

**Town of Medina  
Dane County, WI**

**Town Organization and Administration Ordinance**

**1.01 NAME**

The civil Township of Dane County which consists of all that unincorporated land lying in Town 8 North, Range 12 East of the Fourth Principle Meridian, as established by the United States Geodetic Survey, Department of Interior, shall be known as the Town of Medina.

**1.02 STATUS**

The Town of Medina shall exercise all of the powers of Towns pursuant to Chapter 60, Wisconsin Statutes, and of Villages, pursuant to Section 60.22, Wisconsin Statutes. The Town established Village Powers per Wisconsin Statute on April 1, 1975.

**1.03 TOWN BOARD**

- (1) The business and policy affairs of the Town of Medina shall be governed by the Board of Supervisors that shall consist of the Town Chairman and two Supervisors. All Town Board members shall be elected at the spring election held in the odd-numbered years for two-year terms.
- (2) **General.** The Town Board shall be vested with all powers of the Town not specifically given some other officer. Except as otherwise provided by law, the Town Board shall have the management and control of the Town property, finances, highways, streets, navigable waters and the public services, and shall have the power to act for the government and good order of the Town, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, fine, imprisonment and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.
- (3) **Acquisition and Disposal of Property.** The Town Board may acquire property, real and personal, within and without the Town, for parks, libraries, historic places, recreation, beautification, streets, waterworks, sewage or waste disposal, harbors, improvements of watercourses, public grounds, vehicle parking areas and for any other public purpose; may acquire real property within or contiguous to the Town, by means other than condemnation, for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and may sell and convey such property. Condemnation shall be as provided by the Wisconsin Statutes.

(4) **Acquisition of Easements and Property Rights.** Confirming all powers granted to the Town Board and in furtherance thereof, the Board is expressly authorized to acquire by gift, purchase or condemnation under Wisconsin Statutes, any and all property rights in lands and waters, including rights to access and use, negative or positive easements, restrictive covenants, covenants running with land, scenic easements and any rights for use of property of any nature whatsoever, however denominated, which may be lawfully acquired for the benefit of the public or for public purpose, including the exercise of powers granted under Sections 61.35 and 62.23, Wisconsin Statutes; and may sell and convey such easements or property rights when no longer needed for public use or protection.



(5) **Town Finances.** The Town Board may, pursuant to delegation of authority from the Town Meeting, adopt the tax levy and provide for the collection of taxes and special assessments; may refund any tax or special assessment paid, or any part thereof, when satisfied that the same was unjust or illegal; generally may manage the Town finances.



(6) **Construction of Powers.** Consistent with the purpose of giving the Towns the largest measure of self-government in accordance with the **spirit of the home rule amendment to the Constitution**, the grants of power to the Town Board in this Section and throughout this Code of Ordinances shall be liberally construed in favor of the rights, powers, privileges of Towns to promote the general welfare, peace, good order and prosperity of the Town and its inhabitants.

(7) **Intergovernmental Cooperation.** The Town Board, on behalf of the Town, may join with other Counties, Towns, Cities, Villages or other governmental entities in a cooperative arrangement for executing any power or duty in order to attain greater economy or efficiency, including joint employment of appointed officers and employees.

(8) **Preservation of order.** The Town Board has the power to preserve order at its meetings, including removal of disruptive individuals or groups.

#### 1.04 TOWN CHAIRMAN

The daily management of the Town and oversight of its business and affairs shall be vested in the Town Chairman.

#### 1.05 TOWN CLERK

The Town Clerk shall perform all of the duties associated with that position in the Wisconsin Statutes, as well as such other duties as are assigned by the Town Board.



## 1.06 TOWN TREASURER

The Town Treasurer shall perform all of the duties associated with that position in the Wisconsin Statutes, as well as such other duties as are assigned by the Town Board.

