

CHAPTER 2

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2.01 ELECTED OFFICIALS

(1) Trustees. There shall be six (6) Trustees of the Village of Cassville. Three (3) Trustees shall be elected at each annual spring election for a term of two (2) years, commencing on the third (3rd) Tuesday of April of the year of their election.

(2) Election of Village President. The Village President for the Village of Cassville shall be elected at the regular spring election in odd numbered years for a term of two (2) years commencing on the third (3rd) Tuesday of April of the year of his or her election.

(3) Powers & Duties. The Village President and Trustees shall have those powers and duties provided in Chapter 61 of the Wisconsin Statutes.

In emergency situations, in the absence of the Village President, the Committee Chair for the Village service affected by the type of emergency will assume decision making powers and duties for the Village. If the Committee Chair is not available to assume those duties, the duties shall fall to the Director of Public Works.

2.02 APPOINTED OFFICIALS

(1) Appointment & Confirmation. The Village officials hereinafter set forth shall be appointed at the first regular meeting of the Village Board in May of odd-numbered years by the Village President, subject to the confirmation by a majority vote of the members of the Village Board:

Clerk-Treasurer, Assessor, Weed Commissioner, Attorney, Building Inspector, Airport Manager, and Director of Public Works.

The Village President shall not vote on the confirmation of such appointments except in the case of a tie. The term of office of each official so appointed shall be two (2) years. All terms shall commence on the fifteenth (15th) day of May following appointment.

(2) Officers of Clerk & Treasurer Consolidated. Pursuance to Sections 61.195 and 66.0101 of the Wisconsin Statutes, the Village of Cassville elects to consolidate the offices of Clerk and Treasurer. The Clerk-Treasurer shall exercise the powers and duties of Village Clerk and Village Treasurer as provided by Wisconsin Statutes, any ordinance, or other direction of the Village Board.

(a) *Bond of Treasurer.* The Village of Cassville, Wisconsin, does hereby elect not to give the bond on the Village Treasurer provided for by s. 70.67(1), Wis. Stats. Pursuant to s. 70.67, Wis. Stats., the Village of Cassville shall pay, in case the Treasurer thereof shall fail to do so, all taxes of any kind required by law to be paid by such Treasurer to the County Treasurer.

(3) Assessor. The Assessor shall have the powers and duties as provided in Chapter 70 of the Wisconsin Statutes. No person shall assume the office of Assessor unless certified by the Wisconsin Department of Revenue under Section 73.09 of the Wisconsin Statutes as qualified to perform the functions of the office of Assessor.

(4) Building Inspector. The Building Inspector shall have the powers and duties provided in Section 62.23 of the Wisconsin Statutes and such other powers and duties as provided in Wisconsin Statutes, any ordinance, or other direction of the Village Board.

(5) Other Appointed Officials. The Attorney, Weed Commissioner, Airport Manager and Director of Public Works shall have such powers and duties as provided by any ordinance or other direction of the Village Board.

(6) Created Offices. The Village Board may from time to time create offices it deems to be in the best interest of the Village by appointment of the Village President subject to confirmation of the Village Board. Created offices shall continue in existence for a period of one (1) year from the date of creation. Any such officer shall have such powers and duties as are provided by the direction of the Village Board.

2.03 CHIEF OF POLICE

(1) Offices of Marshal & Constable Abolished. Pursuant to Sections 61.195 and 66.0101 of the Wisconsin Statutes, the Village of Cassville elects not to be governed by those portions of Sections 61.19 and 61.23 of the Wisconsin Statutes relating to the selection and tenure of constable and marshal and hereby abolishes the office of Village Constable and Village Marshal.

(2) Office of Chief of Police Created. There is hereby created the office of Chief of Police, which shall be filled by appointment by a majority vote of the members of the Village Board for an indefinite term, subject to removal by a two-thirds (2/3rds) vote of the members of the Village Board. The Chief of Police shall exercise the powers and duties of Village Marshal and Village Constable and any other powers and duties as provided from time to time by the Village Board.

2.04 FIRE CHIEF, ASSISTANTS & FIRE INSPECTOR

(1) How Appointed & Term. The Fire Chief and the first and second assistant chiefs shall be elected by the members of the volunteer fire department as provided by the by-laws of said department and such elections shall be subject to confirmation by the Village Board.

(2) Duties. The Fire Chief and the Assistant Fire Chiefs shall have active charge of the Fire Department, and shall perform such duties as provided by Chapter 5 of this Code.

2.05 BOARD OF REVIEW

The Board of Review of the Village of Cassville shall be composed of four (4) members. The Village President, The Village Clerk and two (2) citizens appointed according to the procedure and for the term set forth in section 2.02(1) of this Code. The Board of Review shall have the powers and duties set forth in Section 70.47 of the Wisconsin Statutes.

2.06 PLAN COMMISSION

(1) How Constituted. The Village Plan Commission shall consist of seven (7) members as follows: The Village President, who shall be its presiding officer; two (2) Trustees; and four (4) citizens. Citizen members shall be persons of recognized experience and qualifications.

(2) Appointment.

(a) *Trustee Members.* The Trustee members of the Commission shall be elected by two-thirds (2/3rds) vote of the Village Board upon creation of the Plan Commission and during each April thereafter.

(b) *Citizen Members.* The four (4) citizen members of the Commission shall be appointed by the Village President upon creation of the Plan 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 (3) years.

(3) Powers and Duties. The Plan Commission shall have the powers and duties provided in Section 62.23 of the Wisconsin Statutes.

