

CHAPTER 4

Boards, Commissions and Committees

- § 2-4-1 Board of Review
- § 2-4-2 Zoning Board of Appeals
- § 2-4-3 Water and Sewer Utilities Commission
- § 2-4-4 General Provisions Regarding Meetings and Public Notice

SEC. 2-4-1 BOARD OF REVIEW.

- (a) COMPOSITION. The Board of Review shall consist of the Village President, the Clerk-Treasurer, and the Finance Committee of the Village Board.
- (b) DUTIES.
 - (1) Duties. The duties and functions of the Board of Review shall be as prescribed in Sections 70.46 and 70.47, Wis. Stats.
 - (2) Compensation. Compensation for the members of the Board of Review, shall be as is established by the Board of Trustees for such Village, at the organizational meeting in April. Compensation shall include per diem, and may include a mileage quotation, if necessary.
- (c) MEETINGS. The Board of Review shall meet annually on the second Monday of May, and notice of such meeting shall be published pursuant to the State Statutes. The Board, through its Clerk-Treasurer, shall establish its meeting hours pursuant to Sec. 70.47(3)(b), Wis. Stats. The Board may adjourn from day to day or from time to time, until such time as its business is completed, providing that adequate notice of each adjournment is so given.

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

SEC. 2-4-2 ZONING BOARD OF APPEALS.

- (a) ESTABLISHMENT. A Zoning Board of Appeals shall be appointed as specified in Section 62.23(7)(e) of the Wisconsin Statutes. The Zoning Board of Appeals shall consist of five (5) members, appointed by the Village President subject to confirmation by the Village Board. The members shall be removable by the Village Board for cause upon written charges and upon public hearing. The Village President shall designate one of the members chairman.
- (b) POWERS. The Zoning Board of Appeals shall have the following powers:
 - (1) To hear and decide appeals where it is alleged there is error in any order, requirement decision, or determination made by an administrative official in the enforcement of the Zoning Code or Floodplain Zoning Code.
 - (2) To hear and decide special exceptions to the terms of the Village zoning and floodplain zoning regulations upon which the Board of Appeals is required to pass.
 - (3) To authorize, upon appeal in specific cases, such variance from the terms of the Village zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of the zoning code shall be observed, public safety and welfare secured and substantial justice done; provided, however, that no such action shall have the effect of establishing in any district a use or uses not permitted in such district.

- (4) To permit the erection and use of a building or premises in any location subject to appropriate conditions and safeguards in harmony with the general purposes of the zoning code, for such purposes which are reasonably necessary for public convenience and welfare.
 - (5) The Zoning Board of Appeals may reverse or affirm wholly or in part or may modify any order, requirement, decision or determination as in its opinion ought to be made in the premises. The concurring vote of three members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination appealed from or to decide in favor of the applicant on any matter on which it is required to pass, or to effect any variation in the requirement of the Zoning Code. The grounds of every such determination shall be stated and recorded. No order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than six (6) months from the date of such order unless the land use permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such period.
- (c) MEETING AND RULES. All meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. All hearings conducted by the said Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examination and other official actions, all of which shall be immediately filed in the office of the Clerk-Treasurer and shall be public record. The Board shall adopt its own rules of procedure not in conflict with this Section or with the applicable Wisconsin Statutes.
- (d) OFFICES. The Village Board shall provide suitable offices for holding for hearings and the presentation of records, documents, and accounts.
- (e) APPROPRIATIONS. The Village Board shall appropriate funds to carry out the duties of the Board and the Board shall have the authority to expend, under regular procedure, all sums appropriated to it for the purpose and activities authorized herein.

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

SEC. 2-4-3 WATER AND SEWER UTILITIES COMMISSION. SEE REVISED SECTION B

- (a) CREATION. The waterworks plant and system and sewage disposal plant and system of the Village of St. Cloud are hereby combined into a single public utility pursuant to Section 66.077 of the Wisconsin Statutes.
- (b) HOW CONSTITUTED. The Village of St. Cloud Sewer and Water Commission shall consist of five (5) members who shall be appointed by the members of the Village Board for terms of five (5) years. The body shall be known as the Sewer and Water Utilities Commission and shall operate pursuant to Chapter 66.068 of the Wisconsin Statutes.
- (c) SUPERINTENDENT. The Commission, with the approval of the Village Board, may employ a superintendent to have complete charge and responsibility for the entire Sewer and Water Works, as well as all future installments.
- (d) FISCAL MANAGEMENT.
 - (1) Accounting. It shall be the duty of the Sewer and Water Utilities Commission to keep books of account in the manner and form prescribed for utilities of its class by the Public Service Commission of the State of Wisconsin. The books of account should be opened to the public.

- (2) Audits. Departmental expenditures shall be audited by such Commission and if approved by the President and Secretary of the Commission shall be paid by the Village Clerk-Treasurer of the Village of St. Cloud as provided for by Section 66.068 of the Wisconsin Statutes; that the utility receipts be paid to a bonded cashier or cashiers appointed by the Commission, which receipts shall be turned over to the Village Treasurer at least once each month. That after approval by the officers of the Utilities Commission, the schedule of payments shall be forwarded to the Village Clerk-Treasurer, and payment shall be made by the Village Treasurer upon utility checks, signed by the Clerk-Treasurer, the Village President and the bonded cashier. All disbursements shall be on vouchers submitted by the Utility Commission, approved by the President and Secretary as set forth above.
- (3) Income Use. The income of the Sewer and Water Utilities Commission shall be applied first to meet operational maintenance, depreciation, interest and sinking fund requirements, local and school tax equivalents, additions and improvements and other necessary disbursements or indebtedness. Income in excess of these requirements may be used to purchase and hold interest bearing bonds, issued for the acquisition of the utility, or bonds issued by the United States or any municipal corporation of this State, or may be paid into the General Fund as the governing body determines.

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

- (a) REGULAR MEETINGS; PUBLIC NOTICE. Every Board, Committee and Commission created by or existing under the ordinances of the Village of St. Cloud shall:
 - (1) Fix a regular date, time and place for its meetings;
 - (2) Publish notice in the official Village newspaper in advance of each such regular meeting of the date, time, and place thereof; and
 - (3) Post, on the front door of the Village Hall, an agenda of the matters to be taken up at such meeting.
- (b) SPECIAL MEETINGS. Nothing in Subsection (a) shall preclude the calling of a special meeting or with dispensing with the publication of notice or such posting of the agenda, for good cause, but such special meetings shall nonetheless comply in all respects with the provisions of Sections 19.81 to 19.89, Wis. Stats.
- (c) MINUTES. The secretary of each Board, Committee and Commission shall file a copy of the meeting minutes of such Board or Commission with the Village Clerk-Treasurer.