## 1.07 TOWN OFFICERS

- (1) **General Powers.** Officers shall have generally the powers and duties prescribed for like officers of Towns, except as otherwise provided, and such powers and duties as are prescribed by law and except as to the Town Chairman, shall perform such duties as shall be required by the Town Board. Officers whose powers and duties are not enumerated in Chapter 60 of the Wisconsin Statutes, shall have such powers and duties as are prescribed by law for like officers or as directed by the Town Board.
- (2) **Rules.** All officers and departments may make the necessary rules for the conduct of their duties and incidental proceedings.
- (3) **Applicability of Ethics Statutes.** The general laws for the punishment of bribery, misdemeanors and corruption in office. Including section 19.59, Wisconsin Statutes, shall apply to Town officers
- (4) **Legal Representation.** Whenever a Town official in their official capacity proceeded against or obliged to proceed before civil court, board or committee, to defend or maintain his official duties, and they have prevailed in such proceedings, or the Town Board has ordered the proceedings discontinued, the Board may provide for payment to such official such sum as it sees fit, to reimburse them for expenses reasonably incurred for costs and attorney's fees.

## 1.08 OFFICIAL NEWSPAPER

The official newspaper of the Town of Medina shall be The Courier, published in Waterloo, Wisconsin.

## 1.09 TOWN MEETINGS.

At all meetings of the Town Board and the Town electorate, the proceedings shall be conducted in an orderly fashion, reasonably conforming to Robert's Rules of Order unless some provision of Wisconsin Statutes or this code requires a different procedure.




## 1.10 POLL HOURS.

The voting polls in the Town of Medina, Dane County, Wisconsin, shall be open from 9:00 a.m. to 8:00 p.m. for all elections.

## 1.11 NOMINATION OF CANDIDATES FOR ELECTIVE TOWN OFFICE

All candidates for elective office in the Town of Medina shall be selected by the caucus system, as provided by the Wisconsin Statutes. The Town board according to law shall set the date and time of the caucus, and notice shall be given by publication.

## 1.12 SALARIES OF TOWN OFFICIALS

- (1) **General Provisions.** The Town Chairman and other Supervisors who make up the Town Board, whether operating under general or special law, may by majority vote of all the members of the Town Board determine that a salary be paid the Chairman, Supervisors, and other Town officers and employees. The salaries and compensation to be paid to Town officers and employees shall be determined from time to time by the Town Board. Salaries for elected officials may not be increased or decreased during the current term of the office holder.
- (2) **Salaries Established.** The salaries of all elected and appointed officials, including members of the boards, committees and committees, shall be as determined by the Town Board from time to time, provided the salary of the Chairman and members of the Town Board, committees and committees shall not be increased or diminished during their term in office. Any such change in salaries shall be passed by a majority vote of all members of the Town Board and must remain as set forth until changed by ordinance, per Section 66.199, Wisconsin Statutes. Salary changes for elected officials take effect upon the inauguration of the next elected Town Board or officers.
-  (3) **Per Diem Established.** Town officials and appointed members of committees and committees will receive a per diem for attendance of meetings, hearing, conferences and other functions at which their attendance is required. Additional per diems may be awarded by the Town Board for meetings, conferences, hearings, and other necessary functions attended by Town officials and appointed members of committees and committees provided attendance is related to the duties served for the Town. Per diem rates are to be established at the Budget Hearing in the Fall of even number years and are effective the inauguration of the next elected Town Board or officers.
- (4) **Attendance Standard.** In order to receive compensation, a member must be present at least fifty percent (50%) of the actual meeting time as recorded in the minutes.
- (5) **Plan Committee Members.** All citizens appointed to the Plan Committee shall be paid at a rate established by the Town Board based upon the petitions reviewed, members will receive a minimum payment equal to the established per diem for each plan committee meeting attended.

- (6) **Mileage.** Town Board members, officers, committee and committee members and employees shall be reimbursed for mileage incurred on official Town business at the rate established for the current year by the Internal Revenue Service.
- (7) **Legal Actions.** Any Town Board member or Town Chairman who officially represents the Town in legal actions may, with the approval of the Board, be paid an hourly rate equal to their normal employment, not to exceed Twelve Dollars (\$12.00) per hour.
- (8) **Intent of Attendance Standard.** It is the intent that the committee/committee members will be paid only for attending meetings of those specific committees/committees that they are appointed to. Board members will be paid for all meetings they attend that are posted as Town of Medina committee/committee/board meetings.
- (9) **Board of Review.** Those Board members appointed to serve on the Board of Review shall be paid the established per diem for the first two hours of the Board of Review and Five Dollars (\$5.00) per hour thereafter when the Board is in session. Each meeting shall be considered a single meeting, regardless of whether the meeting continues after midnight.

