

## CHAPTER 4

### Boards, Commissions and Committees

- 2-4-1 Board of Review
- 2-4-2 Library Board
- 2-4-3 Board of Appeal
- 2-4-4 City Plan Commission
- 2-4-5 Park Board
- 2-4-6 Tree Board
- 2-4-7 Cemetery Association
- 2-4-8 General Provisions Regarding Meetings and Public Notice
- 2-4-9 Residency Required for Service on Boards Commissions
- 2-4-10 Removal from Boards, Committees, Commissions

#### **SEC. 2-4-1 BOARD OF REVIEW**

- (a) **Composition.** The Board of Review shall consist of the Mayor, Clerk-Treasurer and Common Council members. The Board of Review members, except members who are full-time employees or officers of the City of Thorp, shall receive such compensation as shall be fixed by resolution or ordinance by the Common Council.
- (b) **Duties.** The duties and functions of the Board of Review shall be as prescribed in Sections 70.46 and 70.47, Wis. Stats.
- (c) **Board's Duty.** The Board shall carefully examine the assessment roll and correct all apparent errors in description or computation. It shall add all omitted property but shall not raise or lower the assessment of any property except after hearing, as provided by the Statutes.

State Law Reference: Sections 70.46 and 70.47, Wis. Stats.

#### **SEC. 2-4-2 LIBRARY BOARD**

- (a) **Organization; Terms.**
  - (1) There is hereby created, pursuant to Chapter 43 Wis. Stats., a Municipal Library Board for the Thorp Public Library consisting of seven (7) members in three (3) classes; three (3) of such members shall serve for a period of three (3)

- years, two (2) to serve for two (2) years, and two (2) to serve for a period of one (1) year.
- (2) Terms of such members shall be from July first in the year of their appointment, and thereafter each regular appointment shall be for a term of three (3) years. Not more than one (1) member of the Common Council shall, at any one time, be a member of the Library Board. The Mayor shall appoint as one of the Library Board members a school district administrator, or his representative, to represent the public school district or districts in which the library is located. Members shall be residents of the City of Thorp, except that not more than one (1) member may be a resident of towns adjacent to the City.
  - (3) A majority of the members of the Board shall constitute a quorum.
  - (4) As soon as practicable after the first appointments, at a date and place fixed by the appointing officer, and annually thereafter, within thirty (30) days after the time designated in this Section for the beginning of terms, the members of the Library Board shall elect from among their members a President and such other officers that they deem necessary to regulate the operation of the library.
- (b) **Duties and Powers.** The Library Board shall have the duties and powers as prescribed by Chapter 43, and more particularly set out in Section 43.58 Wis. Stats. The Library Board shall appoint the Librarian and other library employees.

State Law Reference: Sections 43.54 and 43.58, Wis. Stats.

#### **SEC. 2-4-3 BOARD OF APPEALS**

- (a) **Establishment.** A Zoning Board of Appeals shall be appointed as specified in Section 62.23(7)(3) Wis. Stats. The Zoning Board of Appeals shall consist of five (5) members, appointed by the Mayor, subject to confirmation by a majority of the members of the Common Council. The members shall be compensated as determined by the Council and shall be removed by the Common Council for cause upon written charges and upon public hearing. The Mayor shall designate one of the members of the Board as its chairman.

- (b) **Powers.** The Zoning Board of Appeals shall:
- (1) Hear and decide appeals when it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the city's zoning ordinances.
  - (2) Hear and decide special exceptions to the terms of City zoning and floodplain zoning regulations upon which the Board of Appeals is required to pass.
  - (3) Authorize, upon appeal in specific cases, such variances from the terms of the City's zoning regulations as will not be contrary to the public interest; or where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of the zoning code shall be observed, public safety and welfare secured and substantial justice done; provided, however, that no such action shall have the effect of establishing in any district a use or uses not permitted in such district.
  - (4) Permit the erection and use of a building or premises in any location subject to appropriate conditions and safeguards in harmony with the general purposes of the zoning code, for such purposes which are reasonably necessary for public convenience and welfare.
  - (5) The Zoning Board of Appeals may reverse or affirm wholly or in part or may modify any order, requirement, decision or determination as in its opinion ought to be made regarding the premises. The concurring vote of three (3) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination appealed from or to decide in favor of the applicant on any matter on which it is required to pass, or to effect any variation in the requirements of the City's zoning ordinances. The grounds of every such determination shall be stated and recorded. No order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than six (6) months from the date of such order unless a zoning permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such period.

