

CHAPTER 2

OFFICIALS

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2.01 ELECTED OFFICIALS

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

(2.) *OTHER ELECTED OFFICIALS.* The following officers of the Village of Eagle shall be chosen at the regular spring election in odd-numbered years for terms of 2 years commencing on the 3rd Tuesday of April in the year of their election.

- (a) *Village President* - The duties and responsibilities of the Village President as defined under Wisconsin State Statutes 61.24 are hereby adopted.

2.02 APPOINTED OFFICIALS

(1.) *ASSESSOR, ATTORNEY, etc.* The village officials herein after 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 confirmation by a majority vote of the members of the Board:

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|--------------------|----------------------------------|
| Assessor | Emergency Management Coordinator |
| Attorney | Village Engineers |
| Building Inspector | Village Clerk/Treasurer* |

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

(*The position of Village Clerk/Treasurer may, but need not, be held by one (1) person.)

(2.) WEED COMMISSIONER. The Village President shall appoint the Village Weed Commissioner in May of each year for a term of one year.

2.03 CHIEF OF POLICE

(1.) OFFICES OF MARSHAL and CONSTABLE ABOLISHED. Pursuant to SS. 61.195, 61.197 and 66.01 of the Wisconsin Statutes, the Village of Eagle elects not to be governed by those portions of SS 61.19 and 61.23 relating to the selection and tenure of Constable and Marshal and hereby abolishes the offices of Village Constable and Village Marshal.

(2.) OFFICE OF CHIEF OF POLICE CREATED. There is hereby created an office of Chief of Police, which shall be filled by appointment by the Village Board. The Chief must be a currently certified law enforcement officer through the State of Wisconsin. He shall hold office until removed as provided under SS 61.65 (1) (am), unless his services are sooner terminated by resignation or death. He shall exercise the powers and duties of Village Marshals and Village Constables, and any other powers and duties as provided from time to time.

2.04 FIRE CHIEF AND FIRE INSPECTOR

(1.) APPOINTMENT. The office of Fire Chief shall be filled by procedure established by the Eagle Fire Commission as stated in section 5.02(1)(c)(4) of this document.

(2.) DUTIES OF FIRE CHIEF. See Section 5.02(1)(d) of this document.

2.05 DIRECTOR OF PUBLIC WORKS

(1.) APPOINTMENT. The Director of Public Works shall be appointed by a majority vote of the Village Board solely on the basis of merit, training, experience, administrative ability, efficiency and general qualifications and fitness for performing the duties of the position.

(2.) TERM. The Director of Public Works shall hold office for an indefinite term, subject to removal for cause after a hearing by a $\frac{3}{4}$ vote of the Village Board.

(3.) DUTIES AND POWERS. The Director of Public Works shall have the following duties and powers:

- (a) He shall have general charge and supervision of all public works in the Village
- (b) He shall be responsible for the maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, bridges, street signs, storm sewers, culverts and drainage facilities, sanitary sewers, village buildings and structures and all machinery, equipment and property used in the activity under his control.
- (c) He shall have charge of all public services, snow and ice removal, street cleaning and flushing, and mosquito and rodent control.
- (d) He shall perform such other activities and duties as are imposed upon him from time to time by the Village Board.
- (e) He shall have full power to employ and discharge all employees under his direction.

2.06 BOARD OF HEALTH, HEALTH OFFICER ABOLISHED

Pursuant to the provisions of S. 140.09 (10) and (11), Wisconsin Statutes, the office of Health Officer and Board of Health is abolished. All powers, duties and references thereto contained in this code, or any ordinance of the Village of Eagle, are hereby transferred to the Waukesha County Environmental Health Services with the duties, responsibilities and powers as set forth in Section 251.04 of Wisconsin Statutes.

2.07 BOARD OF REVIEW

The Board of Review of the Village of Eagle shall be composed of five members, including the Village President, the Village Clerk and three members of the Village Board of Trustees, who shall be appointed by the Village President. The Board of Review shall have the duties and powers prescribed by S. 70.47 of the Wisconsin Statutes.

2.08 PLAN COMMISSION

(1.) ESTABLISHMENT. There is hereby established a Village Plan Commission for the Village of Eagle, Waukesha County, Wisconsin, pursuant to Sec. 61.35 and 62.23 Wisconsin Statutes.

(2.) HOW CONSTITUTED. Such Plan Commission shall consist of seven (7) members. Compensation will be paid to citizen members for each meeting actually attended, at the rate set forth and approved by the Village Board, by a resolution establishing salaries for village employees.

One member shall be the Village President who shall be its presiding officer; one Village Board member who shall be the Chairman of the Park Committee, one Village Board member who shall be the Chairman of the Streets Committee, and one member shall be the Director of Public Works, and if there is none, a citizen member until such Director is appointed, and three citizen members.

(3.) APPOINTMENT. The Village Board Members shall all be appointed by the Village President, subject to a two-thirds vote of the Village Board, and upon creation of this commission, shall have a term until April, and have a term until each April thereafter.