### 1.13 TOWN BOARD MEETINGS

- (1) **Regular Meetings.** Regular meetings of the Town Board shall be held on the first Wednesday of the calendar month at 7:00 p.m. or such other time as determined by the Town Board, except when the day so designated falls on an election day or a legal holiday, in which case the regular meeting shall be held at such other date and time as the Town Board designates. When the Town Board designates a date and time for the regular Board Meeting, notice thereof shall be posted at the Town Hall and in two other places in the Town. All meetings of the Board shall be held at the Town Hall unless specified otherwise in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least two (2) hours prior to any meeting.
- (2) **Annual Meeting.** The Town shall hold an annual meeting within ten days of the first Tuesday in April. At the annual meeting the electorate in attendance shall set the date and time for the annual meeting for the next year.
- (3) **Special Meetings.** Special meetings of the Board may be called by the Town Chairman, or by two (2) Supervisors filing a request with the Town Clerk at least forty eight (48) hours prior to the time specified for such meeting. The Town Clerk shall select the day for the special meeting and immediately notify each Supervisor of the time and purpose of such meeting. The notice shall be delivered or mailed to each Supervisor personally or left at their usual place of abode, a minimum of twenty four (24) hours prior to the meeting time. However, an

emergency meeting, as defined in Chapter 19, Wisconsin Statutes, may be held upon two (2) hours legal notice. The Town Clerk shall cause a record of such notice to be filed in his or her office prior to the time fixed for such special meeting. No business shall be transacted at a special meeting except for the purpose stated in the notice thereof. Notice to the public of special meetings shall conform to the open meeting requirements of Section 19.81, Wisconsin Statutes. The Town Clerk shall give notice immediately upon the call for such meeting being filed with him or her.

- (4) **Special Meeting Request.** The request for any special meeting shall state the purpose for which the meeting is to be called and no business shall be transacted but for which the meeting has been called.
- (5) **Open Meeting Law Compliance.** All meetings shall be open to the public, unless falling within the lawful exception of the Wisconsin Open Meetings Law.
- (6) **Closed Meetings.** An adjournment to a closed session may be only for a permitted purpose as enumerated in Section 19.85, Wisconsin Statutes, and must meet the requirements of said section.
- (7) **Quorum.** Two (2) members of the Town Board shall constitute a quorum, but a lesser number may adjourn or compel attendance of absent members if a majority is not present.

#### **1.14 PUBLICATION OF ORDINANCES**

- (1) All general ordinances of the Town and all regulations imposing any penalty shall be published in the official paper of the Town once or posted according to state law, and shall be immediately recorded by the Town Clerk in a book kept for that purpose and/or the Town Code of Ordinances. A printed copy of such ordinances or regulation in any book, pamphlet or newspaper and published or purporting to be published therein by direction of the Town board shall be prima facie proof of due passage. Publication and recording thereof.
- (2) All Ordinances shall take effect and be in force from and after passage and publication/posting thereof, unless otherwise provided.

#### **1.15 ASSESSOR**

- (1) Pursuant to Sections 60.307, Wisconsin Statutes, the Town Assessor or assessing firm, shall be appointed pursuant to this section. Said person so appointed to perform the duties of such office shall have an indefinite term or as determined by contract. A corporation or an independent contractor may be appointed as the Town Assessor. The corporation or independent contractor so appointed shall designate the person responsible for the assessment. The designee shall file the official oath under section 19.01, Wisconsin Statutes, and sign the affidavit of the

Assessor attached to the assessment roll under Section 70.49, Wisconsin Statutes. No person may be designated by any corporation or independent contractor unless he has been granted the appropriate certification under Section 73.09, Wisconsin Statutes. For purposes of this subsection, "independent contractor" means a person who either is under contract to furnish appraisal and assessment services or is customarily engaged in an independent trade, business or profession in which the services are offered to the general public.

