

## Chapter 1: Town Government

**1.00 AUTHORITY.** The Town of Vermont is a political subdivision and municipality of the State of Wisconsin organized and existing under Ch. 60 of the Wisconsin Statutes.

**1.01 GOVERNING AUTHORITIES.** The Town of Vermont is governed by an elected Town Board and meetings of the Town electors as hereinafter set forth.

### 1.02 TOWN BOARD.

1. **Authority and Powers.** The Vermont Town Board has the specific authority, powers and duties to manage and direct the affairs of the Town as set forth in Ch. 60 of the Wisconsin Statutes and other provisions of the Wisconsin Statutes, including powers conferred on village boards by Ch. 61, Wis. Stat, the exercise of which does not conflict with the duties and powers of town boards set forth elsewhere in the Wisconsin Statutes. (Village powers granted by annual Town Meeting April 16, 1990.) The Town Board shall have charge of all of the affairs of the Town not otherwise delegated by law to the annual Town Meeting or to an individual Town officer.
2. **Membership: Compensation.** The Town Board shall be composed of five (5) members, four (4) Supervisors and a Chairperson, to be elected as follows: (a) two (2) Supervisors, and the Town Chairperson, to be elected in odd-numbered years; and (b) two (2) Supervisors to be elected in even-numbered years. (Adopted 10/08/90). Compensation for Supervisors and the Town Chairperson shall be established at the Town meeting just prior to the time for filing nomination papers for Town offices (Wis. Stat. §8.05(3)(a)). In accordance with Wis. Stat. §60.32(4), the Town Board may provide for reimbursement of expenses necessarily incurred by any Town Board member in the performance of official duties, including costs associated with educational programs related to the member's duties.
3. **Meetings.** The Town Board shall meet at 7:00 p.m. on the second Monday of each month in the Town Hall or such other place as the Board shall designate and provide notice of, pursuant to the Wisconsin Open Meeting Law, Wis. Stats. §19.83 & §19.84. Any regular meeting of the Town Board falling upon a legal holiday shall be held instead on a day designated by the Town Board. Special meetings may be called by the Chairperson or any Supervisor by requesting the Town Clerk to call such meeting, stating the time and place for the meeting, by notifying each Supervisor and the public in accordance with the Wisconsin Open Meeting Law. Notice of all Town Board meetings shall be given in compliance with the Wisconsin Open Meeting Law (Wis. Stat. §19.83 & §19.84, as

amended), by posting written notice of the time, place and purpose thereof at the Vermont Town Hall, on the Town of Vermont website and by written or oral notice to the media which has requested such notice at least 24 hours prior to the meeting, unless in an emergency, when proper notice shall be posted and given to the media at least two (2) hours prior to the meeting. No business shall be transacted at a special meeting except for the purpose that was stated in the notice thereof.

4. **Quorum.** Three (3) Supervisors, one of which may be the Town Chairperson, shall constitute a quorum. The only business to be undertaken in the absence of a quorum shall be to adjourn to a specific date and hour or to compel the attendance of absent members.
5. **Conduct of Meetings. Order of Business.** The business of the Town Board meeting shall be conducted in the order listed below. If Chairperson is absent, meeting shall be called to order by the Town Clerk who shall preside until the Town Board selects a Supervisor to preside for that meeting. In the case of a planned absence of the Town Chairperson, the Town Board may select in advance a Supervisor to preside. If a Supervisor has not been selected in advance to preside, the Clerk shall call the meeting to order and then the Town Board supervisors will select a presiding officer.
  1. Call to order by Chairperson.
  2. Verification of Public Notice
  3. Adoption of agenda
  4. Approval of minutes of last meeting
  5. Citizens' Input
  6. Chairperson's Report
  7. Treasurer's report
  8. Clerk's Report
  9. Payment of the bills
  10. Reports of Town commissions, committees and other official advisory bodies
  11. Unfinished business
  12. New business
  13. Action on all business
  14. Miscellaneous matters that may lawfully come before the Board
  15. Adjournment
6. **Notice: Agenda.** The Town Chairperson shall be responsible for establishing the specific agenda items for each Town Board meeting, with the assistance of the Town Clerk as needed. Any Town Board member may contact the Town Clerk to request a specific item be placed on the agenda and that item shall be placed on the agenda, unless the Town Board has, at a previous meeting, determined that the item shall not be included. The

agenda order for specific issues or items related to any procedural motions, communications, petitions, reports, unfinished business, motions, resolutions, ordinances, and new business shall be established by the Town Chairperson with the assistance of the Town Clerk as needed. The Town Clerk shall prepare a written agenda for each Town Board or committee meeting and distribute and post the same as required by the Wisconsin Open Meeting Law. However, a majority of the Town Board may at the meeting properly move or remove any matter included on the agenda if the matter is in compliance with the Notice and Agenda requirements of Wisconsin Open Meetings Law. No matters may be added to the agenda without proper notice under Wisconsin Open Meetings Law.

