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### **SUBCHAPTER I: FORM OF GOVERNMENT AND CITY OFFICIALS**

**1.01 FORM OF GOVERNMENT.** The City of Clintonville operates under the Mayor-council system of government.

**1.02 ELECTED OFFICIALS.**

(1) MAYOR. The mayor shall be elected in even-numbered years for a term of 2 years.

(2) ALDERMEN. The Council shall consist of 10 Aldermen elected for 2 year terms. One Alderman shall be elected annually from each of the 5 aldermanic districts.

**1.03 APPOINTED OFFICIALS.**

	<b><u>OFFICIAL</u></b>	<b><u>APPOINTED BY</u></b>	<b><u>TERM</u></b>
(1)	City Attorney	Mayor, confirmation by Council	2 years
(2)	Chief of Police	Police and Fire Commission	Indefinite
(3)	Fire Chief	Police and Fire Commission	Indefinite
(4)	Assessor	Council, upon the recommendation of the Finance Committee	Indefinite
(5)	Director of Public Works	Council, upon the recommendation of the Board of Public Works	Indefinite
(6)	Building Inspector	Council	Indefinite
(7)	Plumbing Inspector	Council	2 years
(8)	Electrical Inspector	Council, upon the recommendation of the Water and Light Committee	2 years
(9)	Librarian	Library Board	Indefinite
(10)	Parks and Recreation Director	Council, upon the recommendation of the Parks and Recreation Commission	Indefinite
(11)	Health Officer	Mayor, confirmation by Council	2 years
(12)	Utility Operations Manager	Mayor, confirmation by Council	Indefinite
(13)	Airport Manager	Mayor, confirmation by Council	Indefinite
(14)	Emergency	Mayor, confirmation by Council	Indefinite

Government Director

- |      |                   |  |            |
|------|-------------------|--|------------|
| (15) | Weed Commissioner | Mayor  | Indefinite |
| (16) | City Forester     | Council, upon the recommendation of the Parks and Recreation Board       | Indefinite |
| (17) | Clerk-Treasurer   | City Administrator, subject to approval of the Mayor and Common Council. | Indefinite |

**1.04 GENERAL PROVISIONS RELATING TO CITY OFFICIALS.**

(1) **SALARIES AND FRINGE BENEFITS.** The salaries and fringe benefits of City officers and employees shall, from time to time, be established by the Council in accordance with State law and the City Personnel Policy.

(2) **POWERS AND DUTIES OF CITY OFFICIALS.** City officials mandated under §62.09, Wis. Stats., shall have the powers and duties prescribed by law and, except for the Mayor, shall perform such duties as shall be required of them by the Council. Other City officials shall perform the duties prescribed by the Council.

(3) **MULTI-OFFICES.** The Council may elect to appoint the same person to 2 or more compatible offices.

(4) **REMOVAL FROM OFFICE.** All City officials, except the Police Chief, the Fire Chief and the Librarian, may be removed from office for cause by a majority of the members-elect of the Council.

(5) **CITY EMPLOYMENT CIRCLE.**

(a) Established. The City employment circle is a circle of land, the radius of which is hereby established as a line from City hall to the farthest residential area within the corporate limits of the City.

(b) Residency Required. All persons employed by the City must be a bona fide resident within the City employment circle established in par. (a) above, except that persons who are not such residents at the time of their employment must establish such bona fide residency on or before a date either 6 months after the date of employment or the date on which the probationary period of employment ends, whichever is later.

**1.05 CODE OF ETHICS**

(1) Declaration of Policy. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In

recognition of these goals, there is established a code of ethics for all city officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the city. The purpose of this code is to establish guidelines for ethical standards of conduct for all officials and employees setting forth those interests of the city and by directing disclosure of such matters affecting the city. The provisions and purpose of this code and such rules and regulations as may be established are declared to be in the best interests of the city.

(2) Definitions. For the purpose of this chapter the words set out in this section shall have the following meanings:

(a) "Financial interest" means any interest which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.

(b) "Person" means any person, corporation, partnership or joint or venture.

(c) "Personal interest" means any interest arising from blood or marriage relationships or from close business or political associations, whether or not any financial interest is involved.

(3) Responsibility of Public Office. Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of Wisconsin and carry out impartially the laws of the nation, state and municipality and to observe in their official acts the highest standards of morality and to discharge faithfully the duties of the office regardless of personal considerations, recognizing that public interest must be their prime concern. Their conduct in both their official and private affairs should be above reproach so as to foster respect for government.

(4) Dedicated Service. All officials and employees of the city should be loyal to the objectives expressed by the electorate and the programs developed to attain these objectives. Appointive officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority. Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

(5) Use of Public Property. No official or employee shall request or permit the unauthorized use of city owned vehicles, equipment, materials or property.

(6) Obligations to Citizens. No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

(7) Financial and Personal Interest Prohibited. No official or employee, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest, contrary to the provisions of this chapter, or would tend to impair his official duties.

(8) Incompatible Private Employment. No official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties, unless otherwise permitted by law and unless disclosure is made as provided in this chapter.

(9) Disclosure of Confidential Information. No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the city, nor shall he use such information to advance the financial or other private interest of himself or others.

(10) Gifts and Favors. No official or employee shall accept any gift, whether in the form of service, loan, thing or promise, from any person, firm or corporation which to his knowledge is interested, directly or indirectly, in any manner whatsoever in business dealings with the city; nor shall any such official or employee accept any gift that may tend to influence him in the discharge of his duties, or grant in the discharge of his duties any improper favor, service or thing of value. Gifts received under unusual circumstances should be immediately referred to their department supervisor for disposal by the method prescribed by the ethics board.

Exception: Meals, articles of advertisement and other small favors worth less than \$15.00 are acceptable.

(11) Representing Private Interests before City Agencies or Courts. No officer or employee shall appear on behalf of any private person, other than himself, his spouse or minor children, before any city agency or municipal court. However, a member of the Common Council may appear before city agencies on behalf of his constituents in the course of his duties as a representative of the electorate or in the performance of public or civic obligations.

(12) Contracts with the City. No city officer or employee who in his capacity as such officer or employee participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on his part, shall enter into any contract with the city unless, within the confines of S. 946.13:

(a) The contract is awarded through a process of public notice and competitive bidding; or

(b) The ethics board created in this chapter waives the requirement of this section after determining that it is in the best interest of the city to do so.

(13) Disclosures of Interest in Legislation. Any member of the Common council who has a financial interest or personal interest in any proposed legislation before the Common Council shall disclose on the records of the Common Council, or the ethics board created by the ordinance codifies in this chapter, the nature and extent of such interest. Any other official or employee who has a financial or personal interest in any proposed legislative action of the Common Council and who participates in discussion with or gives an official opinion or recommendation to the Common Council, shall disclose on the records of the Common Council the nature and extent of such interest.

(14) Campaign Contributions. Campaign contributions shall be reported by all candidates for city official in strict conformity with the provisions of the Wisconsin Statutes. Any campaign contribution tendered to or accepted by a candidate subsequent to the final statutory report shall be reported to the ethics board.

(15) Ethics Board. The Personnel Committee shall serve as an ethics board. The committee shall develop written rules of procedure which shall be submitted to the Common Council for approval. Upon the sworn complaint of any person alleging facts, which if true, would constitute improper conduct under the provisions of this chapter, the board shall conduct a public hearing in accordance with all common law requirements of due process and, in written findings of fact and conclusions based thereof, make a determination concerning the propriety of the conduct of the subject official or employee and, if appropriate, refer the matter to the Common Council or other proper city authority.

(16) Applicability of Code. When an official or employee has doubt as to the applicability of a provision of this code to a particular situation or definition of terms used in the code, he should apply to the ethics board for an advisory opinion and will be guided by that opinion when given. The official or employee shall have the opportunity to present his interpretation of the facts at issue and of the applicability provisions of the code before such advisory decision is made. This code shall be operative in all instances covered by its provisions except when superseded by an applicable statutory provision and statutory action is mandatory, or when the application of a statutory provision is discretionary but determined by the ethics board to be more appropriate or desirable.

(17) Violation-Penalty. Violation of any provisions of this chapter may constitute a cause for suspension, removal from office or employment or other disciplinary action.

**1.07 NEPOTISM POLICY**. No person shall be employed, promoted or transferred to any City department when, as a result, he should be supervising or receiving supervision from a member of his immediate family. For the purpose of this section "immediate family" is defined as wife, husband, father, mother, grandfather, grandmother, guardian, ward, sister, brother, child, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law and brother-in-law.

### **1.08 QUALIFICATIONS AND DUTIES**

(1) **CLERK-TREASURER**. The Clerk and Treasurer shall perform the duties prescribed by law for city clerks, treasurers and comptrollers, and such other duties as directed by the City Administrator.

(2) **CITY ATTORNEY**. The City Attorney shall be duly admitted to practice in the courts of record in the State of Wisconsin, shall conduct all the legal business in which the City is interested, and shall perform all duties required by city attorneys by State law.

(3) **CITY ASSESSOR**. The City Assessor shall be certified by the Wisconsin Department of Revenue at the level required by law and shall be experienced and capable of performing the duties of the office.

(4) **DIRECTOR OF PUBLIC WORKS**. The Director of Public Works shall have powers

and duties as follows:

(a) The Director shall be subject to the direction of the Council, the Mayor and the Board of Public Works and shall be responsible for the administration of all public works, shall have general charge and supervision of all maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, bridges, street signs, lights and lights systems, traffic control devices, house numbering, storm sewers, culverts and drainage facilities, sanitary sewers, City buildings and structures and all machinery, equipment and property used in any activity under the Director's control. He shall be available in an advisory and supervisory capacity to all departments of the city and shall direct and supervise the operation of the sewage disposal plant and system and the Clintonville Water & Light Utility.

(b) The Director shall have charge of such public services as garbage and refuse collection and disposal, snow and ice removal, street cleaning and flushing, mosquito and rodent control, and such other activities as may be assigned to him, from time to time, by the Council.

(c) The Director shall perform all duties heretofore assigned to and performed by the City Engineer.

(d) The Director shall be responsible for placing purchase orders with the Clerk-Treasurer under the central purchasing agent plan and shall certify to the Clerk-Treasurer for payment any and all bills to be paid on a discount basis.

(e) The director shall serve as City Property manager and shall be responsible for maintaining a complete inventory of all city vehicles, tools and machines and shall have the authority to direct use of said vehicles, tools and machines among and between the various departments of the City except for emergency vehicles.

### **1.09 OFFICE OF THE CITY ADMINISTRATOR**

(1) Office of the City Administrator. In order to provide the City of Clintonville with a more efficient, effective and responsible government under a system of a part-time Mayor and part-time Common Council at a time when City Government is becoming increasingly complex, there is hereby created the Office of City Administrator for the City of Clintonville (hereinafter referred to as "Administrator").