(4.) TERMS. The three citizen members shall be appointed to hold office for a period ending one, two and three years, respectively, from the first succeeding first day of May, and thereafter annually during April, one such member shall be appointed for a term of three years. They shall be appointed by the Village President and subject to confirmation of the Village Board, and shall be persons of recognized experience and qualification. The additional citizen member, if any, shall be first appointed to hold office for a period of one year during the succeeding first day of May, and thereafter annually during the month of April.

(5.) SECRETARY. The presiding officer shall appoint the Secretary of the Commission.

(6.) OFFICIAL OATHS. Official oaths shall be taken by all members in accordance with Sec. 19.01 of the Wisconsin Statutes, within ten days of receiving notice of their appointment.

(7.) ORGANIZATION. The Village Plan Commission shall organize and adopt rules for its own government, in accordance with the provisions of this ordinance.

- (a) Meetings shall be held monthly, if necessary or at the call of a request of a majority of the full commission, and shall be open to the public.
- (b) Standing and Special Committees may be appointed by the Chairman.
- (c) Quorum shall be four (4) members, but all actions shall require approval of a majority of the full commission, except a motion to adjourn.
- (d) A written record shall be kept showing all actions taken, resolutions, findings, determinations, transactions and recommendations made; and a copy shall be filed with the Village Clerk/Treasurer as a public record.

(8.) **POWERS.** The Village Plan Commission shall have such powers as may be necessary to enable it to perform its functions and duties and promote municipal planning. Such powers shall include the following:

- (a) To employ experts and a staff, and to pay for their services, supplies, equipment and such other expenses as may be necessary and proper, not to exceed the appropriations and regulations made by the Village Board.
- (b) To make reports and recommendations relating to the plan and development of the municipality to public officials, agencies, utilities and other organizations and citizens.
- (c) To recommend public improvement programs and financing thereof to the Village Board or President.
- (d) To request available information from any public official to be furnished within a reasonable time.
- (e) To enter upon any land. The Commission, its members and employees, may enter upon any land in the performance of its functions, make examinations and surveys, and place and maintain necessary monuments and marks thereon.
- (f) All recommendations including adoption and/or certifications are subject to approval by the Village Board.

(9.) **DUTIES.** The Village Plan Commission shall have the following functions and duties:

- (a) To make and adopt a Master Plan for the physical development of the municipality, including any areas outside of its boundaries, in accordance with Sections 62.23 (2) and (3) of the Wisconsin Statutes.
- (b) To make and recommend an Official Map to the Village Board in accordance with Section 62.23 (6) of the Wisconsin Statutes.
- (c) To prepare and recommend a Zoning District Plan and regulations to the Village Board, in accordance with Section 62.23 (7) of the Wisconsin Statutes.
- (d) To prepare and recommend Land Division Regulations to the Village Board, in accordance with Section 236.45 of the Wisconsin Statutes.
- (e) To make and changes to the Master Plan they deem necessary or desirable, and to recommend any changes or amendments to the Village Board which they deem necessary or desirable concerning the Official Map, Zoning, Land Division and Fire Prevention Ordinances.
- (f) To consider and report or recommend on all matters referred to them.

(10.) **REFERRALS.** The Village Board, or other public body or officer of the Village having final authority thereon, shall refer to the Village Plan Commission, for its consideration and report, before final action is taken, the following matters:

- (a) Location and Architectural Design of any public building.
- (b) Location of any Statue or other memorial.
- (c) Location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition or lease of land for any street, alley or other public way, park, playground, airport, parking area or other memorial or public grounds.
- (d) Location, extension, abandonment, or authorization for any public utility, whether publicly or privately owned.
- (e) Location, character and extent, or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camp for children.
- (f) Proposed Fire Prevention regulations.
- (g) All Annexations, incorporations or consolidations affecting the Village.
- (h) All divisions of lands within the Village's platting jurisdiction.
- (i) All proposed or requested changes and amendments to the Village's Master Plan, Official Map, Zoning, Land Division and Fire Prevention ordinances.

(11.) ADDITIONAL POWERS AND DUTIES. The Village Plan Commission shall have all additional powers and duties granted or assigned by the Village Board or by Village Ordinances. All the powers and duties granted or assigned by the Wisconsin Statutes to Village Plan Commissions and any amendments thereto, are hereby granted or assigned to the Commission, and such Statutes are hereby adopted by reference.

2.09 BOARD OF ZONING AND BUILDING APPEALS

See Section 9.2000 – Zoning Ordinance.

2.10 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 5 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/Treasurer. 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. Each officer shall, if required by law or the Village Board, upon entering 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 sub. (2) or this section.

(4.) SALARIES. All officers of the Village shall receive such salaries as may be provided from time to time by the Village Board by ordinance or resolution. 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. Payment of regular wages and salaries established by the Village Board shall be by payroll.

(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.