

CHAPTER 2

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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:

Assessor
Attorney

Emergency Management Coordinator
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) Library Board Representative – The Village President, with Village Board approval, shall appoint a Library Board Representative in May of each year for a term of one year.

(3) Joint Park and Recreation Committee Representative - The Village President, with Village Board approval, shall appoint a Joint Park and Recreation Committee Representative 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 §61.195, §61.197 and §66.0101 of the Wisconsin Statutes, the Village of Eagle elects not to be governed by those portions of §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 §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 the Village of Eagle Municipal Code Chapter 5.

(2) *DUTIES OF FIRE CHIEF.* See Section 5.02(1)(d) of the Village of Eagle Municipal Code Chapter 5.

2.05 DIRECTOR OF PUBLIC WORKS

(1) *HIRE.* The Director of Public Works shall be hired 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, set wages and discharge all employees under his direction.
 - (f) He shall have the authority of Weed Commissioner

2.06 BOARD OF HEALTH, HEALTH OFFICER ABOLISHED

Pursuant to the provisions of §251.08 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 Division 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 §70.47 of the Wisconsin Statutes. Sec. 70.46 (4), Wis. Stats., requires that one voting member have attended an approved training session within two years of the board's meeting.

2.08 VILLAGE 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. One member shall be the Village President who shall be its presiding officer; one Village Board member who shall have expertise with the Village Comprehensive Develop Plan, one Village Board member who shall be the Chair of Public Works and Property Committee, 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. 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.
- (3) APPOINTMENT AND TERMS OF DESIGNATED SEATS. The Village Board Members shall all be designated per Section 2.08(2) and shall serve, for the duration of their term as committee chair.
- (4) APPOINTMENT AND TERMS.OF CITIZEN MEMBERS. The three citizen members are appointed for a three year term. .No later than the first regular Village Board meeting in May, one citizen member shall be appointed for a three year term. They shall be appointed by the Village President and subject to approval of the Village Board, and shall be persons of recognized experience and qualification.
- (5) SECRETARY. The Secretary of the Commission shall be the Village Clerk
- (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 two members of the commission, and shall be open to the public.
 - (b) Standing and Special Committees may be appointed by the Chairman.
 - (c) 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 are subject to approval by the Village Board, except that denials for violations of Ordinances or State Statutes are considered final actions by the Plan Commission.

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

- (a) To review and recommend changes to a Master Plan/ Comprehensive Development 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 review and recommend an Official Map to the Village Board in accordance with Section §62.23 (6) of the Wisconsin Statutes.
- (c) To review 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 review and recommend Land Division Regulations to the Village Board, in accordance with Section §236.45 of the Wisconsin Statutes.
- (e) To review and recommend changes to the Master Plan/ Comprehensive Development 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.
- (g) To ensure that all recommendations are consistent with the current Village Comprehensive Development Plan, which will be reviewed annually.

(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, vacancy, 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/Comprehensive Development 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 ZONING BOARD OF APPEALS

See Section 9.2000 – Zoning Ordinance.

2.10 COMMITTEE APPOINTMENTS

(1) No later than the first regular board meeting in May, the village president shall appoint trustees to each of the following standing committees:

Standing Committee Name	Members
Code & Ordinance Committee	Five members
Personnel & Finance Committee	Three members
Police & Licensing Committee	Three members
Public Works & Property Committee	Three members

Note: See 2.11 – 2.14 for detailed committee makeup

(2) The village president shall designate the chair of standing committees. The village president shall appoint all special committees and designate the chair of each.

(a) At the first meeting in May, the Village Board shall approve committee appointment recommendations made by the Village President

(3) Committee meetings and minutes

- (a) Four Standing Committee meet on a monthly basis. If more meetings are required, it shall be at the discretion of the chairman to so call. In like manner, meetings may be cancelled by the chairman if no business is pending.
- (b) Minutes shall be kept of all committee meetings and turned over to the village clerk as part of the public record.
- (c) Any committee may require any village officer to confer with it and supply information in connection with any matter pending before it.

2.11 CODE & ORDINANCE COMMITTEE

- (1) Purpose – To ensure that a current Code and Ordinance document is maintained at the Village Office and on the website and that all amendments and revisions are documented.

To establish rules and regulations for Village property and infrastructure

To incorporate necessary amendments or new legal directives, and periodically review the code and ordinances in view of changing conditions or new issues within the Village.

To make revision recommendations to the Village Board of Trustees for review and adoption.

- (2) Composition – The five member committee shall consist of three Village Trustees, the Police Chief, and one citizen member.

- (3) Term – The term for Village Trustees shall be for a period of one year and citizen member for a period of two years.

2.12 PERSONNEL & FINANCE COMMITTEE

- (1) Purpose – To ensure that the Village of Eagle’s finances are prudently monitored using best financial business practices.

To create a draft annual budget for Village Board budget deliberation meetings.