(2) Position Definition. The Administrator is here defined as being responsible for carrying out the directives and policies of the Mayor and Common Council, subject to statutory limits which may apply. It is the intent of this ordinance that the Administrator shall have clear authority to coordinate and administer the day-to-day operations of municipal government as specified in this ordinance.

(3) The Administrator shall be appointed on the basis of merit with due regard to training, experience, administrative ability and general fitness for the office, by a majority vote of the Common Council. The Administrator shall hold office for an indefinite term subject to removal for just cause only by a majority vote of the Common Council. In the event termination is without cause, then the termination shall occur pursuant to the Employment Agreement that exists between the City and

City Administrator. The appointment may be terminated by the Administrator upon 30 days written notice to the Mayor and Common Council prior to such termination.

(4) Residency. The Administrator shall become a resident of the City of Clintonville within one year following the date of appointment, unless this requirement is specifically waived or varied by Common Council ordinance or by contract authorized by the Common Council, and entered into with the Administrator, covering the terms and conditions of residency.

(5) Functions and Duties of the Administrator. The Administrator, subject to the limitations defined in Resolutions and Ordinances of the City of Clintonville and Wisconsin State Statutes, shall be the chief administrative officer of the City, responsible only to the Mayor and the Common Council for the proper administration of the business affairs of the City, pursuant to the statutes of the State of Wisconsin, the Ordinances of the City of Clintonville, and the Resolutions, Board motions and Directives of the Common Council, with power and duties as follows:

(a) GENERAL DUTIES

1. Carry out Directives of the Mayor and Common Council which require administrative implementation, reporting promptly to the Mayor and Common Council any difficulties encountered herein;
2. Be responsible for the administration of the day-to-day operations of the City government including the monitoring of all City Ordinances, Resolutions, Council meeting minutes and state statutes;
3. Evaluate and properly codify all existing municipal policies and procedures;
4. Assist the Mayor and Common Council in establishing City-wide goals and objectives;
5. Implement City-wide goals and objectives on a consistent basis through the administrative direction and coordination of all City departments under direct council control and the coordination of departments operating under separate commissions and boards;
6. Establish when necessary administrative procedures to increase the effectiveness and efficiency of City government according to current practices in local government, consistent with paragraphs 3 and 5 above or directives of the Mayor and Common Council;
7. Keep informed concerning current Federal, State, and County legislation and administrative rules affecting the City and submit appropriate reports and recommendations thereon to the Common Council;
8. Keep informed concerning the availability of Federal, State, and County funds for local programs. Assist department heads and the Common Council in obtaining these funds under the direction of the Mayor and the Common Council;
9. Represent the City in matters involving legislative and

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intergovernmental affairs as authorized and directed as to that representation by the Mayor and Common Council;

10. Act as public information officer for the City with the responsibility of assuring that the news media are kept informed about the operations of the City and that all open meeting rules and regulations are followed;

11. Establish and maintain procedures to facilitate communications between citizens and City government to assure that complaints, grievances, recommendations and other matters receive prompt attention by the responsible official, and to assure that all such matters are expeditiously resolved.

12. To implement and enforce the terms of the Employee Handbook which was adopted by the Common Council on February 13, 2001, and as may be later amended.

13. Function as primary Economic Development Coordinator for the City. In that capacity, maintain a good working relationship with the Chamber of Commerce, all local industry and business, coordinate actions in support of same in order to maintain and grow existing business and industry, and seek and exploit opportunities to develop new ones.

14. With the assistance of city staff, coordinate preparation of an annual budget for consideration by the Common Council. Upon approval and implementation, monitor the status of the budget to assure compliance, reporting any significant deviations therefrom to the Common Council.

15. Pursuant to Paragraph (14) above, coordinate and maintain a five-year Capitol Improvement Plan, for approval by the Common Council.

### (b) RESPONSIBILITIES TO THE COMMON COUNCIL

1. Attend all meetings of the Common Council, unless excused by the Mayor or majority vote of the Common Council, assisting the Mayor and the Common Council as required in the performance of their duties;

2. In coordination with the Mayor, the Common Council, and the City Clerk, insure that appropriate agendas are prepared to all meetings of the Common Council, all Common Council Committees, and all other appropriate Committees and the Commissions of the City, together with such supporting material as may be required; with nothing herein being construed as to give the Administrator authority to limit or in any way prevent matters from being considered by the Common Council, or any of its Committees and Commissions;

3. Assist in the preparation of Ordinances and Resolutions as requested by the Mayor or the Common Council, or as needed;

4. Keep the Mayor and Common Council regularly informed about the activities of the Administrator's Office by oral or written report at regular and special meetings of the Common Council;

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5. In the event that action normally requiring Common Council approval is necessary at a time when the Common Council cannot meet, the Administrator shall receive directives from the Mayor.

### (c) PERSONNEL

1. Be responsible for the administrative direction and coordination of all employees of the City according to the established organization procedures;
2. To discipline, according to the Personnel Handbook, all full-time employees and department heads using the following procedures: City Administrator may issue a verbal warning without notification to or approval by the Common Council. The City Administrator may issue a written warning, but must inform the personnel committee that said written warning has been given and inform the personnel committee of the circumstances giving rise to said written warning. All suspensions and terminations may be done only after obtaining approval of the personnel committee and council providing however that that suspensions and terminations of part-time employees need to be approved of by the personnel committee and/or council.
3. Subject to the provisions of Section 1.09 (5)(c)2., be responsible for the appointment, promotion, and suspension or termination of all other non-statutory employees under the direct operating authority of the Common Council in consultation with the appropriate department head.
4. Serve as personnel officer for the City with responsibilities to see that complete and current personnel records, including specific job descriptions, for all City employees are kept; evaluate in conjunction with department heads the performance of all employees on a regular basis; recommend salary and wage scales for City employees not covered by collective bargaining agreements; develop and enforce high standards of performance by City employees; assure that City employees have proper working conditions; work closely with department heads to promptly resolve personnel problems or grievances;
5. Assist in labor contract negotiations and collective bargaining issues;
6. Work closely with department heads to assure that employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills and act as the approving authority for requests by employees to attend conferences, meeting, training schools, etc., provided that funds have been budgeted for these activities.

### (d) BUDGETING AND PURCHASING

1. Be responsible for preparation, posting, and publishing including all official notices required, of the annual City budget and City budget proceedings, in accordance with guidelines as may be provided by the Common Council and in coordination with department heads, and pursuant to State Statutes, for review and approval by the Mayor and the Common Council;
2. Administer the budget as adopted by the Common Council;
3. Report regularly to the Common Council on the current fiscal position of the City;

4. Supervise the accounting system of the City and insure that the system employees methods in accordance with current professional accounting practices;

5. Serve as the purchasing agent for the City, supervising all purchasing and contracting for supplies and services, subject to the purchasing procedures established by the Common Council and any limitation contained in the Wisconsin State Statutes;

**(e) ECONOMIC DEVELOPMENT**

1. Promote the economic wellbeing and growth of the City of Clintonville through public and private sector cooperation; develop positive working relationships with the Wisconsin Department of Development, Forward Wisconsin, and other agencies promoting economic development in the state; maintain good communication with the commercial and industrial sections of Clintonville; coordinate business development and retention activities undertaken by the Chamber of Commerce, the City of Clintonville, and other local organizations; initiate economic development activities when the opportunity arises;

2. Prepare an economic development plan for city government, in conjunction with appropriate commercial, industrial, and citizen representatives, defining the role of the City in promoting the economic development and wellbeing of Clintonville.

(6) Cooperation. All officials and employees of the City shall cooperate with and assist the Administrator so that the City Government shall function effectively and efficiently.

**1.10 to 1.15 (RESERVED)**

**SUBCHAPTER II: BOARDS AND COMMISSIONS**

**1.16 PLAN COMMISSION.**

(1) MEMBERSHIP. The Plan Commission shall consist of seven members appointed to three year terms by the Mayor who shall also appoint the Chairman. The Mayor may be a member along with elected or appointed officials, but at least three must be citizen members who are not public officials.

(2) POWERS AND DUTIES. The Plan Commission shall have the powers and duties prescribed in §62.23, Wis. Stats., and such other powers and duties as shall be vested in the Commission, from time to time, by the Council.

**1.17 BOARD OF ZONING APPEALS.**

(1) MEMBERSHIP.

(a) The Board of Zoning Appeals shall consist of 5 members appointed by the Mayor, subject to confirmation by the Council, for staggered terms of 3 years.

(b) Two alternate members shall be appointed by the Mayor for terms of 3 years and shall act only when a regular member is absent or refuses to vote because of interest.

(c) The Building Inspector shall attend meetings, upon request, to provide technical assistance as requested by the Board.

(2) OFFICERS.

(a) Chairman. The Mayor shall designate the Chairman of the Board.

(b) Secretary. The Clerk or his designee shall serve as Secretary to the Board.

(3) POWERS AND DUTIES. The Board shall have the powers and duties prescribed in §66.23(7)(e), Wis. Stats.

**1.18 BOARD OF REVIEW.**

(1) MEMBERSHIP. The Board of Review shall consist of 5 residents of the City appointed by the Mayor, subject to confirmation by the Council, for staggered 5 year terms. The Clerk shall act as Secretary. The City Assessor shall attend all meetings of the Board.

(2) POWERS AND DUTIES. The Board shall have the powers and duties prescribed in §70.47, Wis. Stats.

**1.19 POLICE AND FIRE COMMISSION.**

(1) MEMBERSHIP. The Police and Fire Commission shall consist of 5 citizens appointed by the Mayor for staggered 5 year terms. No appointment shall be made which would result in more than 3 members of the Commission belonging to the same political party.

(2) POWERS AND DUTIES. The Commission shall have the powers and duties prescribed in the §62.13, Wis. Stats.

**1.20 PARKS AND RECREATION COMMISSION.**

(1) MEMBERSHIP. The Parks and Recreation Commission shall consist of five (5) members including three (3) council members. Council members shall be appointed for one (1) year terms and citizen members shall be appointed for three (3) year terms. All members shall be appointed by the Mayor, subject to confirmation by the Council.

(2) POWERS AND DUTIES. The Commission shall have the general supervision of recreation in the City and shall operate and maintain all parks, community recreation centers, playgrounds or other areas which shall be assigned to it by the Council. It may make rules and regulations for the government and control of all such places of recreation, subject to approval by the Council. The Commission shall generally direct the activities of the Parks and Recreation Director and shall hire employees it deems necessary to carry out its responsibilities in accordance with employment

policies of the City and the budget adopted by the Council. It is the intent of the Council that the Commission promote recreation in its broadest aspects and, toward this end, shall cooperate with existing recreational programs under the auspices of schools or semipublic groups within the City. The Commission shall issue a written annual report to the Council.

