

CHAPTER 5

Commissions and Boards

- 2.5.1 Board of Review
- 2.5.2 General Provisions Regarding Meetings and Public Notice

SEC. 2-5-1 BOARD OF REVIEW.

- (a) **Composition.** The Board of Review shall consist of the Chairperson, Town Board Supervisors and Town Clerk.
- (b) **Duties.** The duties and functions of the Board of Review shall be as prescribed in Sections 70.46 and 70.47, Wis. Stats.
- (c) **Meetings.** The Board of Review shall meet annually on the second Monday of May at the Town Hall of the Town of Packwaukee, and notice of such meeting shall be published pursuant to the State Statutes. The Board, through its Clerk, 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. 2-5-2 APPOINT ALTERNATE MEMBERS FOR BOARD OF REVIEW

Pursuant to State Statute 70.47(6m)(c) and 70.46(1) Wisconsin Statutes the Town Board hereby provides for the appointment of alternates to serve on the Town Board of Review in the event a standing board member of the board of review is removed or unable to serve for any reason.

SEC. 2-5-3 CONFIDENTIALITY OF INCOME AND EXPENSES PROVIDED TO ASSESSOR FOR ASSESSMENT PURPOSES

1. **ADOPTION.** This ordinance adopts by reference Wis. Statutes 70.74(7)(af). Income and expense information provided by a property owner to an assessor for the purposes of establishing the valuation for assessment purposes by the income method of valuation shall be confidential and not a public record open to inspection or copy under 19.35(1) of Wis. Statutes.
2. **EXCEPTIONS.** An officer may make disclosure of such information under the following circumstances:
 - (a) The assessor has access to such information in the performance of his/her duties;
 - (b) The Board of Review may review such information when needed, in its opinion, to decide upon a contested assessment;
 - (c) Another person or body has the right to review such information due to the intimate relationship to the duties of an office or as set by law;

- (d) The officer is complying with a Court order;
 - (e) The person providing the income and expense information has contested the assessment level at either the Board of Review or by filing a claim for excessive assessment under 74.37 in which case the base records are open and public.
3. SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a Court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SEC. 2-5-4 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 Town of Packwaukee shall:
 - (1) Fix a regular date, time and place for its meetings;
 - (2) Post or, when necessary, publish notice in the official Town newspaper in advance of each such regular meeting of the date, time and place thereof;And
 - (3) Post, on the front door of the Town 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 Town Clerk.

SEC. 2-5-3 PLAN COMMISSION

- (a) **Authority.** Pursuant to Sections 60.22(3), 60.61(4), 61.35, 62.23, 236.02 and 236.45, Wis. Statutes, and other applicable laws there is hereby created a "Plan Commission" for the Town of Packwaukee, Marquette County, Wisconsin.
- (b) **Membership.** The Plan Commission shall at all times consist of seven (7) members and one (1) alternate member composed of up to six (6) citizens of the Town of recognized experience and qualifications and no more than two (2) Town Board members. The Town Chairperson shall serve as the alternate member. All members, including the Town Board members shall be voting members. The Town Chairperson may participate in any discussion but shall only vote when it is necessary for the Chairperson to make a quorum.
 - (1) The citizen members shall be appointed by the Town Chairperson subject to the approval of the Town Board.
 - (2) The Town Board members shall be appointed by the Town Board and serve for a period of two (2) years concurrent with his or her term on the Town Board.

