECEIVABLE BILLING PROCEDURES.

Billings by the City may be paid within thirty (30) days after billing without interest. Thereafter, interest may be charged at the rate of one and one-half percent (1-1/2%) per month or any fraction thereof, until the following fifteenth (15th) day of November shall have added to the total amount due one and one-half percent (1-1/2%) of said charges shall be entered on the tax roll as a special charge and become a lien upon real estate.

SEC. 3-1-14 ANNUAL AUDITS.

A firm of certified public accountants shall be employed each year by the City, subject to the confirmation of the Common Council to conduct a detailed audit of the City's financial transactions and its books, and to assist the Clerk-Treasurer in the management of the City's financial affairs, including the City's public utilities. These auditors shall be employed on a calendar-year basis. The books audited may, in addition to the City financial records of the office of the Clerk-Treasurer, include the city Clerk-Treasurer's books, the City's public utilities, Police Department records, and any other books of any boards, commission, officers or employees of the City handling City moneys.

SEC. 3-1-15 PAYMENT OF TAXES; INTEREST; PENALTY.

- (a) All personal property taxes and special assessments shall be paid on or before February 28.
- (b) All real estate taxes levied pursuant to this code of Ordinances and the Wisconsin Statutes may be paid in two (2) installments, the first shall be paid on or before January 31 to the City Clerk-Treasurer and the second installment on or before July 31 next succeeding to the County Treasurer, in accordance with the provisions of Section 74.03, Wis. Stats. If the first installment of the real estate taxes shall become due and shall be collected, together with unpaid personal property taxes, on or before the last day of February by the City Clerk-Treasurer.
- (c) Overdue or delinquent real estate taxes, personal property taxes and special assessments are subject to an interest charge of one percent (1%) per month or fraction of a month.
- (d) In addition to the interest charge, overdue or delinquent personal property taxes are subject to a penalty of one-half of one percent (.5%) per month or fraction of a month. The penalty shall apply to any personal property taxes that are overdue or delinquent and shall be calculated from January of the year in which such taxes first become due.
- (e) Immediately upon the sale or transfer of a business, the City Clerk-Treasurer shall require advanced payment of all personal property taxes based on the previous year's mill rate multiplied by the premise's, property's or business's current year's evaluation.

SEC. 3-1-16 FINALITY OF GIFTS TO THE CITY.

- (a) This Section applies only to gifts or transfers by third parties to the City of improvements to City real estate and tangible personal property placed upon City real estate for the City's sole or partial benefit, all of the foregoing being collectively referred to herein as "gifts of improvement".
- (b) A gift of improvement to the City shall be conclusively presumed to be final and binding upon the donor and the city upon the earliest of the following events:
 - a. Receipt by the City of a written document indicating the gift of improvement to the City.
 - b. Upon the placement, or substantial completion, of the improvement.
 - c. At such time as the City's records indicate that the improvement has been transferred to the City by the donor.

- (c) This Section shall apply to all gifts of improvement made after the passage and publication of this Section. This Section is also intended to be retroactive in nature to the fullest extent allowed by law. Sixty (60) days after the passage and publication of this Section, this Section shall be effective against all gifts of improvement made to the City prior to the passage and publication of this Section unless within said sixty (60) day period, a donor or a representative of a donor of gifts of improvement files with the Trempealeau County Circuit Court an action to determine applicability of the Section.