#### 1.16 BOARD OF REVIEW

- (1) **Composition.** The Board of Review of the Town of Medina shall be composed of the Town Chairman, Town Clerk, and the Town Supervisors. The Town Clerk shall serve as the Clerk of the Board of Review. The Assessor shall attend all formal meetings of the Board of Review as required by law.
- (2) **Duties.** The duties and functions of the Board of Review shall be as prescribed in Chapter 70, Wisconsin Statutes.
- (3) **Meetings.** In accordance with Sections 70.47(3)b, Wisconsin Statutes, the Town Board do hereby exercise their right to designate hours for the annual Board of Review proceedings as being from 7:00 p.m. to 9:00 p.m. on a date to be established by the Town Board annually. The Board of Review may adjourn from day to day or from time to time, until such time as its business is completed, provided that adequate notice of such adjournment if so given as required by Wisconsin Statute.

#### 1.17 PLAN COMMITTEE

- (1) **Composition.** The Town Plan Committee shall consist of three (3) members who shall be citizens of the Town, who shall be selected by the Town Board with the advice of the Plan Committee.
- (2) **Appointment.** The members of the Plan Committee shall be appointed by the Town Chairman for staggered terms of three (3) years, subject to Town Board approval. All members shall be persons of recognized experience and qualifications and shall hold office until their respective successors are selected and qualified. Whenever a vacancy shall occur in any member, a successor shall be appointed for the unexpired term in the manner as set forth above.
- (3) **Record.** The Plan Committee shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the Town Clerk. Two members shall constitute a quorum but all actions shall require the affirmative approval of a majority of all members of the Committee.
- (4) **The Town Land Use Plan.**

- (a) The Plan Committee shall make, adopt and, as necessary, amend, extend or add to the land use plan, subject to Town Board confirmation, for physical development of the Town, including areas outside of its boundaries which, in the Plan Committee's judgement, bear relation to development of the Town. The land use plan, with the accompanying maps, plats, and descriptive and explanatory matter, shall show the Committee's recommendations for such physical development, and may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, parking areas, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, and the general location and extent of sewers, water conduits and other public utilities whether publicly or privately owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, the general location, character and extent of community centers and neighborhood units, and a comprehensive zoning plan.
- (b) The Committee may adopt the land use plan as a whole by a single resolution, or, as the work of making the whole land use plan progresses, may from time to time by resolution adopt a part or parts thereof, any such part to correspond generally with one or more functional subdivisions of the subject matter of the plan. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all members of the Plan Committee, subject to confirmation by the Town Board. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Committee to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the Committee, and a copy of the plan or part thereof shall be certified by the Town Board. The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the Plan Committee and the Town Board in the performance of their duties.
- (5) **Matters Referred to the Plan Committee.** The Town Board or officer of the Town having final authority thereon, shall refer to the Plan Committee, for its consideration and report before final action is taken by the Board, public body or officer, the following matters: the location of any structure or other memorial, the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public way, park, playground, airport, are for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats or land divisions in the Town or within the territory over which the Town is given platting jurisdiction by Chapter 236, Wisconsin Statutes; the location, character and extent of

acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any land division ordinance.

- (6) **Miscellaneous Powers.** The Committee shall review farm plans and other related proposals when stipulated by zoning. The Committee may make reports and recommendations relating to the plan and development of the Town to public officials and agencies, civic, educational, professional and other organizations and citizens. It may recommend to the Town Board, programs for public improvements and the financing thereof. All public officials shall, upon request, furnish to the Committee, within a reasonable time, such available information as it may require for its work. The Committee, its members and employees, in the performance of its functions, may enter upon any land, make examinations and surveys, and place and maintain necessary monuments and markers thereon. In general, the Committee shall have powers as may be necessary to enable it to perform its functions and promote municipal planning in cooperation with the Town Board. The Committee shall oversee community development block grants. The Town Board may refer to the Committee for its consideration and recommendation any matter pertaining to planning and development of land within the Town. All plats or replats of any land within the limits of the Town shall be submitted to the Committee for its recommendation to the Town Board before same are approved by the Town Board.
- (7) **Organization.** As soon as all members of the first Committee shall have been appointed, the Town Clerk shall give each member a written notice of the appointment. Citizen members shall be required to take the official oath required by Section 19.01, Wisconsin Statutes, which shall be filed with the Town Clerk. Such Committee shall elect a Chairman and a secretary, and shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the Town Clerk.
- (8) **Rules of Procedure.** The Plan Committee is hereby authorized to adopt rules governing its own proceedings. The Committee shall make a monthly report in writing to the Town Board of its transactions, if any, for the preceding month, with such general recommendations as to matters covered by its prescribed duties and authority as seem proper. On a quarter basis Plan Committee members are to submit to the Town Clerk a report of all expenditures and per diems due them.

