

Chapter 90

OFFICERS AND EMPLOYEES

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[HISTORY: Adopted by the Village Board of the Village of Lyndon Station as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Fire Department — See Ch. 42.
Plan Commission — See Ch. 101.

Board of Trustees — See Ch. 115.

ARTICLE I Assessor

[Adopted 10-9-1972 by Ord. No. 47¹]

§ 90-1. Election not to be governed by statute.

The Village of Lyndon Station hereby elects not to be governed by those portions of § 61.197, Wis. Stats., relating to the method of selection and tenure of the Village Assessor which are in conflict with this article.

§ 90-2. Appointment of Assessor. ²

1. Editor's Note: Ordinance No. 47 was a charter ordinance.
2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

The Village Assessor shall be appointed by the Village Board; said individual, firm or corporation holding said office shall have the same powers and duties and term of office as said officer had prior to the adoption of this article.

§ 90-3. Effect on current office holder.

This article shall not in any way affect the right of any person whose term of office has begun but has not as yet expired on the effective date of this article to complete his term of office, unless an earlier vacancy shall occur in said office.

§ 90-4. When effective.

This is a charter ordinance and shall take effect 60 days after its passage and publication unless within such 60 days a referendum petition shall be filed as provided by § 66.0101, Wis. Stats., in which event this article shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon. This article shall be published October 13, 1972, and shall take effect on December 12, 1972, unless said petition is filed as set forth above.

§ 90-5. Income and expense information to be confidential.³

Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to § 70.47(7)(af), Wis. Stats., or any successor statute thereto, then such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that the information may be revealed to and used by persons in the discharge 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 § 70.47(7)(af), Wis. Stats., unless a court determines that it is inaccurate, is, per § 70.47(7)(af), Wis. Stats., not subject to the right of inspection and copying under § 19.35(1), Wis. Stats.

ARTICLE II

Clerk-Treasurer

[Adopted 2-11-1991 by Ord. No. 84⁴]

§ 90-6. Statutory authorization.

This article is adopted pursuant to the powers set forth in §§ 61.195, 61.197 and 66.0101, Wis. Stats.

3. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

4. Editor's Note: Ordinance No. 84 was a charter ordinance.

§ 90-7. Purpose.

The purpose of this article is to discontinue the selection of the combined Village Clerk-Treasurer by election of the voters and to change the method of selection to be appointment by the Village Board.

§ 90-8. Appointment.

- A. The selection of the Village Clerk-Treasurer by election is hereby discontinued and the method of selection of the Village Clerk-Treasurer for a two-year term is changed to appointment by the Village Board commencing with the first reorganizational meeting following the spring election in the year of 1991.
- B. All other provisions of the laws of the State of Wisconsin and the charter ordinances of the Village of Lyndon Station with respect to the qualification and duties of the Clerk-Treasurer shall remain in force and effect.

§ 90-9. When effective.

This article shall take effect 60 days after its passage and publication unless, within such 60 days, a petition signed by a number of electors of the Village of Lyndon Station equal to not less than 7% of the votes cast therein for Governor in the last general election shall be filed in the office of the Clerk-Treasurer of said Village demanding that such article be submitted to a vote of the electors, and in that case this article shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

ARTICLE III**Chief of Police**

[Adopted 10-12-1992 by Ord. No. 87^s]

§ 90-10. Office created.

Pursuant to the authority granted in §§ 61.195 and 66.0101, Wis. Stats., the office of Chief of Police for the Village of Lyndon Station is hereby created, and the position of Village Constable is hereby discontinued.

§ 90-11. Appointment and term.

The Chief of Police shall be appointed on the basis of merit, with due regard to education, training, experience, administrative ability and general fitness for the office, by a majority vote of the Village Board. He shall serve at the pleasure of the Village Board and shall hold office for an indefinite term, subject to termination by the Village Board with or without cause.

5. Editor's Note: Ordinance No. 87 was a charter ordinance.

§ 90-12. Termination of employment.

- A. By Village. The Village, by majority vote, may terminate the employment of the Chief of Police at any time, with or without cause. If termination is for cause, the Village may immediately terminate the employment upon service of written notice to the employee and shall not be obligated to pay the salary or provide benefits beyond the date of service of notice. If termination is without cause, one of the following procedures shall be used by the Village:
- (1) The Village shall provide a sixty-day notice of such termination, during which time the Police Chief's employment and all benefits thereof will continue; or
 - (2) The Village shall immediately terminate the Police Chief's employment but shall pay a termination benefit equal to 60 days of salary and all benefits accruing during said sixty-day period.
- B. By Chief of Police. The Chief of Police may terminate his employment with the Village at any time by serving a written notice of such termination upon the Clerk-Treasurer at least 30 days prior to the proposed date of termination. He shall carry out the duties of his office through the date of termination.

§ 90-13. Compensation.

The salary and other benefits payable to the Chief of Police shall be established by separate resolution and/or written contract.

§ 90-14. Residency.

The Chief of Police shall reside within five miles of the Village. This residency requirement may be waived by a unanimous vote of the Village Board.

§ 90-15. Duties and responsibilities.

Subject to the limitations and responsibilities set forth in the Wisconsin Statutes, the Chief of Police shall have the duties, responsibilities and powers of a Village Constable as set forth in § 61.29, Wis. Stats., in addition to the following:

- A. He shall carry out the directives of the Village Board, reporting promptly regarding the results obtained and any difficulties encountered.
- B. He shall be responsible for the administration and supervision of day-to-day operations of the Police Department.
- C. He shall be responsible for the preparation, organization and safekeeping of all records and documents required by law relating to the property and/or activities of the Police Department.
- D. He shall attend meetings of the Village Board when requested.

- E. He shall advise and make recommendations to the Village Board regarding problems with the enforcement of laws within the Village.
- F. He shall be responsible for the preparation of an annual budget for the Police Department, in accordance with such guidelines as may be approved by the Village Board.
- G. Subject to the approval and direction of the Village Board, he shall be responsible for the purchase of necessary apparatus and supplies for the Police Department.

§ 90-16. Additional contractual obligations.

Nothing herein shall preclude or limit the Village and its Chief of Police from establishing, by written contract, other employment terms and conditions not inconsistent herewith.