



ORDINANCE 2022-07

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, SPECIFICALLY SECTION 10 (BOARDS, COMMISSIONS AND COMMITTEES) OF CHAPTER 5 (ADMINISTRATION OF GOVERNMENT; ORGANIZATION OF VILLAGE)

Purpose: The purpose of this Ordinance is to provide a more clearly defined role for each board, committee, and commission (unless already specified in state statute).

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

Section 1: Section 5 (Boards, Commissions and Committees) of Chapter 5 (Administration of Government; Organization of Village) of the Code of the Village of Hobart, is hereby amended to read as follows:

§ 5.10. Boards, commissions and committees.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

BOARD. A permanent body of the Village whose members are officially appointed and empowered to exercise designated governmental functions. When used in this section, the term "board" shall not include the Village Board.

COMMISSION. A board.

COMMITTEE. An official body of the Village to which has been delegated particular duties which are to be performed in the expectation that such acts will be confirmed by the Village Board, or that its recommendations and advice will be of aid and assistance to the Village Board in determining what acts and functions the Village should perform.

B. Creation. The following boards, commissions and committees are created to perform such duties as required by the Wisconsin Statutes, rules and regulations and the Village ordinances, and as determined via Village Board resolution as may be amended from time to time:

- (1) Planning and Zoning Commission.
- (2) Board of Appeals.
- (3) Board of Review.
- (4) Board of Police Commissioners.
- (5) Board of Fire Commissioners.
- (6) Public Works and Utilities Advisory Committee.
- (7) Site Review Committee.

(8) Ethics Committee.

(9) Park and Recreation Committee.

C. Appointments. Unless otherwise required by Wisconsin Statutes, and/or specifically denoted in the appointments sections of each board, commission or committee below, members of such boards, commissions and committees shall be appointed to regular terms by the Village President, subject to confirmation by the Village Board at a meeting held after the spring election and prior to May 1 of the calendar year in which the term is to begin. Regular terms shall commence on May 1 and end April 30, and be of such length as hereinafter provided. In the event of a vacancy during a term on a board, commission or committee which does not have an appointed alternate member, an appointment for the remainder of the term shall be made by the Village President, subject to confirmation by the Village Board. In the event of a vacancy during a term on a board, commission or committee having an appointed alternate, that alternate member shall take the place of the vacating regular member, if he or she so accepts, and the Village shall seek to appoint another alternate member in the same manner prescribed above. All appointments shall take into consideration the qualifications for members of the specific board, commission, or committee as established by the Village Board from time to time. All members of boards, commissions, and committees shall serve at the pleasure of the Village Board unless otherwise provided by Wisconsin Statutes.

(1) Upon the conclusion of a member's term to a board, commission or committee, the Village President may have the option of reappointing said member, with approval by the Village Board, subject to confirmation by the Village Board at a meeting held after the spring election and prior to May 1 of the calendar year in which the term is to begin, or, if the Village President elects to appoint another individual to the position, or the current member does not seek to continue serving, the Village President shall make such an appointment, subject to confirmation by the Village Board at a meeting held after the spring election and prior to May 1 of the calendar year in which the term is to begin.

(2) In the event a Board member is unable to discharge his or her duties, on a temporary basis, on a commission or committee as prescribed in this section, the Board President shall appoint, with Board approval, another member of the Village Board to fill the temporary vacancy. Said appointment shall not exceed three months in length. At that time, the Board President must receive Board approval to refill the vacancy.

D. Boards/commissions.

(1) Planning and Zoning Commission.

(a) Composition. The Planning and Zoning Commission shall consist of seven regular members ("Commissioners"), one of whom is the Village President and one of whom is another Village Board member. The Village President shall serve as the Commission's presiding officer, and the Village President and Village Board member shall serve as full voting Commissioners. The Commission shall always have at least three citizen Commissioners who are not Village officials.

(b) Appointments. All members of the Commission shall be appointed by the Village President to three-year terms, except those initial appointments shall be as follows: three-year terms, three two-year terms, and one one-year term. Appointments to the Commission do not require Village Board confirmation. Appointments shall be made during the month of April for terms that expire in April or at any other time if a vacancy occurs during the middle of a term.

(c) Quorum. A majority of the Planning and Zoning Commissioners (four) shall constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal, and the Commission may adjourn. At least four members of the Commission must vote on all matters,

exclusive of abstentions; a majority vote of all members electing to vote shall be necessary for passage or approval of any matter before the Commission.

(d) Duties. The Village Planning and Zoning Commission shall be the authorizing planning agency and shall perform the duties of the Village Planning and Zoning Commission as set forth in § 62.23 of the Wisconsin State Statutes and § 295-335 (Village Planning and Zoning Commission) of Article XXXI (Administration and Enforcement) of Chapter 295 (Zoning), and any other applicable section of the Municipal Code of the Village of Hobart.

(2) Board of Appeals.

(a) Composition. The Board of Appeals shall consist of five regular members and two alternate members. No member of the Village Board shall be a member of the Board of Appeals.