## 1.18 CODE OF ETHICS

- (1) 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 hereby established in this Chapter a Code of Ethics for all Town of Medina

officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and committees of the Town, as well as any individuals who are candidates for elective office as soon as such individuals are nominated at the Town caucus.

- (2) The purpose of this Ethics Code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Town of Medina and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the Town. The Town Board believes that a Code of Ethics for the guidance of elected and appointed officials and employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the citizens of this Town in their elected and appointed officials and employees. The Town Board hereby reaffirms that each elected and appointed officials and employee holds his or her position as a public trust, and any intentional effort to realize substantial personal gain through official conduct is a violation of that trust. The provisions and purpose of this Ethics Code and such rules and regulations as may be established are hereby declared to be in the best interest of the Town of Medina.

(3) **Definitions**

- (a) **Public Official.** Those persons serving in statutory elected or appointed offices provided for in Chapter 60 of the Wisconsin Statutes. And all members appointed to boards, committees and committees established or appointed by the Town Chairman and/or Town Board pursuant to this Ordinance, whether paid or unpaid.
- (b) **Public Employee.** Any person excluded from the definition of a public official who is employed by the Town.
- (c) **Anything of Value.** Any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation or expense reimbursement paid by the Town, honorariums, fees and expenses under the standards and reporting requirements set forth in Section 19.56, Wisconsin Statutes, campaign contributions as regulated by this Code or hospitality extended for a purpose unrelated to Town business by a person other than a firm, corporation, partnership, or joint venture.
- (d) **Business.** Any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.

- (e) **Personal Interest.** Any interest arising from blood or marriage relationships or from close business, personal or political associations, whether or not any financial interest is involved.
  - (f) **Significant Interest.** Owning or controlling, directly or indirectly, at least ten percent (10%) or Five Thousand Dollars (\$5,000.00) of the outstanding stock of any business,
  - (g) **Financial Interest.** 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.
- (4) **Statutory Standard.** There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this Code of Ethics and shall apply to public officials and employees whenever applicable, to wit:
- (a) Section 946.10. Bribery of Public Officials and Employees.
  - (b) Section 946.11. Special Privileges from Public Utilities.
  - (c) Section 946.12 Misconduct in Public Office.
  - (d) Section 946.13 Private Interest in Public Contract Prohibited.
- (5) 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 this State and carry out impartially the laws of the nation, state, and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing, that the public interest must be their prime concern.
- (6) Officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.
- (7) 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 doing so by law or by officially recognized confidentiality of their work
- (8) Members of the Town staff are expected to follow their appropriate professional code of ethics. Staff members shall file a copy of such professional ethical codes with the Town Clerk. The Town Board shall notify the appropriate professional ethics board of any ethics violations involving Town employees covered by such professional standards.