7. **Ordinances and Resolutions.** All ordinances, resolutions or bylaws shall be reduced to writing before final action by the Town Board. Ordinances, resolutions, bylaws, communications and other matters submitted to the Town Board for formal action shall be read in full if requested by a Supervisor. Except upon suspension of the rules, no ordinance or bylaw shall be adopted at the meeting at which it is first introduced.
8. **Rules of Order.** The meetings of the Board shall be conducted in accordance with the parliamentary rules contained in the most recent version of *Robert's Rules of Order*, except as otherwise specifically provided in these ordinances or by written bylaw adopted by the Board. The failure to comply with any Roberts Rule of procedure shall not invalidate any action of the Town Board, unless a timely objection is made by a member of the Town Board. Every meeting of the Town Board shall be held in open session, unless a motion has been made and carried by a majority vote to convene in closed session to the extent permitted by Wisconsin Open Meeting Law.

**1.03 ANNUAL TOWN MEETING.** There shall be an annual meeting of the Town of Vermont on the second Tuesday of April of each year at which all business shall be transacted which is required or permitted to be transacted by law at such meeting. Any annual Town meeting may set the date of the next annual Town meeting at a date within ten (10) days of the second Tuesday in April. Notice of the holding of the annual meeting shall be given by a class 2 notice under Ch. 985 of the Wisconsin Statutes. The Town Chairperson shall preside at Town meetings. If the Town Chairperson is absent, the Town Clerk shall call the meeting to order and preside until the Town Board selects a Supervisor to preside for that meeting. In the case of a planned absence of the Town Chairperson, the Town Board may select in advance a Supervisor to preside.

**1.04 SPECIALTOWN MEETING.** Special Town meetings may be held for the purpose of transacting any lawful business which might have been done at an annual meeting on request in writing to the Town Clerk signed by a number of Town electors equal to not less than 10% of the vote cast in the Town for governor at the last general election or by action of the Town Board, specifying the purposes for which such meeting is to be held. The Town Clerk shall give notice of a special meeting purpose, date, time and place by a class 2 notice under Ch. 985 of the Wisconsin Statutes.

#### **1.05 PLAN COMMISSION**

1. **Creation.** Pursuant to ss. 60.22(3), 61.35, and 62.23 of the Wisconsin Statutes, there is hereby created a “Plan Commission” for the Town of Vermont, Dane County, Wisconsin with the powers, duties and qualification as set forth in this Ordinance and in ss. 62.23, Wis. Stat., to the extent compatible with town government.
2. **Membership.** The Plan Commission shall consist of seven (7) members. Membership of the Plan Commission shall, at all times, consist of at least two members of the Town Board, and at least three (3) residents of the Town who are not Town officials.
3. **Terms.** Once appointed, all members of the Plan Commission shall serve a three-year (3-year) term on the Commission.
4. **Removal.** A Plan Commission member may be removed by a majority vote of the Town Board if member is absent from more than fifty (50) percent of the scheduled meetings in a consecutive twelve (12) month period.
5. **Appointment.** Pursuant to ss. 60.62(4) of the Wisconsin Statutes, the Town Chairperson shall appoint all members of the Plan Commission at the April Town Board meeting, subject to approval by a majority vote at the next scheduled meeting of the Town Board. All Plan Commission terms shall begin on April 15 of the year of appointment, and run through April 14 of the final year of the three-year term. Appointments shall be made so that the terms of no more than three (3) Plan Commission members expire each year.
  1. **Letters of Interest.** Citizens who wish to serve on the Plan Commission may submit a letter of interest to the Town Clerk not later than March 1. The Town Clerk shall provide the Town Chairperson and Board members with copies of the letters of interest no later than March 15.
  2. **Statement of Policy.** To the extent practicable, the Town Chairperson shall make appointments with an effort to maintain full gender and geographic representation of the Township
  3. **Interim Appointments.** If, for any reason, a Plan Commission member does not complete his or her three-year (3-year) term of appointment, the Town Chairperson

shall appoint an interim successor to the Plan Commission, subject to approval by the Town Board as set forth above, to serve out the remainder of the unfulfilled term. The Town Chairperson shall ensure that the appointment will be consistent with the membership requirements set forth in sec. 1.05(2) of this section.

4. **Plan Commission Officers.** The Town Chairperson shall choose a Plan Commission Chairperson to serve as the presiding officer of the Plan Commission. The Plan Commission shall elect a Vice-Chairperson and Secretary. The Plan Commission Secretary may or may not be a member of the Plan Commission, and shall be paid as approved by the Town Board. The Plan Commission Chairperson and Plan Commission members shall be paid as approved by the Town Board.
6. **Powers.** The Plan Commission shall have the power and authority to pay for the services of experts and such other expenses as may be necessary and proper, not exceeding, in all, the appropriation that may be made for such Plan Commission by the Town Board or placed at its disposal through gifts. Such power and authority is subject to any ordinances or resolutions enacted by the Town Board.
7. **Functions.**
  1. The Plan Commission shall maintain a Comprehensive Plan compatible with the intent of the current requirements for comprehensive planning under Wis. Stat. § 66.1001. Upon adoption by the Town Board, such Comprehensive Plan shall serve as the guide to managing development of the Town in accordance with the existing and future needs of the Town, promoting public health, safety, order and prosperity as well as efficiency and economy in the process of development. The Plan Commission shall make reports and recommendations to the Town Board related to planning and development.
  2. The Plan Commission shall exercise such powers set forth in Wis. Stat. §62.23 as are compatible with Town government.