- (c) **Meetings and Rules.** All meetings of the Zoning Board of Appeals shall be held at the call of the chairman and at such other times as the Board may determine. All hearings conducted by the said Board shall be open to the public. The Zoning Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examination and other official actions, all of which shall be immediately filed in the office of the City Clerk-Treasurer and shall be a public record. The Board shall adopt its own rules of procedure not in conflict with this Section or with applicable Wisconsin Statutes.
- (d) **Offices.** The Common Council shall provide suitable meeting space for holding the Zoning Board of Appeals' hearings.
- (e) **Appropriations.** The Common Council shall appropriate funds to carry out the duties of the Zoning Board of Appeals and the Board shall have the authority to expend, under regular procedures, all sums appropriated to it for the purpose and activities authorized herein.

State Law Reference: Section 62.23(7), Wis. Stats.

**SEC. 2-4-4 CITY PLAN COMMISSION**

- (a) **Composition.** The Plan Commission shall consist of seven (7) members as follows: The Mayor, one (1) Alderman, the Director of Public Works, the President of the Park and Recreation Board, and three (3) Citizens.
- (b) **Appointment.**
  - (1) Election/Appointment of Alderman Members. At its organizational meeting, the Common Council shall, by a majority vote of its members, elect one (1) of its number as member of the City Plan Commission for a period of one (1) year commencing the first day of May next ensuing.
  - (2) Appointment and Terms of Citizen Members. The three (3) citizen members shall be appointed by the Mayor subject to confirmation of a majority of the Common Council, and shall hold office for a period ending respectively one (1), two (2) and three (3) years thereafter from the succeeding first day of May. Thereafter, at its

organization meeting, the citizen members shall be appointed by the Mayor, subject to confirmation by a majority of the members of the Common Council, and shall hold office for a term of three (3) years.

- (c) **Organization of Commission.** The Mayor shall serve as presiding officer. The Plan Commission shall elect a vice-chairman, secretary and such other officers as in their judgment may be necessary.
- (d) **Record.** The Plan Commission shall keep a written record of its proceedings including all actions taken, a copy of which shall be filed with the City Clerk-Treasurer. Three (3) members shall constitute a quorum but all actions shall require the affirmative approval of a majority of all of the members of the Commission.
- (e) **Duties.**

(1) The Master Plan.

- a. Subject to Common Council confirmation, the Plan Commission may make, adopt, amend, extend or add to the Master Plan for the physical development of the city including areas outside of its boundaries which affect the development of the City. The Master Plan, with accompanying maps, plats, descriptions and explanations, shall present the Commission's recommendations for the physical development of the City. It may include the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, parking areas, public places and areas, parks, parkways playgrounds, sites for public building and structures, and the general location and extent of sewers, water conduits and other public utilities whether privately or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, the general location, character and extent of community centers and neighborhood units, and a comprehensive zoning plan.

- b. The Commission may adopt the Master Plan as a whole by a single resolution, or, by resolution adopt a part or parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative vote of not less than a majority of all the members of the Plan Commission, subject to confirmation by the Common Council. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the Commission and a copy of the plan or part thereof shall be certified to the Common Council. The purpose and effect of the adoption and certification of the Master Plan or part thereof shall be solely to aid the Plan Commission and the Common Council in the performance of their duties.
- (2) Mandatory Referrals to Commission. The Common Council or Mayor shall refer to the Plan Commission, for its consideration and report, before final action is taken by the City, the matters listed below. Unless a report from the Commission is made within thirty (30) days, or such longer period as may be allowed by the Common Council, the City may take final action without it.
- a. The location of any statue or other memorial;
  - b. The location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public ways, park, playground, airport, area for parking vehicles, or other memorial or public grounds;
  - c. The location, extension, abandonment or authorization for any public utility whether publicly or privately owned;

- d. All plats of lands in the City or within the territory over which the City is given platting jurisdiction by Chapter 236, Wis. Stats.;
  - e. The location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any land use ordinance.
- (3) Miscellaneous Powers. The Commission may make reports and recommendations relating to the plan and development of the City to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens. It may recommend to the Common Council programs for public improvements. All public officials shall, upon request, furnish to the Commission, within a reasonable time, such available information as it may require for its work. The Commission, its members and employees, in the performance of its functions, may enter upon any land, make examinations and surveys, and place and maintain necessary monuments and markers thereon. In general, the Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning in cooperation with the Common Council.
- (f) **Vacancies.** Vacancies shall be filled by appointment for the remainder of the unexpired term in the same manner as appointment for the full term.
  - (g) **Compensation.** No compensation shall be paid for service on the Commission. Citizen members shall take the official oath as required by Section 19.01, Wis. Stats., said oath to be filed with the City Clerk-Treasurer.