**1.21 LIBRARY BOARD.**

(1) MEMBERSHIP. The Library Board shall consist of 7 members who shall be appointed by the Mayor subject to confirmation by the Council. One of such members shall be the Clintonville School District Administrator or his representative and 6 members shall be citizens of which at least one (1) member may be appointed who is not a resident of the City of Clintonville. Citizen members shall be appointed for staggered 3 year terms.

(2) POWERS AND DUTIES. The Library Board shall have the powers and duties prescribed in §43.58, Wis. Stats. The Board shall consult with the Council for the purpose of coordinating library personnel policies with general City personnel policies.

**1.22 BOARD OF HEALTH.**

(1) MEMBERSHIP. The Board of Health shall consist of the Licensing and Health Committee and the Health Officer.

(2) POWERS AND DUTIES. The Board of Health shall have such powers and duties prescribed in §141.015, Wis. Stats., and this Code.

**1.23 ADMINISTRATIVE REVIEW APPEALS BOARD.** (Repealed 10-23-97)

**1.24 BOARD OF PUBLIC WORKS**

The function of the Board of Public Works shall be performed by the Street Committee and Clintonville Utility Board. [See Sections 1.26 and 2.05(4)]

**1.25 CLINTONVILLE SEWER COMMISSION.** (Repealed 3-10-09)

**1.26 CLINTONVILLE UTILITY BOARD.**

(1) MEMBERSHIP. The Utility Board shall consist of five (5) members. Two (2) of the members shall be council members appointed by the Mayor whose term shall be the length of their term of office. The remaining three (3) members shall be citizens at-large appointed by the Mayor. Terms for these members shall be staggered and be three (3) years in length. The Mayor shall nominate the chairperson subject to Council approval. Appointment of council members and at-large members are subject to Council approval.

(2) POWERS AND DUTIES. The Board shall have the power and duty to regulate and

operate the Water & Electric Utility as prescribed by the Council and Chapter 13.

**1.27 CLINTONVILLE REDEVELOPMENT AUTHORITY.**

(1) MEMBERSHIP. The Clintonville Redevelopment Authority, as established by Resolution 94-11, shall consist of members with terms of office as set forth in Wisconsin Statutes Section 66.431.

(2) POWERS AND DUTIES. The Redevelopment Authority shall have powers and duties as follows:

(a) All powers and duties as set forth in Wisconsin Statutes Section 66.431.

(b) The Redevelopment Authority may develop data regarding the industrial and business needs, advantages, and sites in the City, cooperate with the Clintonville Area Chamber of Commerce and other groups, acquaint prospective industries and businesses with the advantages of the City, investigate State and Federal economic grants and aids, and, in general, study and make recommendations to the appropriate municipal bodies for the continuing improvement, development and redevelopment of the housing, commercial, retail, and industrial climates of the City. The Authority may report from time to time on its activities to the Common Council.

(c) The Redevelopment Authority shall oversee the administration of all approved Tax Increment Finance District Plans. The Redevelopment Authority need not seek further approval from the Common Council for expenditures from an approved budget or TIF District Plan provided the actual funds are available.

(d) The Redevelopment Authority shall have the authority to administer the budget of the Economic Development Commission which remains for the budget year, 1994. Thereafter, the Redevelopment Authority shall submit annual budget requests for consideration by the Common Council.

(e) The Redevelopment Authority shall have the authority to design and administer economic development programs and incentives as allowed by ordinance, statute, administrative rule or other bona fide mechanism including but not limited to:

1. Tax exempt bond financing,
2. Financing enhancements,
3. Grants and loans for development/redevelopment, and
4. Development agreements.

(f) Other powers and duties which may be assigned by the Common Council from time to time.

**1.28 EQUAL OPPORTUNITIES COMMISSION.**

(1) MEMBERSHIP. The Equal Opportunities Commission shall consist of 5 citizens appointed by the Mayor, subject to confirmation by the Council, for staggered 3 year terms.

(2) POWERS AND DUTIES. See Ch.22, subch. II of this Code.

**1.29 AIRPORT COMMISSION.**

(1) MEMBERSHIP. The Airport Commission shall consist of 3 council members and 2 citizens who are particularly interested in aeronautics, one of which citizen does not necessarily have to be a City resident. Citizen members shall be appointed by the Mayor for staggered 2 year terms and the council members shall be appointed for one year terms. The Airport Manager shall be an ex-officio member of the Commission.

(2) POWERS AND DUTIES. The Authority shall have the powers and duties prescribed in §114.14, Wis. Stats., and such other powers and duties as may be vested in it, from time to time, by the Council.

**1.30 HOUSING AUTHORITY.**

(1) MEMBERSHIP. The Housing Authority shall consist of 5 members appointed by the Mayor for staggered 5 year terms. No member of the Authority shall be connected in any official capacity with any political party nor shall more than 2 members be officers of the City.

(2) POWERS AND DUTIES. The Authority shall have the powers and duties prescribed in §66.40, Wis. Stats., and such other powers and duties as may be vested in it, from time to time, by the Council.

**1.31 PARKING COMMITTEE.** (Repealed 3-10-09)

**1.32 EMERGENCY GOVERNMENT.**

(1) POLICY AND PURPOSE.

(a) Emergency Government shall mean the preparation for and for the carrying out of all emergency functions to minimize and repair injury and damage resulting from disaster caused by enemy attack, sabotage and hostile action, or by fire, flood or other natural causes.

(b) By reason of the increasing possibility of disasters or unprecedented destructiveness and to insure that preparation will be adequate to cope with such disasters and to provide for the common defense, to protect with public peace, and to preserve the lives and property of the people, it is hereby declared necessary:

1. To establish a local emergency government department.
2. To provide for the exercise of necessary powers during emergencies.
3. To provide for the rendering of cooperation and mutual aid between the City and other political subdivisions.

(c) It is further declared to be the purpose of this section and the policy of the City that all emergency government functions of the City be coordinated to the maximum extent

applicable with existing services and facilities of the City and with the comparable functions of the Federal, State and County governments and other political subdivisions, and the various private agencies to the end that most effective preparation and use may be made of manpower, resources and facilities for dealing with any disasters that occur.

(2) EMERGENCY GOVERNMENT COMMISSION.

(a) Membership. The Emergency Government Commission shall consist of the Mayor, the Emergency Government Director, the Police Chief, the Fire Chief, the Director of Public Works and the Clerk. The Mayor shall serve as Chairman of the Commission and the Clerk shall serve as Secretary.

(b) Powers and Duties. The Emergency Government Commission shall be an advisory and planning group and shall advise the Mayor, the Director and the Council in all matters pertaining to emergency government.

(3) EMERGENCY GOVERNMENT DIRECTOR.

(a) Appointment. The Mayor shall appoint the Emergency Government Director, subject to confirmation by the Council, which Director shall serve to the pleasure of the Council. The Director may appoint, subject to confirmation by the Council, an assistant Director.

(b) Powers and Duties.

1. The Director shall be the executive head of the Emergency Government Department and shall be directly responsible for the organization, administration, and operation of the Emergency Government Department, subject to the direction and control of the Mayor. He shall coordinate all activities for emergency government within the City and shall maintain liaison and cooperate with emergency government agencies and organizations of other political subdivisions and other State and Federal government agencies, and shall participate in County and State emergency government activities upon request, and shall have such additional authority, duties and responsibilities as are authorized by this section and which may, from time to time, be required by the Mayor.

2. In accordance with the State plan format and the County ordinance of compliance, the Director shall prepare a comprehensive general plan for the emergency government of the City and shall present such plan to the Council for its approval. When the Council has approved the plan by resolution, it shall be the duty of all municipal agencies and all emergency government forces of the City to perform the duties and functions assigned by said plan as approved. The plan may be modified in like manner.

(4) UTILIZATION OF EXISTING SERVICES AND FACILITIES. In preparing and executing the Emergency Government Plan, the Director shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the City to the maximum extent practicable;

and the officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities to the Director.

(5) **EMERGENCY REGULATIONS.** Whenever necessary to meet an emergency for which adequate regulations have not been adapted by the Council, the Mayor or, in his absence, the Emergency Government Director may, by proclamation, promulgate and enforce such orders, rules and regulations relating to the conduct of persons and the use of property as shall be necessary to protect the public peace, health and safety, and preserve lives and property and to insure the cooperation necessary in emergency government activities. Such proclamations shall be posted in 3 public places and may be rescinded by the Mayor at any time.

(6) **MUTUAL AID AGREEMENTS.** The Emergency Government Commission may, subject to the approval of the Council, enter into mutual aid agreements with other political subdivisions. A copy of such agreements shall be filed with the State Director of Emergency Government.

(7) **DECLARATION OF EMERGENCIES.** Upon the declaration by the Governor, by the Mayor or the Emergency Government Director in the absence of the Mayor, or by the Council, of a state of emergency, the Emergency Government Commission shall issue all necessary proclamations as to the existence of such state of emergency and shall issue such disaster warnings or alerts as shall be required in the Emergency Government Plan. The Emergency Government Department shall take action in accordance with the Emergency Government Plan upon the declaration of an emergency and the issuance of official disaster warnings. Such state of emergency shall continue until terminated by the issuing authority provided that any such declaration not issued by the Governor may be terminated at the discretion of the Mayor.

(8) **PENALTY.** It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the Emergency Government Department in the enforcement of any order, rule, regulations or plan issued pursuant to this section, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this section, and, upon conviction thereof, shall be subject to a forfeiture not to exceed \$200.

**1.33 BOARD OF ELECTRICAL EXAMINERS.** Repealed 9/9/08

**1.34 CLINTONVILLE TRANSIT COMMISSION.**

(1). **MEMBERSHIP.** The Transit Commission shall consist of three (3) members appointed by the Mayor, subject to confirmation by the Council for staggered three (3) year terms. The Mayor shall designate one (1) member as chairperson of the Commission.

(2). **POWERS AND DUTIES.** The Commission shall have the powers and duties prescribed in §66.943, Wis. Stats.

**1.35 TOURISM, MARKETING AND ADVERTISING COUNCIL.**

(A) **Membership.**

The Tourism, Marketing and Advertising Council shall consist of the Mayor, City

Administrator, two (2) Council members and two (2) members of the business community, one of whom shall represent the Wisconsin Hotel and Motel Industry. The members of said Council shall be appointed by the Mayor subject to confirmation by the Common Council. Council members shall serve for a term of one (1) year and may be re-appointed.

- (B) Powers and Duties. The Council shall administer the proceeds received by the City from the Accommodations Tax and shall have such authority as necessary to distribute the funds collected from said tax, pursuant to Sec. 66.0615, Stats., and Sec. 3.111, a Municipal Code.