2.07 LIBRARY BOARD

The Library Board shall consist of five (5) members appointed by the Village President subject to confirmation by a majority vote of the Village Board according to the terms and conditions of Section 43.54 of the Wisconsin Statutes. The Library Board shall have the powers and duties as provided in Section 43.58 of the Wisconsin Statutes.

2.08 BOARD OF APPEALS

The Board of Appeals shall consist of five (5) members appointed by the Village President subject to confirmation by a majority vote of the Village Board according to the terms and conditions of Section 62.23(7) of the Wisconsin Statutes. The Board of Appeals shall have the powers and duties as provided by Section 62.23 of the Wisconsin Statutes and any ordinance.

2.09 ASSESSMENT RECORD CONFIDENTIALITY

(1) Record to be Held Confidential. Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to Section 70.47(7)(af) of the Wisconsin Statutes, or any successor statute thereto, then such income & expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that said information may be revealed to and used by persons: in the discharging of duties imposed by law; in the discharge of duties imposed by office (including, but not limited to, use by the Assessor in performance of official duties of the Assessor's office and use by the Board of Review in performance of its official duties); or pursuant to order of a court. Income and expense information provided to the Assessor under Section 70.47(7)(af), unless a court determines that it is inaccurate, is, per Section 70.47(7)(af), not subject to the right of inspection and copying under Section 19.35(1) of the Wisconsin Statutes.

(2) Severability. If any portion of this section shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions of this section. The remainder of this section shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this section are hereby repealed as to those terms that conflict.

2.10 TOURISM PROMOTION COMMITTEE

The Tourism Promotion Committee shall consist of eleven (11) members including at least one Village Trustee and the Tourism Coordinator. The Village President shall appoint all members subject to a majority vote of the Village Board at its regular monthly meeting each May. The Committee shall report to the Village Board regarding its activities and any recommendations it has for Board action.

2.11 PENSION PLAN TRUSTEES

There shall be three (3) Trustees who shall serve as trustees of the Village Employee Pension Plan and who shall be appointed by the Village President at the first regular Village Board meeting in May. The duties of the Pension Plan Trustees shall be to administer the Village Employee Pension Plan.

2.12 GENERAL REGULATIONS GOVERNING 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, whether elected or appointed, shall, before entering upon his duties and within five days of his or her 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 Clerk who shall file his or her oath in the office of the Village President. Any person re-elected or re-appointed 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 or her office, give bond in such amount as may be determined by the Village Board which such sureties as are approved by the Village President, conditioned upon the faithful performance of the duties of his or her office. Official bonds shall be filed as are oaths as provided above.

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

2.13 SALARIES

(1) Elected Officials. All elected officers of the Village shall receive such salaries as may be provided from time to time by the Village Board by ordinance. No elected officer's salary shall be diminished or increased during his or her term of office. No officer receiving a salary from the Village shall be entitled to retain any portion of any fees collected by him for the performance of his duties as such officer in the absence of a specific law or ordinance to that effect.

(2) Appointed Officials. Salaries of the members of the Board of Appeals and Board of Review shall be set from time to time by the Village Board by ordinances. Members of the Library Board shall serve without compensations except members may be reimbursed for actual and necessary expenses incurred in performing duties outside the Village of Cassville if authorized by the Library Board and members of the Library Board may receive per diem, mileage and other necessary expenses incurred in performing their duties if so authorized by the

Village Board and the Library Board. All other appointed officials shall be compensated as may be provided from time to time by the Village Board.

(3) Payroll. Payment of regular wages and salaries established by the Village Board shall be by payroll, as provided in Section 13.03(3) of this Code. The regular payday shall be every other Friday. Each pay period shall be a period of two weeks ending on the Friday prior to said payday.

(4) President's Salary. The salary of the Village President shall be \$3,600 per year effective with the commencement of the first new term of office beginning after the adoption of this ordinance.

(5) Trustee's Salary. The salary for each Trustee shall be \$900.00 per year.

(6) Board of Review Salary. Members of the Board of Review, including the Village President, shall receive \$20.00 per day. The Clerk shall receive no additional compensation for serving on the Board of Review.

(7) Board of Appeals Salary. Members of the Board of Appeals shall receive \$10.00 per meeting attended.

(8) Plan Commission Salary. Members of the Plan Commission shall receive \$10.00 per meeting attended.

2.14 FILING A COMPLAINT AGAINST VILLAGE OFFICIAL OR VILLAGE EMPLOYEE

Should any citizen desire to file a complaint against a Village of Cassville official or employee, the complaint must be submitted in writing and filed with the Village Clerk.

The complaint should state that the official or employee has violated any Village, State, or Federal Law or acted improperly. The complaint, together with any substantial evidence, must then be presented to the Village Clerk's office. The Village President or his or her designee will conduct a full investigation and act in accordance with the Personnel Manual, and take whatever action is appropriate and permitted under the Village, State, or Federal Laws. The Village President or his or her designee MAY submit a written report to the Village Board and inform the person filing the complaint of the results of the investigations and any action taken.

Any statement of complaint against an official or employee must contain the following information:

1. Name, address and phone number of the complainant.
2. Time and date of incident.
3. Location of incident.
4. Name of official or employee
5. Precise and legible narrative of the incident.
6. Attached should be any evidence, photos, documents, etc.

7. Name, address and phone number of any witness.
8. A copy of the complaint should be retained by the complainant for his or her records.

If the complainant fails to provide any of the above information; the complaint will be unsubstantiated, and no investigation will be conducted. The complainant should also contact any and all witnesses and make arrangements for them to give the investigator(s) a signed and notarized written statement.