(b) Appointments. All regular members of the Board of Appeals shall be appointed by the Village President, subject to the confirmation of a majority vote of the Village Board, to three-year terms, except those initial appointments shall be as follows: two three-year terms, two two-year terms, and one one-year term.

(c) Quorum. A majority of the regular members of the Board of Appeals (three) shall constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal, and the Board may adjourn.

(d) Alternate members. Alternate members shall serve for staggered three-year terms. Annually, the Village President, not subject to a majority vote of the Village Board, shall designate the first alternate member and the second alternate. The first 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 second alternate shall so act only when the first alternate so refuses or is absent or when more than one member of the Board so refuses or is absent.

(d) Duties. The Board of Appeals shall perform the duties as set forth in § 295-334 (Board of Appeals) of Article XXXI (Administration and Enforcement) of Chapter 295 (Zoning), and any other applicable section of the Municipal Code of the Village of Hobart.

(3) Board of Review.

(a) Composition. The Board of Review shall consist of five regular members and the Clerk-Treasurer, who shall be a nonvoting member and act as Secretary to the Board.

(b) Appointments. All regular members of the Board of Review shall be appointed by the Village President, subject to the confirmation of a majority vote of the Village Board, to five-year terms, except those initial appointments shall be as follows: two three-year terms, two two-year terms and one one-year term.

(c) Quorum. A majority of the regular members of the Board of Review (three) shall constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal, and the Board may adjourn.

(d) Duties. The Board of Review shall perform the duties as set forth in § 70.46 (Boards of review; members; organization) and § 70.47 (Board of review proceedings) of the Wisconsin State Statutes.

(4) Board of Police Commissioners.

(a) Composition. The Board of Police Commissioners shall be constituted in accordance with Wisconsin Statutes, including § 61.65, Wis. Stats., but none of the specified "optional powers of Board" are extended to the Board of Police Commissioners. The Board shall consist of five members, at least three of whom are residents of the Village of Hobart, and none of whom shall hold any other public office in the Village of Hobart, or in any other municipality.

(b) Appointments. All regular members of the Board of Police Commissioners shall be appointed by the Village President, subject to the confirmation of a majority vote of the Village Board, to five-year terms, except those initial appointments shall be as follows: one five-year term, one four-year term, one three-year term, one two-year term, and one one-year term.

(c) Quorum. A majority of the members of the Board of Police Commissioners (three) shall constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal, and the Board may adjourn.

(d) Duties. The Board of Police Commissioners shall perform the duties as set forth in § 61.65, Wis. Stats., but none of the specified "optional powers of Board" are extended to the Board of Police Commissioners.

(5) Board of Fire Commissioners.

(a) Composition. The Board of Fire Commissioners shall be constituted in accordance with Wisconsin Statutes, including § 61.65, Wis. Stats., but none of the specified "optional powers of Board" are extended to the Board of Fire Commissioners. The Board shall consist of five members, none of whom shall hold any other public office in the Village of Hobart, or in any other municipality.

(b) Appointments. All regular members of the Board of Commissioners shall be appointed by the Village President, subject to the confirmation of a majority vote of the Village Board, to five-year terms, except those initial appointments shall be as follows: one five-year term, one four-year term, one three-year term, one two-year term, and one one-year term.

(c) Quorum. A majority of the members of the Board of Fire Commissioners (three) shall constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal, and the Board may adjourn.

(d) Duties. The Board of Fire Commissioners shall perform the duties as set forth in § 61.65, Wis. Stats., but none of the specified "optional powers of Board" are extended to the Board of Fire Commissioners.

E. Committees.

(1) Public Works and Utilities Advisory Committee.

(a) Composition. The Public Works and Utilities Advisory Committee shall consist of seven regular members, two of whom shall be Village Board members, and one alternate member. Village Board members shall serve as full voting members. All regular members shall be residents of the Village.

(b) Appointments. In accordance with Subsection C of this section, members shall be appointed to three-year terms, except those initial appointments shall be as follows: three three-year terms, three two-year terms, and two one-year terms.

(c) Quorum. A majority of the regular members of the Committee (four) shall constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal, and the Committee may adjourn.

(d) Alternate member. The alternate member shall attend and participate in all Committee meetings, but shall only act with full voting authority when a regular member of the Committee refuses to vote because of interest or when a regular member is absent.

(e) Duties. It shall be the duty and responsibility of the Committee to act in an advisory and volunteer capacity to the Village Board. In their capacity, the Public Works and Utilities Committee duties shall be to:

1. Review and make recommendations to the Village Board any requests to change speed limits on Village roads.
2. Review and make recommendations on the full-time and seasonal staffing levels and responsibilities and duties of the Public Works Department.
3. Review and make recommendations on the Village's Capital planning relative to the Village's infrastructure and Public Works Department equipment needs
4. Review and make recommendations to the Village Board in any other matters as prescribed in the Municipal Code
5. Review and make recommendations to the Village Board in any other matters as assigned to them by the Village Board.

(2) Site Review Committee.

(a) Composition. The Site Review Committee shall consist of seven regular members, two of whom shall be Village Board members, and one alternate member. Village Board members shall serve as full voting members. All regular members shall be residents of the Village.