**1.36 to 1.39 (RESERVED)**

**SUBCHAPTER III: ELECTIONS AND POLITICAL BOUNDARIES**

**1.40 CLERK'S ELECTION DUTIES.** As provided in §7.15, Wis. Stats., the Clerk shall have charge of and supervise all elections held in the City.

**1.41 ELECTION OFFICIALS.** Election officials for each polling place shall be appointed pursuant to §7.30, 7.31, and 7.32, Wis. Stats. The municipal clerk shall be allowed to have the inspectors work at different times on election day (split shifts).

**1.42 NOMINATION OF ELECTED CITY OFFICIALS.** All candidates for elective City office shall file nomination papers pursuant to §8.10, Wis. Stats.

**1.43 POLLING HOURS.** The polls of the City shall open at 7:00 A.M. and close at 8:00 P.M. for all elections.

**1.44 POLLING PLACE.** The polling place for all electors of the City shall be the City Hall at 50 10th Street.

**1.45 REGISTRATION REQUIRED.** Except as provided in §6.55, Wis. Stats., no elector of the City shall be permitted to vote at any election held in the City unless such person shall have previously registered with the Clerk as an elector of the City.

**1.46 CITY BOUNDARIES AND ANNEXATIONS.**

(1) BOUNDARIES. The boundaries of the City are set forth on the Official Map of the City and the legal description of said boundaries are on file in the office of the Clerk. The number of any ordinance annexing territory to or detaching from the City after the effective date of this Code shall be added to this section in sub. (2) below.

(2) ANNEXATIONS.

Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee and Matteson, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville.

PARCEL NO. 1: That part of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast quarter and the Southeast Quarter of Section 13, Township 25 North, Range 14 East, Waupaca County, Wisconsin, bounded and described as follows: Commencing at the center quarter corner of the said Section 13; thence S. 89 degrees-29' E. along the Quarter line 36.8 feet; thence S. 26 degrees-30' W. 518.35 feet; thence S. 63 degrees-30' E. 215.25 feet; thence S. 89 degrees-58' E. 380.86 feet to the place of beginning; thence S. 00 degrees-58.7' W. 1418.36 feet to a point of 660 feet North of the South line of the said Section 13; thence S. 89 degrees-58' E., parallel to the South line of the said Section 13, 950.0 feet to the one-sixteenth line; thence N. 00 degrees-58.7' E. along the said one-sixteenth line 1647.24 feet; thence N. 89 degrees-58' W. 1221.13 feet; thence S. 26 degrees-24.9' W. 255.45 feet; thence S. 89 degrees-58' E. feet to the place of beginning.

The Northeast 1/4 of the Southeast 1/4, Section 13, and the Southeast 1/4 of the Southeast 1/4, Section 13, all in Township 25 North, Range 14 East, except that part thereof sold to Waupaca County for highway purposes, Vol. 264 of Deeds, page 182. All that part of Government Lot 11, Section 19, Township 25 North, Range 15 East, which lies North of the Town Road (Klemp Road) which runs through said Government Lot 11.

All of Government Lot 4, in Section 19, Township 25 North, Range 15 East, EXCEPT; Commencing at a point where the East line of Government Lot 4, Section 19, Township 25 North, Range 15 East, intersects the center line of State Trunk Highway 156, thence West along the center of said highway a distance of 289 1/2 feet, thence South at right angles and parallel feet, thence East a distance of 289 1/2 feet to the East line of said Government Lot 4, thence North along the East line of said Government Lot 4, a distance of 516 feet to the place of beginning, AND FURTHER EXCEPTING a parcel described as commencing at the Northwest corner of the said Section 19; thence S. 89 degrees-49' E. along the center line of State Trunk Highway "156", 557.77 feet; thence S. 0 degrees-11' W. 70.00 feet to the thence continue on the same line 350.00 feet; thence N. 89 degrees-49' E. 268.91 feet; thence N. 0 degrees-11' E. 175.00 feet; thence S. 89 degrees-49' of the said highway; thence S. 89 degrees-49' E. along the said South line 20.00 feet to the place of beginning, AND FURTHER EXCEPTING a parcel described as commencing at the Northwest corner of the said Section 19; thence S. 89 degrees-14' E. along the centerline of state trunk highway "156" 288.86 feet; thence S. 0 degrees-11' W. 70.00 feet to the South right-of-way line of state trunk highway "156" and the place of beginning; thence S. 89 degrees-49' E. along the said south line 248.91 feet; thence S. 0 degrees-11' W. 175.00 feet; thence N. 89 degrees-49' W. 248.91 feet; thence N. 0 degrees-11' E. 175.00 feet to the place of beginning.

EXCEPT FOR THE FOLLOWING DESCRIBED LANDS, TO-WIT:

Government Lots 2 and 6 and those parts of Government Lots 3 and 5 lying East of the center of Klemp Road, all in Section 19, Township 25 North, Range 15 East, EXCEPTING that piece deeded to School District Number 1 and recorded in the office of the Register of Deeds for Waupaca County, Wisconsin in Volume 65 of Deeds on Page

19. ALSO EXCEPTING THEREFROM land conveyed to Waupaca County by Highway Deed recorded May 26, 1954 in Volume 264 of Deeds page 187, as Document No. 256767. ALSO EXCEPTING THEREFROM land conveyed to the Town of Matteson by Warranty Deed recorded December 30, 1981 in Volume 562 of Records page 755, as Document No. 405034, Town of Matteson, Waupaca County, Wisconsin.

That part of Government Lots 3 and 4, Section 19, Township 25 North, Range 15 East, in Waupaca County, Wisconsin, bounded and described as follows: Commencing at the Northwest corner of the said Section 19; thence S. 89 degrees 49' E. 557.77 feet; thence S. 0 degrees 11' W. 420.00 feet to the place of beginning; thence N. 89 degrees 49' W. 268.91 feet; thence S. 0 degrees 11' W. 246.00 feet; thence S. 89 degrees 49' E. 658.39 feet; thence N. 0 degrees 11' E. 606.00 feet; thence N. 89 degrees 49' W. 100.00 feet; thence S. 0 degrees 11' W. 456.00 feet; thence N. 89 degrees 49' W. 289.5 feet; thence N. 0 degrees 11' E. 96.00 feet to the place of beginning.

That part of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 13, Township 25 North, of Range 14 East, in Waupaca County, Wisconsin, bounded and described as follows: Commencing at the center along the quarter corner of the said Section 13; thence S. 89 degrees-29' W. 518.35 feet; thence S 63 degrees-30' E. 215.25 feet to the place of beginning; thence S. 89 degrees-58' E. 380.86 feet; thence N. 0 degrees-58' -42' E. 228.88 feet; thence N. 89 degrees-58' W. 271.13 feet; thence S. 26 degrees-24' -54' W. 255.45 feet to the place of beginning.

Section Two: Effect of Annexation: From and after the date of this ordinance, the territory described in Section One shall be a part of the City of Clintonville for any and all purposes provided by law and all persons coming or residing within said territory shall be subject to all ordinance, rules and regulations governing the City of Clintonville.

Section Three: Temporary Zoning Classification. The property shall be zoned R-8, Rural Development property until permanent zoning can be established.

(a) The Plan Commission is directed to prepare an amendment to the applicable portion of the Clintonville Zoning Ordinance setting forth a permanent classification and regulations for the zoning of the annexed area and to submit its recommendations to the Common Council not later than June 30 , 1989.

Section Four: Ward Designation. The territory described in Section One of this ordinance is hereby made a part of the First Ward, Second Aldermanic District of the City of Clintonville, subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be affected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Matteson, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville.

Includes all of Government Lots 3 and 5 in Section 19, Township 25 North, Range 15 East, lying West of the West line of Klemp Road and the Southerly Extension thereof excepting therefrom any part used for highway purposes and excepting therefrom the following described property:

That part of Government Lots 3 and 4, Section 19, Township 25 North of Range 15 East, in Waupaca County, Wisconsin, bounded and described as follows: Commencing at the Northwest corner of the said Section 19; thence S. 89 degrees-49' E. 557.77 feet; thence S. 0 degrees-11' W. 420.00 feet to the place of beginning; thence N. 89 degrees-49' W. 268.91 feet; thence S. 0 degrees-11' W. 246.00 feet; thence 89 degrees-49' E. 658.39 feet; thence N. 0 degrees-11' E. 606.00 feet; thence N. 89 degrees-49' W. 100.00 feet; thence S. 0 degrees-11' W. 456.00 feet; thence N. 89 degrees-49' W. 289.5 feet; thence N. 0 degrees-11' E. 96.00 feet to the place of beginning. Containing 3.91 acres. All in the Town of Matteson, Waupaca County, Wisconsin.

Section Two: Effect of Annexation: From and after the date of this ordinance, the territory described in Section One shall be a part of the City of Clintonville for any and all purposes provide by law and all persons coming or residing within said territory shall be subject to all ordinance, rules and regulations governing the City of Clintonville.

Section Three: Temporary Zoning Classification. The property shall be zoned RT, Rural Transitional District property until permanent zoning can be established.

(a). The Plan Commission is directed to prepare an amendment to the applicable portion of the Clintonville Zoning Ordinance setting forth a permanent classification and regulations for the zoning of the annexed area and to submit its recommendations to the Common Council not later than June 30, 1989.

Section Four: Ward Designation. The territory described in Section One of this ordinance is hereby made a part of the First Ward, Second Aldermanic District of the City of Clintonville, subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville.

That part of the SW 1/4 - SE 1/4 and SE 1/4 - SE 1/4, Section 13 and that part of the NW 1/4 - NE 1/4, Section 24, all in Township 25 North, Range 14 East, Town of Larrabee, Waupaca County, Wisconsin being more particularly described as follows: Beginning at the Southeast 1/4 corner of said Section 13 and running thence northerly along the east line of said Section 13, 60 feet to a point on the North line of STH 156; thence westerly along said North line of STH 156 to a point on the East line of said SW 1/4 - SE 1/4, thence northerly along said East line of the SW 1/4 - SE 1/4 600 feet; thence westerly 950 feet along a line 660.00 feet northerly of and parallel with the south line of said Section 13; Thence southerly along a line 950.00 feet westerly of and parallel with said East line of the SW 1/4 - SE 1/4 and Southerly extension thereof to a point on the South line of said STH 156; Thence easterly along said South line to a point on the East line of said NW 1/4 - NE 1/4 of Section 24; Thence northerly along said east line of the NW 1/4 - NE 1/4 60 feet to a point on said South line of Section 13; thence easterly along said South line of Section 13 to the point of beginning.

Section Two: Effect of Annexation: From and after the date of this ordinance, the territory described in Section One shall be a part of the City of Clintonville for and any and all purposes by law and all persons coming or residing within said territory shall be subject to all ordinances, rules and regulations governing the City of Clintonville.