- (9) **Use of Public Property.** No official or employee shall use or permit the unauthorized use of Town owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as Town policy for the use of such officials or employee in the conduct of official business, as authorized by the Town Board or authorized board, committee or committee.
- (10) **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 citizen. No official or employee shall use or attempt to use his or her position with the Town to secure any advantage, preference or gain, over and above their rightful remuneration and benefits, for themselves or for a member of their immediate family.
- (11) **Political Contributions.** No official shall personally solicit from any Town employee a contribution to a political campaign committee for which the person subject to this Chapter is a candidate or treasurer.
- (12) **Financial and Personal Interest Prohibited.**
- (a) No official or employee of the Town, 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 official duties in the public interest contrary to the provisions of this Chapter or which would tend to impair independence of judgement or action in the performance of official duties.
- (b) Any member of the Town Board who has a financial interest or personal interest in any proposed legislation before the Town Board shall disclose on the records of the Town Board the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat or such legislation. If the matter before the Town Board involves a member's personal interest with persons involved, the member may participate in debate or discussion and vote on the matter following disclosure, unless an ordinance or contract is involved; if an ordinance or contract is involved, such official shall not participate in debate or discussion or vote on the matter.
- (c) Any non-elected official, other than Town employee, who has financial interest or personal interest in any proposed legislative action of the Town Board or any board, committee or committee upon which the official has any influence or input or of which the official is a member that is to make a recommendation or decision upon any item which is subject of the proposed legislative action shall disclose on the records of the Town Board or the appropriate board, committee or committee the nature and extent of such interest. Such official shall not participate in debate or discussion or vote for adoption or defeat of such legislation.

- (d) Any Town employee who has a financial interest or personal interest in any proposed legislative action of the Town Board or any board, committee or committee upon which the employee has any influence or input, or of which the employee is a member, that is a make to recommendation or decision upon any item which is subject of the proposed legislative action shall disclose on the records of the Town Board or the appropriate board, committee or committee the nature and extent of such interest.
- (13) **Disclosure of Confidential Information.** No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Town, nor shall such information be used to advance the financial or other private interests of the official or employee or others.
- (14) **Incompatible 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 or her official duties or would tend to impair such official or employee's independence of judgement or action in the performance of his or her official duties, unless otherwise permitted by law and unless disclosure is made as hereafter provided.
- (15) **Gifts and Favors.**
- (a) No official or employee shall accept or offer to accept anything of value from any person who, to his or her knowledge, is interested directly or indirectly, or is seeking interest, directly or indirectly, in any manner whatsoever in business dealings of the Town, or from any person who conducts activities which are regulated by the Town, or from any person who has interests which may be substantially affected by actions of the Town.
- (b) No official or employee shall accept or offer to accept anything of value that may tend to influence such official or employee in the discharge of his or her duties, or grant in the discharge of his or her duties any improper favor, service, or thing of value.
- (c) Gifts received under unusual circumstances should be referred to the Town Board within ten (10) days for recommended disposition.
- (d) An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or member of the guest's immediate family, was a Town official or employee. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective

office from accepting hospitality from citizens for the purpose of supporting the candidate's campaign.

- (16) **Representing Private Interests Before the Town Board or Plan Committee.**
- (a) Non-elected Town officials and employees shall not appear on behalf of any private person (other than him or herself, his or her spouse or minor child) before any Town agency, board, committee or the Town Board if the official or employee or any board, committee, committee of which the official or employee is a member has any jurisdiction, discretion or control over the matter which is the subject of such representation.
  - (b) Elected Town officials may appear before Town agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations.
- (17) **Ad Hoc Committee Exceptions.** No violation of the conflict of interest restriction of this Section shall exist, however, where an individual serves on a special ad hoc committee charged with the narrow responsibility of addressing a specific issue or topic in which the individual, has an interest so long as the individual discloses to the Town Board that such interest exists.
- (18) **Contracts with the Town.** No official or employee who, in his or her capacity as such officer or employee, participates in the making of a contract in which such officer or employee has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on the part of such official or employee, shall enter into any contract with the Town unless:
- (a) The contract is awarded through a process of public notice and competitive bidding:
  - (b) The contract or activity is exempt from or otherwise deemed appropriate by Section 946.13, Wisconsin Statutes.
  - (c) The Town Board waives this requirement after determining that it is in the best interest of the Town to do so.
- (19) **Disclosure of Interest in Legislation.** To the extent known, any member of the Town Board who has a financial or personal interest in any proposed legislation before the Town Board shall disclose on the record of the Board the nature of and extent of such interest. Any other official or employee who has a financial or personal interest in any proposed legislative action of the Board and who participates in discussion with official opinions or recommendations to the Board shall disclose on the record of the Board the nature of and extent of such interest.