**SEC. 2-4-5 BOARD OF PARK COMMISSIONERS**

- (a) **Composition.** The Board of Park Commissioners shall consist of eight (8) members: One alderman and seven (7) citizens.
- (b) **Appointment.**
  - (1) Election/Appointment of Alderman Members. At its organizational meeting, the Common Council shall,

by a majority vote of its members, elect one (1) of its number as member of the Board for a period of one (1) year commencing the first day of May next ensuing.

- (2) **Appointment and Terms of Citizen Members.** At its organization meeting in odd-numbered years, the Mayor, subject to confirmation by the Common Council, shall appoint three (3) citizen members who shall hold office for a period ending two (2) years thereafter from the succeeding first day of May. At its organization meeting in even-numbered years, the Mayor, subject to confirmation by the Common Council, shall appoint four (4) citizen members who shall hold office for a period ending two (2) years thereafter from the succeeding first day of May.
- (c) **Organization of Board.** The Board shall elect, from among their members, a chairman, vice-chairman, secretary and such other officers as in their judgment may be necessary.
- (d) **Record.** The Board shall keep a written record of its proceedings including all actions taken, a copy of which shall be filed with the City Clerk-Treasurer.
- (e) **Duties and Authority.** The Board of Park Commissioners is empowered and directed:
  - (1) To govern, manage, control, improve and care for all public parks, parkways, boulevards and pleasure drives located within, or partly within and partly without, the corporate limits of the city, and secure the quiet, orderly and suitable use and enjoyment thereof by the people; also to adopt rules and regulations to promote those purposes.
  - (2) To acquire in the name of the city for park, parkway, boulevard or pleasure drive purposes by gift, devise, bequest or condemnation, either absolutely or in trust, money, real or personal property, or any incorporeal right or privilege. Gifts to any city of money or other property, real or personal, either absolutely or in trust, for park, parkway, boulevard or pleasure drive purposes shall be accepted only after they shall have been recommended by the board to the common council and approved by said council by resolution. Subject to the approval of the common council, the board may execute every trust imposed upon the use of property or property

rights by the deed, testament or other conveyance transferring the title of such property to the city for park, parkway, boulevard or pleasure drive purposes.

- (3) Subject to the approval of the common council, to buy or lease lands in the name of the city for park, parkway, boulevards or pleasure drive purposes within or without the city and, with the approval of the common council, to sell or exchange property no longer required for its purposes. Every city is authorized, upon recommendation of its officers, board or body having the control and management of its public parks, to acquire by condemnation in the name of the city such lands within or without corporate boundaries as it may need for public parks, parkways, boulevards and pleasure drives.
- (4) To change or improve all parks, parkways, boulevards or pleasure drives within the city limits, controlled by the board, at the expense of the real estate to be benefited thereby, as provided in Section 24.10 (4) Wis. Stats.

State Law Reference: Sections 29.08, 29.09, and 29.10, Wis. Stats.

**SEC. 2-4-6 TREE BOARD**

- (a) **Composition, Appointment and Term.** The Tree Board shall consist of five (5) members. At the City's organization meeting in odd-numbered years, the Mayor, subject to confirmation by the Common Council, shall appoint three (3) citizen members who shall hold office for a period ending two (2) years thereafter from the succeeding first day of May. At its organization meeting in even-numbered years, the Mayor, subject to confirmation by the Common Council, shall appoint two (2) citizen members who shall hold office for a period ending two (2) years thereafter from the succeeding first day of May.
- (b) **Organization of Board.** The Board shall elect, from among their members, a chairman, vice-chairman, secretary and such other officers as in their judgment may be necessary.