Section Three: Temporary Zoning Classification: The property shall be zones RT, Rural Transitional District property until permanent zoning can be established.

(a) The Plan Commission is directed to prepare an amendment to the applicable portion of the Clintonville Zoning Ordinance setting forth a permanent classification and regulations for the zoning of the annexed area and to submit its recommendations to the Common Council not later than June 30, 1989.

Section Four: Ward Designation. The territory described in Section One of this ordinance is hereby made a part of the First Ward, Second Aldermanic District of the City of Clintonville., subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be affected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.021, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville. (Steinke Auto Body)

Part of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 25 North, Range 14 East, bounded and described as follows: Commencing at the intersection of the center line of the so-called Shawano and New London Road (known as Wisconsin State Highway Number 22) with the South line of Section 13, running thence East 165 feet to beginning, thence North 27 degrees East parallel with center line of Highway 22, 295.5 feet, thence East 349 feet, thence South 264 feet to the center of Matteson Road, thence West along center of road 476 feet to place of beginning.

EXCEPTING THEREFROM that certain parcel of land conveyed to Chester Piehl and Virginia B. Piehl, his wife, by Warranty Deed dated February 25, 1965 and recorded in the office of the Register of Deeds for Waupaca County on March 2, 1965 in Volume 358 of Records page 544, as Document No. 302020.

ALSO EXCEPTING there from the South 30 feet thereof, Waupaca County, Wisconsin.

Section Two: Effect of Annexation: From and after the date of this ordinance, the territory described in Section One shall be a part of the City of Clintonville for any and all purposes provided by law and all persons coming or residing within said territory shall be subject to all ordinances, rules, and regulations governing the City of Clintonville.

Section Three: Temporary Zoning Classification: The property shall be zoned RT, Rural Transitional District property until permanent zoning can be established.

(a) The Plan Commission is directed to prepare an amendment to the applicable portion of the Clintonville Zoning Ordinance setting forth a permanent classification and regulations for the zoning of the annexed area and to submit its recommendations to the Common Council no later than August 15, 1990.

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Section One : Territory Annexed. Pursuant to the authority granted by Section 66.021, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville. (Zane Strong-W. Madison St.)

A part of the East 1/2 of NW 1/4 of Sec 26, T25N, R 14 East, described as follows: Beginning at a point on the West 1/16th line of Section 26 and 40 feet South of the West 1/16th corner on the North line of Section 26, thence South along said West 1/16th line to the northeasterly right of way line of the Chicago and Northwestern Railroad Company, thence Northeasterly along said Northeasterly right of way line to a point where said Northeasterly right of way line intersects the South side of Highway County Trunk "C" thence Easterly along the South side of said Highway to the point of beginning.

Total acres is estimated at .40 acres more or less and from tax bill, except right of way sold to the D.O.T. under project bill 1142-00-21 V649P122.

Section Two: Effect of Annexation: From and after the date of this ordinance, the territory

described in Section One shall be a part of the City of Clintonville for any and all purpose provided by law and all persons coming or residing within said territory shall be subject to all ordinances, rules and regulations governing the City of Clintonville.

Section Three: Temporary Zoning Classification: The property shall be zoned RT, Rural Transitional District property until permanent zoning can be established.

(a) The Plan Commission is directed to prepare an amendment to the applicable portion of the Clintonville Zoning Ordinance setting forth a permanent classification and regulations for the zoning of the annexed area and to submit its recommendations to the Common Council no later than August 15, 1990.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville: (Ort/Olson 9-11-95)

PARCEL NO. 1: That part of the Southwest 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 25 North, of Range 14 East, in Waupaca County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of the said Section 13; thence S 88 degrees 48'36"E along the Section line 1065.69 feet; thence N 01 degrees 37'35"W 33.00 feet to the north line of Green Tree Road and the place of beginning; thence N 01 degrees 37'35"W 623.80 feet; thence S 64 degrees 26'15"E 524.89 feet; thence S 25 degrees 32'45"W 165.00 feet; thence N 64 degrees 26'15"W 122.28 feet; thence S 25 degrees 32'45"W 82.50 feet; thence S 64 degrees 26'15"E 122.28 feet; thence S 25 degrees 32'45"W 159.46 feet; thence S 88 degrees 46'39"W 172.32 feet; thence S 68 degrees 41'35"W 69.88 feet; thence N 88 degrees 48'36"W 42.94 feet to the place of beginning.

Section Two: Effect of Annexation: From and after the date of this ordinance, the territory described in Section One shall be a part of the City of Clintonville for any and all purposes provided by law and all persons coming or residing within said territory shall be subject to all ordinance, rules and regulations governing the City of Clintonville.

Section Three: Temporary Zoning Classification. The south one half of the property shall be zoned B3 - Highway Commercial Overlay and the north one half shall be zoned RT - Rural Transitional.

Section Four: Ward Designation. The territory described in Section One of this ordinance is hereby made a part of the Seventh Ward, Fifth Aldermanic District of the City of Clintonville, subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville: (Redevelopment Authority, City of Clintonville 7-11-95)

PARCEL NO. 1: That part of the Northwest 1/4 of the Northeast 1/4, the Southwest 1/4 of the Northeast 1/4 and all of the Southeast 1/4 of the Northeast 1/4 of Section 13, Township 25 North, of Range 14 East, in the City of Clintonville, Waupaca County, Wisconsin, being more particularly bounded and described as follows: Beginning at the East 1/4 corner of the said

Section 13; thence S89 36'37"W along the 1/4 line 1328.73 feet to the one-sixteenth corner; thence N89 55'08" W along the one-sixteenth line 439.25 feet, thence N 11 59'03" E 766.28 feet; thence N71 33'38" W 551.07 feet to the east line of STH 22; thence N26 34'53" E along the said right-of-way line 1295.74 feet; thence S63 25'07"E 260.32 feet to the one-sixteenth line; thence S00 14'04"W along the one-sixteenth line 620.38 feet to the one sixteenth corner; thence S89 42'18"E along the one-sixteenth line 1336.14 feet to the Section line; thence S00 37'41"W along the Section line 1330.72 feet to the place of beginning.

Section Two: Effect of Annexation: From and after the date of this ordinance, the territory described in Section One shall be a part of the City of Clintonville for any and all purposes provided by law and all persons coming or residing within said territory shall be subject to all ordinance, rules and regulations governing the City of Clintonville.

Section Three: Temporary Zoning Classification. The property shall be zoned RT, Rural Transitional until permanent zoning can be established.

(a) The Plan Commission is directed to prepare an amendment to the application portion of the Clintonville Zoning Ordinance setting forth a permanent classification and regulations for the zoning of the annexed area and to submit its recommendations to the Common Council no later than January 30, 1996.

Section Four: Ward Designation. The territory described in Section One of this ordinance is hereby made a part of the First Ward, First Aldermanic District of the City of Clintonville, subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville: (Autumn Street 10-10-95)

PARCEL NO. 1: That part of the Southwest 1/4 of the Southeast 1/4, part of the Northwest 1/4 of the Southeast 1/4, and part of the Northeast 1/4 of the Southwest 1/4 of Section 13, Township 25 North, of Range 14 East, in the City of Clintonville and the Township of Larrabee, Waupaca County, Wisconsin, bounded and described as follows: Commencing at the Northwest corner of Lot 1, CSM No. 3956, Vol. II, Pg. 462, Certified Surveys, Waupaca County Registry; thence N89 degrees 22'16"W 80.01 feet to the west line of Industrial Avenue; thence N00 degrees 07'59"W along the said west line 14.34 feet to the place of beginning; thence continue on the same line 88.79 feet; thence N64 degrees 25'11"W 479.76 feet; thence N67 degrees 17'54"W 668.37 feet to the easterly line of S.T.H. 22; thence S26 degrees 28'51"W along the said highway

line 80.17 feet; thence S67 degrees 17'54"E 671.65 feet; thence S64 degrees 25'11"E 516.27 feet to the place of beginning (except that portion of Autumn Street already in the City of Clintonville).

Section Two: Effect of Annexation: From and after the date of this ordinance, the territory described in Section One shall be a part of the City of Clintonville for any and all purposes provided by law and all persons coming or residing within said territory shall be subject to all ordinance, rules and regulations governing the City of Clintonville.

Section Three: Temporary Zoning Classification. The property shall be zoned RT, Rural Transitional until permanent zoning can be established.

(a) The Plan Commission is directed to prepare an amendment to the application portion of the Clintonville Zoning Ordinance setting forth a permanent classification and regulations for the zoning of the annexed area and to submit its recommendations to the Common Council no later than January 30, 1996.

Section Four: Ward Designation. The territory described in Section One of this ordinance is hereby made a part of the First Ward, First Aldermanic District of the City of Clintonville, subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville: (Wisnefske/Winters 11-14-95)

PARCEL A: A parcel of land located in the northwest 1/4 of the northeast 1/4 of Section 35, Township 25 North, of Range 14 East, Township of Larrabee, Waupaca County, Wisconsin, bounded and described as follows: Commencing at the east 1/4 corner of said Section 35; thence S88-51-13W, 2319.58 feet along the east/west 1/4 line of Section 35 to the east right-of-way line of U.S.H. "45"; thence N07-37-45W, 272.35 feet along said east line; thence N06-36-50E, 132.39 feet along said east line; thence N16-42-34E, 65.77 feet along said east line; thence N02-15-12E, 100.50 feet along said east line; thence N07-57-50E, 600.00 feet along said east line; thence N07-00-33E, 300.04 feet along said east line; thence N10-49-35E, 100.13 feet along said east line; thence N08-36-02E, 202.52 feet along said east line to the point of beginning; thence continuing N08-36-02E, 247.51 feet along said east line; thence N05-40-24E, 250.20 feet along said east line; thence N07-57-50E, 200.34 feet along said east line to the south line of lands described in volume 655 on page 706; thence N89-12-30E, 175.48 feet along said south line to the southeast corner of said described lands; thence S01-09-35W, 543.55 feet, thence S00-00-

33E, 146.01 feet; thence S88-51-13W, 254.04 feet to the point of beginning. Said parcel of land contains 146,476 square feet (3.3626 acres) of land more or less. Subject to all easements and restrictions of record.