(b) Appointments. In accordance with Subsection C of this section, members shall be appointed to three-year terms, except those initial appointments shall be as follows: three three-year terms, three two-year terms, and two one-year terms.

(c) Quorum. A majority of the regular members of the Site Review Committee (four) shall constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal, and the Committee may adjourn.

(d) Alternate member. The alternate member shall attend and participate in all Committee meetings, but shall only act with full voting authority when a regular member refuses to vote because of interest or when a regular member is absent.

(e) Duties. The Site Review Committee shall perform the duties as set forth in Article XXXII (Site Review/Development and Design Standards) of Chapter 295 (Zoning).

(3) Ethics Committee.

(a) Composition. The Ethics Committee shall consist of five regular members. None of the members shall hold any other public office in the Village. All members shall be residents of the Village.

(b) Appointments. In accordance with Subsection C of this section, members shall be appointed to three-year terms, except those initial appointments shall be as follows: two three-year terms, two two-year terms, and one one-year term.

(c) Quorum. A majority of the regular members of the Ethics Committee (three) shall constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal, and the Committee may adjourn.

(d) Duties. The Ethics Committee shall investigate alleged violations of the Village of Hobart Ethics Code or of any applicable rules, laws, or regulations governing the performance of official duties or the discharge of official responsibilities, and recommend administrative actions to establish or enforce the Village of Hobart Ethics Code.

(4) Park and Recreation Committee.

(a) Composition. The Park and Recreation Committee shall consist of five members and one alternate member. All regular members shall be residents of the Village.

(b) Appointments. In accordance with Subsection C of this section, members shall be appointed to three-year terms, except those initial appointments shall be as follows: two three-year terms, two two-year terms, and one one-year terms. The alternate member shall be initially appointed to a one-year term.

(c) Quorum. A majority of the regular members of the Committee (three) shall constitute a quorum. If there is not a quorum present, the fact shall be entered on the journal, and the Committee may adjourn.

(d) Alternate member. The alternate member shall attend and participate in all Committee meetings, but shall only act with full voting authority when a regular member refuses to vote because of interest or when a regular member is absent.

(e) Duties. It shall be the duty and responsibility of the Parks and Recreation Committee to act in an advisory and volunteer capacity to guide the development of parks and recreation opportunities in the Village of Hobart. In their capacity, the Parks and Recreation Committee duties shall be to:

1. Encourage public recreational activities and the use of parks in the Village.
2. Recommend projects, legislation, policies, rules, regulations, funding allocations, and other measures, programs, or activities for the development of park and recreation opportunities in the Village.
3. Recommend projects, legislation, policies, rules, regulations, funding allocations, and other measures, programs, or activities for the development of the forestry program in the Village.
4. Recommend projects, legislation, policies, rules, regulations, funding allocations, and other measures, programs, or activities for the development of pedestrian bicycle and walking opportunities in the Village.
5. Act in an advisory capacity to the Village Board and Public Works Director in all matters pertaining to Village parks and recreation.

6. Initiate, sponsor, and promote involvement, activities, and contributions by the private sector for the development of parks and recreational activities in the Village.

7. Assist in the planning of recreation programs for the inhabitants of the Village, promote and stimulate public interest therein, and solicit the cooperation of school authorities and other public and private agencies interested therein.

(5) Other advisory or ad hoc committees. The Village Board may, via resolution approved by a majority of the Village Board, create such other advisory or ad hoc committees, for such period of time, for such purposes, and of such size, as it shall determine from time to time. Any appointments to such committees shall be made by the Village President, subject to confirmation of the Board.

F. Miscellaneous.

(1) Unless otherwise provided herein, or as required by Wisconsin Statutes, each Board, Commission and Committee shall annually elect its Chairperson, Vice Chairperson, and, if applicable, Secretary, at its first regular meeting held after April 30.

(2) Notice of all meetings shall comply with the notice and other requirements of the Wisconsin Open Meeting Law.

(3) Any board, commission or committee may request any Village officer to confer with it and supply information needed in connection with any matter pending before it. Every such request shall be in writing furnished to the appropriate officer, with a copy to the Clerk-Treasurer, at least 72 hours before the expected return or meeting date.

(4) This Charter Ordinance was first established in 2002. Subsequent amendment history is as follows: 2013: §§ 5-2, 5-3, 5-9 and 5-10.

Section 6: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 7. This Ordinance shall be published as required by law after passage by the Village Board.

Passed and approved this 17th day of May, 2022.

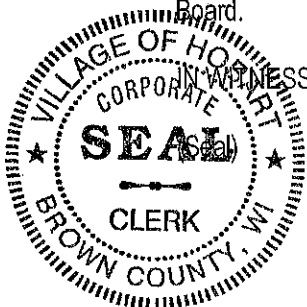

Richard Heidel, Village President

Attest:


Aaron Kramer, Village Administrator

I, Erica Berger, am the duly qualified and acting Village Clerk of the Village of Hobart, Brown County, Wisconsin. I hereby certify that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on May 17th 2022.




Erica Berger, Village Clerk-Treasurer