### **1.06 Town Officials and Duties**

The duties of the Town Clerk, Deputy Town Clerk, Town Treasurer and Deputy Town Treasurer are as defined by Wis. Stats. §60.33, 60.331, 60.34, 60.341 and 60.37.

### **1.07 GENERAL REGULATIONS GOVERNING ALL TOWN OFFICERS. Wis. Stats. §60.30, 60.31, 60.32**

1. **Effect.** The provisions of this section shall apply to all officers of the Town, regardless of the time of creation of the office or method of selection of the officer unless otherwise specifically provided by ordinance or resolution of the Town Board.

2. **Oath of Office.** Every officer of the Town, including members of Town boards and commissions shall, before entering upon his/her duties and within five (5) days of election or appointment or notice thereof, take the oath of office prescribed by law and file said oath in the office of the Town Clerk, except the Town Clerk who shall file his/her oath in the office of the Town Treasurer. Any person reelected or reappointed to the same office shall take and file an official oath for each term of service.
3. **Bond.** Every officer shall, if required by law or the Town Board, upon entering upon the duties of his office, execute a bond in such amount as may be determined by the Town Board with such sureties as are approved by the Town Chairperson, conditioned upon the faithful performance of the duties of his office. Official bonds shall be filed as are oaths as provided in sub. (2) of this section.
4. **Salaries.** All officers of the Town shall receive such salaries as determined by the electors at a Town Meeting. No officer receiving salary from the Town shall be entitled to retain any portion of any fees collected by him for the performance of his duties as such officer in the absence of a specific law or ordinance to that effect. Payment of regular wages and salaries established by the Town Meeting shall be by payroll, as provided by statute. The regular payday shall be the last day of each month unless otherwise ordered by the Town Board.
5. **Vacancies.** Vacancies in elected offices shall be filled by appointment by a majority vote of the Town Board for the remainder of the unexpired term. Vacancies in appointed offices shall be filled in the same manner as the original appointment for the remainder of the unexpired term unless the term for such office is indefinite.
6. **Conflict of Interest.** Pursuant to Wis. Stat. §19.46.

## 1.08 SPECIAL ASSESSMENTS AND SPECIAL CHARGES

Pursuant to Wis. Stats. §66.0701 and §66.0627, in addition to other methods provided by law, special assessments for any public work or improvement or special charges for any service may be levied in accordance with the provisions of this section.

1. Whenever the Town Board determines that any public work or improvement or any current service shall be financed in whole or in part by special assessments levied under this section it shall adopt a resolution specifying this intention and the time, either before or after completion of the work or improvement, when the amount of the assessments will be determined and levied, the number of annual installments, if any, in which assessments may be paid, the rate of interest to be charged on the unpaid balance and the

terms on which any of the assessments may be deferred while no use of the improvement is made in connection with the property.

2. The provisions of Wis. Stat. §66.0703 shall apply to special assessments levied under this ordinance except that when the Town Board determines by resolution that the hearing on the assessments be held subsequent to the completion of the work or improvement or the rendering of the service, the report required by Wis. Stat., §66.0703(3), shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of the cost.
3. Except when waived by the owners of all property to be assessed, notice of the time and place of the public hearing on any special assessment proposed to be levied a notice of the final assessment and terms of payment thereof shall be given in the manner prescribed in Wis. Stats. §66. 0703 (7) and (8)(d).
4. Any special assessment levied under this section shall be a lien against the property assessed from the date of the final resolution by the Town Board determining the amount of the levy.
5. Any person against whose property a special assessment is levied under this section may appeal therefrom in the manner prescribed by Wis. Stat. §66.0703(12), within 40 days of the date of the final determination by the Town Board.

**6. Special Charges Permissible.**

- (a) In addition to all other methods provided by law, special charges for current services may be imposed by the Town Board by allocating all or part of the cost to the property served. Such may include snow and ice removal, weed elimination, street sprinkling, oiling or tarring, repair of sidewalks or curb and gutter, garbage and refuse disposal, sewer service and tree care or removal. The provision for notice of such charges shall be optional with the Town Board except that, in the case of street, sidewalk, curb or gutter repair, twenty (20) days notice published in the Town newspaper, or by posting such notice in the Town and a copy of such notice mailed to every interested person whose post office address is known, at least ten (10) days before the hearing or proceeding. Such notice shall specify that on a certain date a hearing will be held by the Town Board as to whether the service in question shall be performed.
- (b) Such special charges shall not be payable in installments. If not paid within the period fixed by the Town Board, such delinquent charge shall become a lien on the property served.
- (c) In no event shall a fee be imposed on the owner or occupant of property for a call for assistance that is made by the owner or occupant requesting law enforcement

services that relate to any of the following:

- (1) Domestic abuse, as defined in s. 813.12 (1) (am).
- (2) Sexual assault, as described under ss. 940.225, 948.02, and 948.025.
- (3) Stalking, as described in s. 940.32.