PARCEL B: A parcel of land located in the southwest 1/4 of the northeast 1/4 and the northwest 1/4 of the northeast 1/4 of Section 35, Township 25 North, Range 14 East, Town of Larrabee, Waupaca County, Wisconsin, bounded and described as follows: Commencing at the east 1/4 corner of said Section 35; thence S88-51-13W, 1894.44 feet along the east-west 1/4 line of Section 35 to the point of beginning; thence continuing S88-51-13W, 425.14 feet along said east-west 1/4 line to the east right-of-way line of U.S.H. "45"; thence N07-37-45W, 272.35 feet along said east line; thence N06-36-50E, 132.39 feet along said east line; thence N16-42-34E, 65.77 feet along said east line; thence N02-15-12E, 100.50 feet along said east line; thence N07-57-50E, 600.00 feet along said east line; thence N07-00-33E, 300.04 feet along said east line; thence N10-49-35E, 100.13 feet along said east line; thence N08-36-02E, 202.52 feet along said east line; thence N88-51-13E, 254.04 feet; thence S00-00-33E, 1752.04 feet to the point of beginning. Said parcel land contains 653,418 square feet (15.0004 acres) of land more or less. Subject to all easements and restrictions of record. Reserving that part presently used for road purposes.

Section Three: Temporary Zoning Classification. Parcel A shall be zoned RT, Rural Transitional and Parcel B shall be zoned B-3 Highway Commercial until permanent zoning can be established.

(a) The Plan Commission is directed to prepare an amendment to the application portion of the Clintonville Zoning Ordinance setting forth a permanent classification and regulations for the zoning of the annexed area and to submit its recommendations to the Common Council no later than May 1, 1996.

Section Four: Ward Designation. The territory described in Section One of this ordinance is hereby made a part of the Fourth Ward, Third Aldermanic District of the City of Clintonville, subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville: (Mills Fleet Farm 12-12-95)

Section Two: A parcel of land in the North 1/2 of Section 35, T25N, R14E, Town of Larrabee, Waupaca County, Wisconsin, more fully described as follows: Commencing at the intersection of the

North line of said Section 35 and the centerline of U.S. Highway 45 and extending Southwesterly along the centerline of said highway on an assumed bearing of South 9 degrees 00' West, 1142.0 feet to the point of beginning; thence continuing South 9 degrees 00' West, along the centerline of said highway, 800.0 feet; thence due West 551.3 feet; thence North 9 degrees 00' East, parallel with the centerline of said highway 800.0 feet; thence due East, parallel with the South line of subject parcel 551.3 feet at the point of beginning, containing 10.0 acres, more or less and reserving that part now used for highway purposes.

In addition, it is requested the following described portion of U.S. Highway 45 also be annexed to the City.

A parcel of land located in the southwest 1/4 of the northeast 1/4 and the northwest 1/4 of the northeast 1/4 of Section 35, Township 25 North, Range 14 East, Town of Larrabee, Waupaca County, Wisconsin, bounded and described as follows: Commencing at the east 1/4 corner of Section 35; thence S88-51-13W, 2319.58 feet along the East-West 1/4 line of Section 35 of the point of beginning; thence continuing S88-51-13W, 167.20 feet along said east-west line; thence N01-17-43W, 34.50 feet to the north right-of-way line of Reinke Road; thence along the arc of a 2929.79 foot radius curve of the west right-of-way line of U.S.H. "45", the chord which bears N04-10-04E and is 387.95 feet in length; thence N00-46-53W, 65.77 feet along said west right-of-way line of U.S.H. "45"; thence N16-29-41E, 101.12 feet along said west right-of-way line; thence N06-31-54E, 200.06 feet along said west right-of-way line; thence N09-11-29E, 450.10 feet along said west right-of-way line; thence N26-26-53E, 26.36 feet along said west right-of-way line; thence N08-17-02W, 26.04 feet along said west right-of-way line; thence N09-11-29E, 200.05 feet along said west right-of-way line; thence N05-06-05E, 100.13 feet along said west right-of-way line; thence N07-19-38E, 450.03 feet along said west right-of-way line, thence N10-15-16E, 250.20 feet along said west right-of-way line; thence N06-31-54E, 200.06 feet along said west right-of-way line; thence N12-22-02E, 79.192 feet along said west right-of-way line; thence N88-19-08E, 8.99 feet along said west right-of-way line; thence N07-57-50E, 113.80 feet (recorded as 113.61 feet) to the north line of the northeast 1/4 of Section 35; thence N88-19-08E, 40.18 feet along said north line to the centerline of U.S.H. "45", thence S07-57-50W, 209.14 feet along said centerline to the south line of lands described in volume 655, page 706 extended westerly; thence N89-12-30E, 50.98 feet along said westerly extension to the east right-of-way of U.S.H. "45", thence S07-57-50W, 200.34 feet along said east right-of-way line; thence S05-40-24W, 250.20 feet along said east right-of-way line; thence S08-36-02W, 450.03 feet along said east right-of-way line; thence S10-49-35W, 100.13 feet along said east right-of-way line; thence S07-00-33W, 300.04 feet along said east right-of-way line; thence S07-57-50W, 600.00 feet along said east right-of-way line; thence S02-15-12W, 100.50 feet along said east right-of-way line; thence S16-42-34W, 65.77 feet along said east right-of-way line; thence S06-36-50W, 132.39 feet along said east right-of-way line, thence S07-37-15E, 272.35 feet along said east right-of-way line to the east-west 1/4 line of Section 35 and the point of beginning. Said parcel contains 298,110 square feet (6.8437 acres) of land more or less. Subject to all easements and restrictions of record.

Section Three: Temporary Zoning Classification. Parcel shall be zoned B-3 Highway Commercial.

Section Four: Ward Designation. The territory described in Section One and Section Two of

this ordinance is hereby made a part of the Fourth Ward, Third Aldermanic District of the City of Clintonville, subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville: (West Greentree Road 12-12-95)

Section Two: That part of the Southwest 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 25 North, of Range 14 East, in Waupaca County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of Lot 1, Certified Survey Map 4229, Certified Surveys, Vol. 13, Page 28; thence S01 degrees 37'35"E 33.00 feet to the Section line; thence S88 degrees 48'38"E along the Section line 252.00 feet; thence N25 degrees 32'45"E 64.33 feet to the southeast corner of the said Lot 1; thence S88 degrees 46'39"W along the south line thereof 172.32 feet; thence S68 degrees 41'35"W continuing along the said south line 69.88 feet; thence N88 degrees 48'36"W continuing along the said south line 42.94 feet to the place of beginning.

Section Three: Ward Designation. The territory described in Section One and Section Two of this ordinance is hereby made a part of the Seventh Ward, Fifth Aldermanic District of the City of Clintonville, subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Four: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville: (Pick 'N Save 12-12-95)

Section Two: The common description is the Pick 'N Save property on Highway 45. The legal description is: land described in Certified Survey Map Number 687 recorded in the office of the Register of Deeds for Waupaca County, Wisconsin, in Volume 2 of the Certified Survey Maps, on Page 285, as Document Number 369657; being a part of the Southeast Quarter(SE 1/4) of the Northwest

Quarter (NW 1/4) and the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 35, Township 25 North, of Range 14 East, Town of Larrabee, Waupaca County, Wisconsin, EXCEPT that part along the Easterly line thereof used for State highway purposes; and subject to easements of record, Waupaca County, Wisconsin.

Section Three: Zoning Classification. Parcel shall be zoned B-3 Highway Commercial.

Section Four: Ward Designation. The territory described in Section One and Section Two of this ordinance is hereby made a part of the Fourth Ward, Third Aldermanic District of the City of Clintonville, subject to the ordinance, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville: (Borlen 4-17-97)

Section Two: Being part of the Northwest 1/4 of the Northeast 1/4 of Section 35, Township 25 North, Range 14 East, Town of Larrabee, Waupaca County, Wisconsin, bounded and described as follows: Commencing at the North 1/4 corner of said Section 35; thence S00-40-08E, 1119.57 feet along the West line of the Northeast 1/4 of Section 35 to the North line of Lot 1 of Certified Survey Map No. 4550 as recorded in Vol. 14 of Certified Survey Maps on Page 178; thence N88-58-30E, 250.78 feet along said North line to the point of beginning; thence N07-19-38E, 127.56 feet; thence N82-40-22W, 16.18 feet; thence N07-19-38E, 131.57 feet; thence S82-40-22E, 174.24 feet to the West right-of-way line of USH 45; thence S07-19-38W, 188.23 feet along West right-of-way line; thence S05-06-05W, 47.46 feet along said West right-of-way line to the North line of Lot 1 of Certified Survey Map No. 4550; thence S88-58-30W, 161.62 feet along said North line to the point of beginning. Said parcel contains 0.9480 acres of land more or less. Subject to all easements and restrictions of record.

Section Three: Zoning Classification. Parcel shall be temporarily zoned RT, Rural Transitional.

Section Four: Ward Designation: The territory described in Section One and Section Two of this ordinance is hereby made a part of the Fourth Ward of the Third Aldermanic District of the City of Clintonville, subject to the ordinances, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such

invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.025, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville: (Steinke 4-17-97)

Section Two: Part of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 25 North, Range 14 East, bounded and described as follows:

Commencing at a point where the centerline of Wisconsin State Highway 22 (New London-Shawano Road) intersects the center of Morton Street (also known as Matteson Road); thence North 26 1/2 degrees East along the centerline of Highway 22, 363.33 feet to the place of beginning; thence South 63 1/2 degrees East 149 feet; thence South 26 1/2 degrees West 10.04 feet; thence East 173.96 feet; thence North 26 1/2 degrees East to a point 350 feet Northerly from the center of Morton Street; thence Westerly 284.96 feet to the center of Highway 22; thence Southerly along the centerline of Highway 22, 100.07 feet to the place of beginning; EXCEPT that part described below sold to A. Theodore Genskow and wife Amanda recorded April 5, 1948, in Volume 225 of Deeds, page 77-78, Waupaca County Registry.

Part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Thirteen (13), Township Twenty-Five (25) North, Range Fourteen (14) East, bounded and described as follows, to wit: Commencing at the intersection of the centerline of Wisconsin State Highway 22 with the centerline of Morton Street, also known as Matteson Road; thence running North 26 1/2 degrees East along the center of Highway 623.4 feet to the place of beginning; thence South 63 1/2 degrees East 282.23 feet to a point on the West line of the land now or late of Herman Wedde; thence South 26 1/2 degrees West One Hundred Sixty (160) feet; thence North 63 1/2 degrees West 282.23 feet to the centerline of the highway; thence North 26 1/2 degrees East along the centerline of the Highway One Hundred Sixty (160) feet to the place of beginning.

and except that part sold to Department of Transportation described below in V812P344:

Fee title in and to the following tract of land in Waupaca County, State of Wisconsin, described as a parcel of land in the Southeast 1/4 of the Southwest 1/4 of Section 13, T25N, R14E:

Said parcel includes that land of the owner contained within the following described traverse:

Commencing at the South 1/4 corner of said Section 13;

Thence S. 88 degrees 53'59" W. along the south line of Section 13 for 1,278.03 feet to a point on the new reference line of STH 22;

Thence N. 25 degrees 32'12" E. along said reference line for 12.90 feet to a point of intersection with Green Tree Road, said point being the point of beginning;

Thence N. 25 degrees 32'45" E. along the reference line of STH 22 for 1,083.08 feet;

Thence S. 64 degrees 27'15" E. for 42.65 feet to a monument (Pt. No. 904);

Thence S. 25 degrees 32'45" W. for 1,023.62 feet to a monument (Pt. No. 903);

Thence S. 41 degrees 30'49" E. for 16.47 feet to a monument (Pt. NO. 899);

Thence S. 04 degrees 12'47" E. for 101.58 feet to a point on the new reference line of STH 156;

Thence S. 85 degrees 47'13" W. for 124.67 feet to its intersection with STH 22;

Thence N. 25 degrees 32'12" E. for 97.04 feet to the point of beginning.