To review all major service contracts for value and performance prior to re-appointment.

To update the full Village Board on any fiscal or personnel matter that requires Board Action or has occurred that affects the fiscal situation of the Village of Eagle.

To hold performance reviews of Village office staff and review potential wage or salary changes per other committee recommendations prior to budget deliberations.

To review the Human Resources Manual annually, at minimum, to ensure that all information is still correct and current.

To assess personnel staffing levels as Village needs change or circumstances warrant.

(2) Composition - The three member committee shall consist of the Village President and two Village Trustees.

(3) Term – The term shall be for a period of one year.

2.13 POLICE & LICENSING COMMITTEE

(1) Purpose – To monitor the services and effectiveness of the Eagle Police Department on a regular basis to ensure that the community is receiving professional, sufficient and quality police services for the end goals of safety, quality of life, and protection of property.

To recommend appointment of new officers to the Village Board after interviewing applicants.

Annually review operating expenses to ensure fiscal responsibility and need for services, including review of all grants.

To recommend a draft annual budget for the EPD prior to submitting it for Board Budget review.

Conduct annual performance review of the Police Chief.

To act as a conduit for open communication between the community, the committee, and the EPD to allow the EPD to respond to community needs in creative ways to serve the community better.

To annually review all license & application forms and processes to ensure they meet community needs.

(2) Composition – The three member committee shall consist of Village Board Members with Police Chief or designated assignee in attendance.

(3) Term – The term shall be for a period of one year.

2.14 PUBLIC WORKS & PROPERTY COMMITTEE

- (1) Purpose – The purpose of the committee is to facilitate recommendations to the Village president and board of trustees with regard to public works matters. The areas of responsibility include research, review and making recommendations to the village board regarding:

The adequacy of Village property and infrastructure to meet current and future requirements of the Village Comprehensive Development Plan including

- (a) Street and sidewalk new construction, repair and maintenance requirements,
- (b) Water Utility planning and reporting requirements including new construction, repair, maintenance and protection of water supply.

Provide capital improvement plans, cost projections and contract requirements for all projects.

Ensure adequate insurance of all Village property to protect financial interests.

Develop a separate annual budget for public works and property needs and Water Utility, and monitor budget to ensure income and expensed fall within budget.

Oversight of Water Utility and required testing and reporting to proper Federal and State agencies.

Oversight of the Village Department of Public Works (DPW) and Water Utility staff.

Conduct annual performance review of the Director of Public Works.

- (2) Composition – The three member committee shall consist of Village Trustees.
- (3) Term – The term shall be for a period of one year.

2.15 GENERAL REGULATIONS GOVERNING ALL VILLAGE OFFICIALS

- (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) MEETING ATTENDANCE. The board may compel the attendance of trustees at meetings and punish nonattendance by that authority granted by sec. 61.32, Stats. Certain villages, for example, have enacted legislation that provides for the assessment of a penalty against a trustee in case of an unexcused absence. Others have adopted rules that allow, at the direction of the board, for a law enforcement officer to actually locate and produce, if possible, an absent member at the meeting. If a board member is continually absent from board meetings, he or she may potentially be subjected to the ultimate penalty measure — removal. WI Stats. Section 17.13(2), specifically provides that any elective village officer may be removed by the board for “gross neglect of duty.” The Village of Eagle board is hereby formally defining ‘gross neglect of duty’ to not be limited to but shall include both excessive absences and failure to attend meetings in a sober and accountable state to be able to make sound and responsible decisions.

Board members for the Village of Eagle may be absent (either excused or not excused) from two meetings (Board, Committee, Commission or Rep) in a quarter.

For the third and fourth missed meeting in a quarter, a penalty of \$60.00 for each meeting will be deducted from their quarterly stipend.

Each meeting missed in a quarter thereafter will be a \$100.00 penalty deduction until a zero balance is reached and no stipend is left to be paid.

If a board member misses 10 meetings in 6 months, the Board will review the individual attendance situation and take further action as needed.

Board members shall not attend meetings under the influence of drugs or alcohol because it can hinder a member’s ability to make decisions in the best interest and good of the Village. If a majority of the Board determines that a board member appears to be under the influence of alcohol or some

other drug and that it appears to be impacting their ability to perform their duties that the board member may be removed from the meeting.

As a member of the village board, all board members are imbued with the power to manage and control village property, finances and public services and to act for the government and good order of the village for the health, safety, welfare and convenience of the public. See sec. 61.34, Stats. These duties and powers, however, can only be exercised with the other members of the board at legally convened meetings. A board member's continuous failure to attend meetings in a sober state and perform the functions of the office, therefore, reasonably equates to gross neglect of duty and constitutes legitimate grounds for removal. See Governing Bodies 296.

- (6) VACANCIES. Vacancies in elective offices shall be filled by appointment by the President and approval by a majority vote of the Village Board for the remainder of the unexpired term in accordance with §17.24(1) & §17.24(2).