- (3) The term of the office for the Plan Commission Chair and each Commission Member, except the alternate and the Town Board members shall be for a period of three (3) years, ending on April 30th. For the initial terms the citizen members shall be appointed for staggered terms as follows: three (3) persons, including the Plan Commission Chair, for a term that expires three (3) years from the previous April 30th; one (1) member for a period of two (2) years from the previous April 30th; and two (2) members for a period of one (1) year from the previous April 30th.
- (4) Any person appointed to fill a vacancy on the Plan Commission shall serve the remainder of the term.
- (c) **Officers.** The Chairperson shall be appointed by the Town Chairperson subject to Town Board approval. The members of the Plan Commission shall elect a Vice Chairperson and Secretary from its membership. The Chairperson shall be a voting member of the commission.
- (d) **Quorum, Records.** Four (4) members of the Plan Commission shall constitute a quorum and all actions shall require the affirmative approval of the majority of those present. The plan Commission shall keep a written record of its proceedings to indicate its findings, determinations and all actions taken. A copy of the record shall be provided to the Town Clerk.
- (e) **Meetings.** Regular meetings of the Commission shall be held at least one week before the regular meetings of the Town Board. All meetings of the commission shall be held at the Town Hall of the Town of Packwaukee unless specified otherwise in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least three (3) hours prior to any meeting. All seven (7) members of the Commission must consent to any change in the place of any meeting.
- (f) **Special Meetings.** Special meetings may be called by the Town Chairperson or by any four (4) Commission members by notifying the Town Clerk no less than twenty four (24) hours prior to the specified time of the meeting. The Clerk shall immediately notify all members of the time and place of the meeting and shall cause public notice to be posted in at least three public places no less than six hours prior to the time specified for the meeting.
- (g) **Powers, Functions.** The Plan Commission shall have the power and authority enumerated in Section 62.23, Wis. Statutes, to the extent relevant, including the power to employ experts and staff, and to pay for their services as may be necessary and proper, not exceeding, in all, the appropriation that may be made for such Commission by the Town Board or placed at its disposal through gift, and subject to the approval of any ordinance or resolution by the Town Board.
- (1) The Plan Commission shall administer the Comprehensive Plan under Sections 62.23 and 66.101, Wis. Statutes, which plan contains the elements specified in Section 66.1001(2) Wis. Statutes, and follows the procedures of Section 66.1001(4) Wis. Statutes. The Plan Commission shall amend/update the comprehensive plan from time to time as directed by the Town Board.
- (2) Prior to any action by the Town Board on any request to Marquette County for rezoning, conditional use or special exception permit, or variance the Plan Commission shall hold a meeting and review the request and make a recommendation to the Town Board at the same or next Plan Commission meeting.

- i. At least five days prior to the meeting, written notice shall be given by the Town Clerk or the Secretary of the Plan Commission by regular mail to all property owners within 300 feet of the property for which an application is being made to the town.
 - (3) The applicant shall file an application with the town on forms approved by the Plan Commission and Town Board to provide the town with information that may be supplemental to information provided to the County. The application shall provide information including but not limited to the following:
 - i. Name and address of the petitioner and/or owner
 - ii. Legal description of the property
 - iii. The existing use of all building and structures on the property
 - iv. The purpose for which the property is to be used
 - v. Plot plan or survey plat, roughly drawn to scale showing the property proposed to be changed, location of structures, and property lines
 - vi. With respect to a variance request, complete explanation of the nature and extent of hardships justifying the variance
 - vii. Such information as may be required by the Plan Commission to facilitate the preparation of a report to the Town Board
 - (4) The Plan Commission shall review and make a recommendation to the Town Board for any minor or major subdivision proposed under Title 10 Chapter 1 of the Town Code of Ordinances – Subdivision and Platting.
 - (5) The applicant or property owner requesting a review of any request under sub sections (3) and (4) above shall pay to the town an application fee at the time of filing the application or petition in an amount to be determined from time to time by resolution of the Town Board. In addition, the applicant shall pay to the Town Clerk the towns administration costs in connection with the request including any reasonable engineering and attorneys fees, such amount to be paid within thirty (30) days of billing by the Town Clerk. If not paid when due, the Town may impose a lien against the property of the property owner as a special charge under Section 66.0627, Wis. Statutes, and the property owner, by requesting action by the Town Board on such requests, agrees to the imposition of such lien.
- (h) **Matters referred to the Plan Commission.** The Town Board or other public body or officer of the town having final authority thereon shall refer to the Plan Commission, for its consideration and report before final action is taken by the Town Board, public body or officer, the following matters: The location and architectural design of any public building; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of any land for any street, alley or other public ways, park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization of any public utility whether publicly or privately owned; the location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, or relief of congestion; all divisions of land under Title 10 Chapter 1 of this code; proposed rezoning; conditional uses or special exceptions and variances under the Marquette County zoning ordinance for land located in the town; the amendment or appeal of any land use ordinance; and any other matter the Town Board may elect to refer to the Plan Commission for recommendation. Unless such report from the Plan Commission is made within thirty (30) days, or such longer period as may be stipulated by the Town Board or otherwise provided by State Statute

or ordinance, the Town Board or other public body or officer may take final action without the report or recommendation of the Plan Commission.