- (c) **Record.** The Board shall keep a written record of its proceedings including all actions taken, a copy of which shall be filed with the City Clerk-Treasurer.
- (d) **Duties and Authority.** The Tree Board has full power and authority over all trees, plants and shrubs located on all public property, including street rights-of-way, except public parks. Trees, plants and shrubs located in public parks shall be under the authority of the Board of Park Commissioners.

**SEC. 2-4-7 CEMETERY ASSOCIATION**

- (a) **Creation.** The cemetery association shall be known as the "East Thorp Cemetery Association", and shall be responsible for the management and operation of the municipal cemetery.
- (b) **Composition.** The association shall consist of six (6) members, one (1) alderman and five (5) citizens.
- (c) **Appointment.**
  - (1) At its organizational meeting, the Common Council shall, by a majority vote of its members, elect one (1) of its number as member of the association for a period of one (1) year commencing the first day of May next ensuing.
  - (2) The five (5) citizen members shall be appointed by the Mayor subject to confirmation by the Common Council, and shall hold office at its inception for periods ending respectively one (1) (one member), two (2) (two members) and three (3) (2 members) years thereafter from the succeeding first day of May. Thereafter, at its organization meeting, the Mayor, subject to confirmation by the members of the Common Council, shall appoint the appropriate number of members to the association who shall hold office for a term of three (3) years.
  - (3) All citizen members shall take the official oath required by Section 19.01 Wisconsin Statutes, which oath shall be filed with the City Clerk.
- (d) **Organization of Cemetery Association.** The association shall elect, from among their members, a president, vice-president, secretary and such other officers as in their judgment may be necessary.
- (e) **Record.** The association shall keep a written record of its proceedings including all actions taken, a copy of which shall be filed with the City Clerk-Treasurer.

- (f) **Duties and Authority.** The association shall have full control and authority over the municipal cemetery and shall, upon approval of the Common Council, issue rules and regulations as it deems necessary to carry out the purposes of this ordinance.
- (g) **Report.** Not later than February 1st of each year, the association shall submit to the Common Council, a report of the activities and affairs of the cemetery for the preceding calendar year. The association shall also submit the proposed budget for the ensuing year, itemizing, so far as possible, the wages to be paid to the sexton, the amount of any other salaries to be paid, and such estimated amounts as may be required for repairs and maintenance.
- (h) **Salary.** The secretary of the association shall receive a salary of Two Hundred (\$200.00) Dollars per year and the treasurer of the association shall receive a salary of Fifty (\$50.00) Dollars per year, or such other salary as the Common Council shall determine from time to time. The association shall fix the salary of the sexton and keep him informed as to his duties, management and the care of the cemetery that is required of him.

State Law Reference: Sections 66.04(2), 69.48(2) and 157.50, Wis. Stats.

**SEC. 2-4-8            GENERAL PROVISIONS REGARDING MEETINGS AND  
PUBLIC NOTICE**

- (a) **Regular Meetings; Public Notice.** Every Board, Committee and Commission created by or existing under the ordinances of the City shall:
  - (1) Fix a regular date, time and place for its meeting.
  - (2) All meeting notices shall be filed with the City Clerk-Treasurer who shall cause the notice to be published and posted in full compliance with the Open Meeting Law Requirements.
  - (3) Post at the front door of the City Hall, or publish, an agenda of the matters to be taken up at such meeting.
- (b) **Special Meetings.** Nothing in subsection (a) shall preclude the calling of a special meeting or dispensing with the publication of notice or posting of the agenda, for good cause, but such special

meetings shall nonetheless comply in all respects with the provisions of Section 19.81 to 19.89, Wis. Stats.

**SEC. 2-4-9            RESIDENCY REQUIRED FOR SERVICE ON BOARDS  
   OR COMMISSIONS**

No person not a resident of and not residing in the City of Thorp shall be appointed to any City board or commission, except that the Library Board, pursuant to state law, may have as members up to two (2) persons who reside in towns adjacent to the City. Any board or commission member who moves from the City shall immediately be removed from such board or commission.

**SEC. 2-4-10        REMOVAL OF BOARDS, COMMITTEES, COMMISSIONS**

Whenever the Mayor or Common Council should find that an appointed member of a Committee, Board, or Commission is unwilling or unable to perform their duties, performs their duties outside the scope of the Oath of Office or in an unethical or illegal manner, or for any reason at the discretion of the Mayor or Common Council; such appointed member may be removed by recommendation of the Mayor and confirmation by the Common Council.