- (20) When an official or employee has a doubt as to the applicability of a provision of this Section, such official or employee may apply to the Town Attorney for an advisory opinion. The official or employee shall have the opportunity to present his or her interpretation of the facts at issue and of the applicability of provisions of this Section before such advisory decision is made. This Section 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 to be more appropriate or desirable. If an official or employee has accurately stated the facts in their request for an advisory opinion, and acts in conformity to the advice rendered in the opinion, the official or employee shall be immune from liability under this Section.
- (21) This Section governs the proposed hiring of individuals for full-time or part-time work as Town employees who are members of the immediate family of Town employees or elected officials. "Immediate family" includes those relatives by blood or marriage defined in this Section as personal interests. Hiring an immediate family member of any current Town employee or elected Town official will be considered only if that individual has the knowledge and skills, experience or other job-related qualifications that warrant consideration for the position. It is required that either the current employee or the relative seeking employment will make the personal interest relationship known to the hiring authority (department head, committee, committee or Town Board) before a hiring decision is made. Failure to disclose will be grounds for dismissal of both the current employee and the new employee.
- (22) A determination that an employee's actions constitute improper conduct under the provisions of this Chapter shall constitute a cause of suspension, removal from office or employment or other disciplinary action. Sanctions, including any disciplinary action, which may affect employees covered under a labor agreement will be consistent with the terms and conditions set forth in the applicable labor agreement.
- (23) No full-time officer or employee of the Town shall engage in other ongoing, significant remunerative employment within or without the Town which is in conflict with the responsibilities or duties the officer or employee performs for the Town. The Town Board may approve such outside employment or activity if it finds that it does not interfere or conflict with such officer's ability to perform his or her duties in an efficient and unbiased manner. Violation of this provision shall be grounds for removal from office of any such officer or employee.

#### **1.19 RECORDS CUSTODIAN AND FEES**

- (1) Pursuant to Section 19.31, Wisconsin Statutes, the Town designates the Town Clerk as the custodian of all records of the Town except that the Treasurer shall be the custodian of the tax roll, receipting and other tax and financial records.

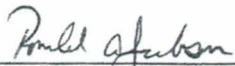
- (2) For copies of all public documents such as minutes, documents or reports, the Town shall charge 25 cents per page. Requesters shall pay the reasonable costs of searching for records as the minimum charge is Ten Dollars (\$10.00), searches requiring over one hour will pay Twenty Five Dollars (\$25.00) per hour or part thereof.
- (3) For searches of public records at the request of title companies or others, the Town shall charge Fifteen Dollars (\$15.00) per search, plus copying costs if any.
- (4) Where it appears that the cost of complying with a record request will exceed Twenty Five Dollars (\$25.00), the requester shall pay in advance for the copies or search.

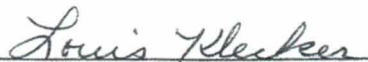
**1.20 EFFECTIVE DATE.**

This ordinance shall take effect and be in force from and after the day after passage and publication as required by law.

- (1) **Town Board Approval.** This ordinance was adopted on this 3rd day of May, 2000.

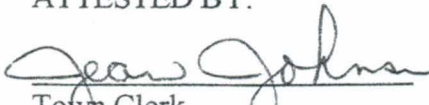
APPROVED BY:

  
\_\_\_\_\_  
Town Chairman

  
\_\_\_\_\_  
Town Supervisor

  
\_\_\_\_\_  
Town Supervisor

ATTESTED BY:

  
\_\_\_\_\_  
Town Clerk

**(2) Public Notice.**

- (a) **Public Review.** A notice was published in The Courier Newspaper on April 19 and April 26, 2000 to inform residents that a final of this Town Organization and Administration Ordinance was on file with the Town Clerk for a two week period, April 19-May 3, 2000, during which it was available for inspection.

- (b) Posting. The Notice of Adoption of Ordinance relating to this ordinance was posted on May 13, 2000 at the Medina Town Hall.
- (c) Publication. A Notice of Adoption of Ordinances relating to this ordinance was published in The Courier Newspaper, the publication of record for the Town of Medina on May 17, 2000.