Said parcel comprises 0.05 acre, more or less. Also included in this conveyance is 0.07 acre, more or less, which is presently used for highway purposes.

Section Three: Zoning Classification: Parcel shall be zoned R2, Single and Two Family Residential.

Section Four: Ward Designation: The territory described in Section One and Section Two of this ordinance is hereby made a part of the First Ward of the First Aldermanic District of the City of Clintonville, subject to the ordinances, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.021, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville:

Section Two: (See attached Exhibit A – Legal description and map).

Section Three: Zoning Classification. Parcel shall be zoned B-2 – Neighborhood Convenience Retail District

Section Four: Ward Designation. The territory described in Section One and Section Two of this ordinance is hereby made a part of the Fourth Ward of the Third Aldermanic District of the City of Clintonville, subject to the ordinances, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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Section One: Territory Annexed. Pursuant to the authority granted by Section 66.021, Wis. Stats., the following described territory in the Town of Larrabee, Waupaca County, Wisconsin, is hereby annexed to the City of Clintonville:

Section Two: (See attached Exhibit A - Legal description and map).

Section Three: Zoning Classification: Parcel shall be zoned I-1 – Industrial District

Section Four: Ward Designation: The territory described in Section One and Section Two of this ordinance is hereby made a part of the Second Ward of the First Aldermanic District of the City of Clintonville, subject to the ordinances, rules and regulations of the City of Clintonville governing wards and districts.

Section Five: Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this ordinance which can be effected without the invalid or unconstitutional provision or application.

Section Six: Effective Date. This ordinance shall take effect upon passage and publication.

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**1.47 WARD BOUNDARIES**. Pursuant to §5.02(25), the City is hereby divided into seven wards, to be bounded and numbered as follows:

District 1, Ward 1. That part of the City of Clintonville surrounded by a line commencing where E. Greentree Road intersects with Anne Street, then southerly on Anne St. to the intersection of N. Park St., then easterly on N. Park to the intersection of Garfield Ave., then southerly on Garfield Ave. to the intersection of 16<sup>th</sup> St., then westerly on 16<sup>th</sup> St. to the intersection of Lincoln Ave., then southerly on Lincoln Ave. to the intersection of 14<sup>th</sup> St., then easterly on 14<sup>th</sup> St. to the intersection of Garfield Ave., then northerly on Garfield Ave. to the intersection of 15<sup>th</sup> St., then easterly on 15<sup>th</sup> St. to the intersection

of McKinley Ave., then northerly on McKinley Ave. to the intersection of Grant St., then easterly on Grant St. to the intersection of Robert St., then northerly on Robert St. to the intersection of 16<sup>th</sup> St., then easterly on 16<sup>th</sup> St. to the intersection of Industrial Ave., then northerly on Industrial Ave. to the intersection of E. Greentree Road, then easterly on E. Greentree Road to the Clintonville City limit, then northerly, westerly, southerly along the City limits to the point of beginning.

District 1, Ward 2. That part of the City of Clintonville surrounded by a line commencing where E. Greentree Road intersects with Industrial Ave., then southerly on Industrial Ave. to the intersection of 16<sup>th</sup> St., then westerly on 16<sup>th</sup> St. to the intersection of Robert St., then southerly on Robert St. to the intersection of Grant St., then westerly on Grant St. to the intersection of McKinley Ave., then southerly on McKinley Ave. to the intersection of 15<sup>th</sup> St., then westerly on 15<sup>th</sup> St. to the intersection of Garfield Ave., then southerly on Garfield Ave. to the intersection of E. 12<sup>th</sup> St., then easterly on E. 12<sup>th</sup> St. to the intersection of N. Lyons St., then southerly on N. Lyons St. to the intersection of Olen Park Road, then westerly on Olen Park Road to the intersection of Memorial Circle, then southerly and westerly on Memorial Circle to the intersection of S. Main St., to the intersection of 5<sup>th</sup> St., then easterly on 5<sup>th</sup> St. to the intersection of N. Madison St., then southerly on N. Madison St. to the intersection of E. Madison St., then easterly on E. Madison St. to the corner of E. Madison Road, then northerly, easterly, southerly and westerly along the City of Clintonville City limits to E. Greentree Road to a point 484.30 feet east of E. Greentree Road, then west on E. Greentree Road to the point of beginning.

District 2, Ward 3. That part of the City of Clintonville surrounded by a line commencing where Pearl St. intersects N. 12<sup>th</sup> St., then southerly on N. 12<sup>th</sup> St. to the Pigeon River, then southerly along the Pigeon River to the intersection of Main St., then northerly on Main St. to the intersection of 11<sup>th</sup> St., then easterly on 11<sup>th</sup> St. to the intersection of Memorial Circle, then northerly on Memorial Circle to the intersection of E. 12<sup>th</sup> St., then easterly on E. 12<sup>th</sup> St. to the intersection of Garfield Ave., then northerly on Garfield Ave. to the intersection of 14<sup>th</sup> St., then westerly on 14<sup>th</sup> St. to the intersection of Lincoln Ave., then northerly on Lincoln Ave. to the intersection of 16<sup>th</sup> St., then easterly on 16<sup>th</sup> St. to the intersection of Garfield Ave., then northerly on Garfield Ave. to the intersection of N. Park St., then westerly on N. Park St. to the intersection of Main St., then southerly on Main St. to the intersection of Harriet St., then west and north on Harriet St. to the intersection of Pearl St, then west on Pearl St. to the point of beginning.

District 3, Ward 4. That part of the City of Clintonville surrounded by a line commencing where S. Main St. intersects 8<sup>th</sup> St., then westerly on 8<sup>th</sup> St. to the intersection of S. Clinton Ave., then southerly on S. Clinton Ave. to the intersection of Waupaca St., then westerly on Waupaca St. to the City of Clintonville City Limits, then southerly, easterly, westerly, and northerly along the City Limits to the corner of Hupke Road and East Madison Road, north on East Madison Road and west on E. Madison Street to the intersection of N. Madison St., then north on N. Madison St. to the intersection of 5<sup>th</sup> St., then west on 5<sup>th</sup> St. to the intersection of S. Main St., north on S. Main St. to the point of beginning.

District 3, Ward 8. Lot one (1) of Certified Survey Map No. 1688 recorded in the Waupaca county Register of Deeds Office on February 21, 2008 on Document No. 739788.

District 4, Ward 5. That part of the City of Clintonville surrounded by a line commencing where the southerly side of the Pigeon River intersects Main St., then westerly along the Pigeon River and following the City of Clintonville City limits to Waupaca St., then easterly along Waupaca St. to the intersection of S. Clinton Ave., then northerly on N. Clinton Ave to the intersection of 8<sup>th</sup> St., then

easterly on 8<sup>th</sup> St. to Memorial Circle, then easterly on Memorial Circle to Olen Park Road, then easterly on Olen Park Road to N. Lyons St., then north on N. Lyons St. to E. 12<sup>th</sup> St., west on E. 12<sup>th</sup> St. to the intersection of Memorial Circle, then south on Memorial Circle to the intersection of 11<sup>th</sup> St., then west on 11<sup>th</sup> St. to S. Main St. then southerly on S. Main St. to the point of beginning.

District 5, Ward 6. That part of the City of Clintonville surrounded by a line commencing where W. Greentree Road intersects with Walnut St., then easterly on Greentree Road to a point 285.14 feet west of the intersection of W. Greentree Road and N. Main St., then northerly 623.80 feet, then easterly to the City of Clintonville City Limits going northerly, westerly, southerly, and easterly and along the Pigeon River to the intersection of the Pigeon River and Hemlock St., then north on Hemlock St. to the intersection of N. 12<sup>th</sup> St., then north on N. 12<sup>th</sup> St. to the intersection of 18<sup>th</sup> St., then east on 18<sup>th</sup> St. to the intersection of Walnut St., then north on Walnut St. to the point of beginning.

District 5, Ward 7. That part of the City of Clintonville surrounded by a line commencing where W. Greentree Road intersects with Walnut St., then easterly on Greentree Road to a point 285.14 feet west of the intersection of W. Greentree Road and N. Main St., then northerly 623.80 feet, then easterly to the City of Clintonville City Limits going easterly, southerly, westerly to E. Greentree Road, then east on E. Greentree Road to the intersection of Anne St., then south on Anne St. to the intersection of N. Park St., then westerly on N. Park to the intersection of N. Main St., then southerly on N. Main St. to the intersection of Harriet St., then west and north on Harriet St. to the intersection of Pearl St., then west on Pearl St. to the intersection of N. 12<sup>th</sup> St., then north on N. 12<sup>th</sup> St. to the intersection of 18<sup>th</sup> St., then east on 18<sup>th</sup> St. to the intersection of Walnut St., then north on Walnut St. to the point of beginning.

**1.48 ALDERMANIC DISTRICTS.** The City is hereby divided into 5 Aldermanic Districts, comprised from the 8 Wards, as described in sec. 1.47 of this subchapter, as follows:

- (1) FIRST ALDERMANIC DISTRICT. First and Second Wards.
- (2) SECOND ALDERMANIC DISTRICT. Third Ward.
- (3) THIRD ALDERMANIC DISTRICT. Fourth Ward and Eighth Wards
- (4) FOURTH ALDERMANIC DISTRICT. Fifth Ward.
- (5) FIFTH ALDERMANIC DISTRICT. Sixth and Seventh Wards.

**1.49 COUNTY SUPERVISORY DISTRICTS.** The City is divided into County Supervisory Districts, described and numbered as follows:

- (1) FIRST COUNTY SUPERVISORY DISTRICT. Ward Two and Ward Three.
- (2) SECOND COUNTY SUPERVISORY DISTRICT. Ward Four and Ward Five.
- (3) THIRD COUNTY SUPERVISORY DISTRICT. Ward One, Ward Six and Ward Seven.
- (4) FOURTH COUNTY SUPERVISORY DISTRICT, Ward Eight.

**1.50 ELECTION MAPS ON FILE.** Ward Maps, Aldermanic District Maps and County Supervisory District Maps shall be kept on file in the office of the Clerk.

**1.51 to 1.55 (RESERVED)**

#### **SUBCHAPTER IV: PUBLIC RECORDS**

##### **1.56 PUBLIC RECORDS, ACCESS TO.**

(1) DEFINITIONS. As used in this subchapter:

(a) "Authority" means any City entity having custody of a City record including an office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.

(b) "Custodian" means that officer, department head, division head or employee of the City designated under sub. (3) below or otherwise responsible by law to keep and preserve any City records or file, deposit or keep such records in his office, or is lawfully in possession or entitled to possession of such public records and who is required by this section to respond to requests for access for such records.

(c) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes, (including computer tapes), and computer printouts. "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

(2) DUTY TO MAINTAIN RECORDS.

(a) Except as provided under sec. 1.57(5) of this subchapter, each officer and employee of the City shall safely keep and preserve all records received from his predecessor or other persons and required by law to be filed, deposited or kept in his office or which are in the lawful possession or control of the officer of which he may be lawfully entitled as such officer or employee.

(b) Upon the expiration of an officer's term of office or an employee's term of employment, or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to his successor all records then in his custody and the successor shall receipt therefor to the officer or employee, who shall file said receipt with the Clerk. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and receipted by the Clerk, on behalf of the successor, to be delivered to such successor upon the latter's receipt.

(3) LEGAL CUSTODIANS.

(a) Each elected official is the legal custodian of his records and the records of his office, but the official may designate an employee of his staff to act as the legal custodian.

(b) Unless otherwise prohibited by law, the Clerk or the Clerk's designee shall act as legal custodian for the Council and for any committees, commissions, boards or other authorities created by ordinance or resolution of the Council. This shall not include the Police and Fire Departments whose custodians shall be the Police Chief and the Fire Chief, respectively.

(c) For every authority not specified in pars. (a) or (b) above, the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his staff to act as the legal custodian.

(d) Each legal custodian shall name a person to act as legal custodian in his absence or the absence of his designee. This subsection shall not apply to the Council.

(e) The legal custodian shall have full legal power to render decisions and to carry out the duties of an authority under Ch. 19, subch. II, Wis. Stats., and this section. The designation of a legal custodian does not affect the powers and duties of an authority under this section.

(4) PROCEDURAL INFORMATION. Pursuant to §19.34, Wis. Stats., and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which the legal custodian from whom and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof. Each authority shall also prominently display at its offices, for the guidance of the public, a copy of this section. This section does not apply to members of the Council.

(5) PUBLIC ACCESS TO RECORDS; FEES.

(a) Except as provided in sub. (7) below, any person has a right to inspect a record and to make or receive a copy of any record as provided in §19.35(1), Wis. Stats.

(b) Records shall be available for inspection and copying during all regular office hours.

(c) If regular office hours are not maintained at the location where records are kept, the records shall be available for inspection and copying upon at least 48 hours' advance notice of intent to inspect or copy.

(d) A requester shall be permitted to use facilities comparable to those available to the City employees to inspect, copy or abstract a record. This subsection does not authorize or require the purchase or lease of equipment nor does it require the provision of a separate room for inspection, copying or abstracting of records.

(e) The authority may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.

(f) A requester shall be charged a fee to defray the cost of locating and copying records as follows:

1. A cost per page of photocopying, as determined by the Clerk, shall be charged. Said cost shall not exceed the actual, necessary and direct costs to the authority of reproduction, and such charges shall be prominently displayed and made available for inspection by the authority at his office.

2. If the form of a written record does not permit copying, the actual and necessary photographing and photographic processing shall be charged.

3. The actual full cost of providing a copy of other records not in printed form on paper such as films, computer printouts and audio or video tapes shall be charged.

4. If mailing or shipping is necessary, the actual cost thereof shall also be charged.

5. There shall be no charge for locating a record unless the actual cost therefor exceeds \$50, in which case the actual cost shall be determined by the authority and billed to the requester.

6. The authority shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment if such estimate exceeds \$5.

7. The authority may provide copies of a record without charge or at a reduced charge where he determines that waiver or reduction of the fee is in the public interest.

8. Elected and appointed officials of the City shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.

(6) ACCESS PROCEDURES.

(a) A request to inspect or copy a record shall be made to the authority. A request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. A request may be made orally, but a request must be in writing before an action to enforce the request is commenced under §19.37, Wis. Stats. Except as provided below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. No request may be refused because the request is received by mail unless prepayment of a fee is required under sub.l (5)(f)6. above. A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or Federal law or regulations so require.

(b) Each custodian, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefor. When the legal custodian has doubts as to whether the requested records are exempt from disclosure, in whole or in part, he shall have 3 working days to confer with the City Attorney prior to making a determination. If the legal custodian, after conferring with the City Attorney, determines that a written request is so general as to be unduly time consuming, the party making the request may first be required to itemize his request in a manner which would permit reasonable compliance.

(c) A request for a record may be denied as provided in sub. (7) below. If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within 5 business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for denying the request. Every written denial of a request shall inform the requester that if the request for the record was made in writing, then the determination is subject to review upon petition for a writ of mandamus under §19.37(1), Wis. Stats., or upon application of the Attorney General or a district attorney.

#### (7) LIMITATIONS ON RIGHT TO ACCESS.

(a) As provided by §19.36, Wis. Stats., the following records are exempt from inspection under this section:

1. Records specifically exempted from disclosure by State or Federal law or authorized to be exempted from disclosure by State law.
2. Any record relating to investigative information obtained from law enforcement purposes if Federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the State.
3. Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection.
4. A record or any portion of a record containing information qualifying as a common law trade secret.

(b) As provided by §43.30, Wis. Stats., public library circulation records are exempt from inspection under this section.

(c) In responding to a request for inspection or copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the City Attorney, may deny the request, in whole or in part, only if he determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the requested records. Examples of matters to which disclosure may be refused include, but are not limited to, the following:

1. Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information conferred in them.

2. Records of current deliberations after a quasi-judicial hearing.
3. Records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance or discipline of any City officer or employee, or the investigation of charges against a City officer or employee, unless such officer or employee consents to such disclosure.
4. Records concerning current strategy for crime detection or prevention.
5. Records of current deliberations or negotiations on the purchase of City property, investing of City funds or other City business whenever competitive or bargaining reasons require nondisclosure.
6. Financial, medical, social or personal histories or disciplinary data of specific persons which, if disclosed, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such history or data.
7. Communications between legal counsel for the City and any officer, agent or employee of the City when advice is being rendered concerning strategy with respect to current litigation in which the City or any of its officers, agents or employees is, or is likely, to become involved, or communications which are privileged under §905.03, Wis. Stats.

(d) If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. The custodian shall confer with the City Attorney prior to releasing any such record and shall follow the guidance of the City Attorney when separating out the exempt material. If, in the judgment of the custodian and the City Attorney, there is no feasible way to separate the exempt material from the nonexempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

**1.57 PUBLIC RECORDS, DESTRUCTION OF.**

(1) FINANCIAL RECORDS. City officers may destroy the following nonutility records of which they are the legal custodian and which are considered obsolete after completion of an audit by State auditors or an auditor licensed under Ch. 442, Wis. Stats., but not less than 7 years after payment or receipt of any sum involved in the particular transaction unless a shorter period has been fixed or will, in the future, be fixed by the committee on public records, pursuant to §16.61(3)(e), Wis. Stats., and then after such shorter period:

- (a) Bank statements, deposit books, slips and stubs.
- (b) Bonds and coupons after maturity.
- (c) Cancelled checks, duplicates and check stubs.
- (d) License and permit applications, stubs and duplicates.

(e) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Fund.

(f) Receipt forms.

(g) Special assessment records.

(h) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.

(2) **UTILITY RECORDS.** City officers may destroy the following utility records of which they are the legal custodians and which are considered obsolete after completion of any required audit by the Bureau of Municipal Audit or an auditor licensed under Ch. 442, Wis. Stats., subject to State Public Service Commission regulations, but not less than 7 years after the record was effective unless a shorter period has been fixed by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stats., and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after 2 years:

(a) Water, sewer, electrical stubs and receipts of current billings.

(b) Customers' ledgers.

(c) Vouchers and supporting documents pertaining to charges not included in plant accounts.

(d) Other utility records after 7 years with the written approval of the State Public Services Commission.

(3) **OTHER RECORDS.** City officers may destroy the following records of which they are the legal custodian and which are considered obsolete, but not less than 7 years after the record was effective, unless another period has been set by Statute, or by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stats., and then after such a shorter period:

(a) Assessment rolls and related records, including Board of Review minutes.

(b) Contracts and papers relating thereto.

(c) Correspondence and communications.

(d) Financial reports other than annual financial reports.

(e) Insurance policies.

(f) Oaths of office.

(g) Reports of boards, commissions, committees and officials duplicated in the Council minutes.

(h) Resolutions and petitions.

(i) Voter record cards.

(4) NOTICE REQUIRED. Unless notice is waived by the State Historical Society, at least 60 days' notice shall be given the State Historical Society prior to the destruction of any record as provided in §19.21(4)(a), Wis. Stats.

(5) TAPE RECORDINGS. Any tape recording of a governmental meeting of the City may be destroyed, erased or reused no sooner than 90 days after the minutes of the meeting have been approved and published if the purpose of the recording was to make minutes of the meeting.

(6) LIMITATION. This section shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or State administrative regulations.

(7) PRESERVATION THROUGH MICROFILM. Any City officer or the head of any department or division of City government may keep and preserve public records in his possession by means of microfilms or other photographic reproduction method. Such records shall meet the standards for photographic reproduction set forth in §16.61(7)(a) and (b), Wis. Stats., and shall be considered original records for all purposes. Such records shall be preserved along with other files of the department or division and shall be open to public inspection and copying according to the provisions of State law and this Code.

## **SUBCHAPTER V: SAFETY**

### **1.60 SAFETY OF EMPLOYEES**

(1) All department heads within the City, in addition to their other duties, shall be responsible with the creations, implementation and review of safety programs covering all employees within their department.

(2) Department heads shall at least once each month discuss or review with their subordinates various safety procedures.

(3) The Mayor shall appoint a Municipal Loss Control Manager for reviewing and overseeing the safety programs of the entire City. The individual shall monitor the department heads compliance with the provisions of this code.

(4) The Mayor shall appoint a Loss Control Policy Committee which shall be chaired by the Municipal Loss Control Manager and shall include as members the Chief of Police, Fire Chief, Director of Public Works, Director of Park and Recreation and the Clerk. The Clerk shall serve as secretary of the committee.

(5) The City shall develop and adopt a safety manual.