

ORDINANCE 2015-08

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REPEALING AND RECREATING CHAPTER 1.03 (APPOINTED OFFICIALS) AND 1.04 (OFFICIALS QUALIFICATIONS AND DUTIES) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN

Purpose: The purpose of this Ordinance is to amend the current ordinance relative to the City Attorney and incorporating the new position of Municipal Attorney.

The Common Council of the City of Prairie du Chien, Crawford County, Wisconsin, does ordain as follows:

Section 1: That Chapter 1.03 (Appointed Officials) of the Municipal Code of the City of Prairie du Chien, Wisconsin be repealed and re-created to read as follows:

1.03 (APPOINTED OFFICIALS)

<u>OFFICIALS</u>	<u>Appointed by</u>	<u>Term</u>
(A) City Attorney	2/3 vote of Council	Indefinite
(B) Chief of Police	Police and Fire Commission	Indefinite
(C) Fire Chief	Police and Fire Commission	Indefinite
(D) Assessor	2/3 vote of Council	Indefinite
(E) City Engineer	Mayor, confirmation by 2/3 vote of Council	Indefinite
(F) Manager of the Department of Public Works	Mayor, confirmation by 2/3 vote of Council	Indefinite
(G) Building Inspector	2/3 vote of Council	Indefinite
(H) Electrical Inspector	2/3 vote of Council	Indefinite
(I) Plumbing Inspector	2/3 vote of Council	Indefinite
(J) Library Director	Library Board	Indefinite
(K) Parks and Recreation Director	Council, upon recommendation of the Parks and Recreation Board	Indefinite
(L) City Forester	Mayor, confirmation by Council	Indefinite
(M) Health Officer	Mayor, confirmation by Council	Indefinite
(N) Water Superintendent	2/3 vote of Council	Indefinite
(O) Wastewater Superintendent	2/3 vote of Council	Indefinite
(P) Deputy Emergency Government Director	Mayor, confirmation by Council	Indefinite
(Q) Weed Commissioner	Mayor	One year
(R) Deputy Clerk-Treasurer	2/3 vote of Council	Indefinite
(S) Deputy Clerk	2/3 vote of Council	Indefinite
(T) Assistant Police Chief/Captain	Police and Fire Commission	Indefinite
(U) City Municipal Attorney	2/3 vote of Council	Indefinite

Section 2: That Chapter 1.04 (Officials Qualifications and Duties) of the Municipal Code of the City of Prairie du Chien, Wisconsin be repealed and re-created to read as follows:

1.04 (OFFICIALS QUALIFICATIONS AND DUTIES)

(1) CITY CLERK-TREASURER: The City Clerk/Treasurer shall perform the duties prescribed by law for city clerks, treasurers, and comptrollers and such other duties as required by the

Common Council.

(2) CITY ATTORNEY: The City Attorney shall undertake, on behalf of the City of Prairie du Chien, Wisconsin, the following duties:

- (a) Shall perform all duties as directed by the Wisconsin Statutes, specifically Section 62.09 (12);
- (b) Shall attend all meetings of the Common Council, Committee of the Whole, and any other meetings of the City as requested by the City Administrator;
- (c) Shall be duly admitted to practice in the courts of record in the State of Wisconsin;
- (d) Shall draft all ordinances and resolutions to be considered for adoption by the Common Council as directed;
- (e) Shall review all contracts entered into by the City;
- (f) Shall undertake all union negotiations and statutory mediation/arbitration on behalf of the City and as need be, draft union contracts between the City and its Employee's unions;
- (g) Shall represent the City in union contract grievance matters;
- (h) Shall confer with and advise the Mayor, the Common Council, department heads, and City staff on City-related matters;
- (i) Shall render legal opinions as requested by the City Administrator;
- (j) Shall defend the City in all matters not covered by the City's insurance;
- (k) Shall draft all Development Agreements entered into by the City and third parties; and
- (l) Shall undertake such other legal related matters as needed from time to time by the City.
- (m) Appear at all sessions of the Crawford County Circuit Court involving juvenile tickets brought by the City of Prairie du Chien and further adequately prepare and prosecute all juvenile cases brought by the City of Prairie du Chien and tried by the Crawford County Circuit Court.

Nothing in this section shall prevent the City Attorney from representing clients other than the City of Prairie du Chien so long as said representation does not conflict with his representation of the City nor is in conflict with the Canons of Ethics of the American Bar Association or the Rules of Professional Conduct as established by the Supreme Court of the State of Wisconsin now in effect and as hereafter amended.

(3) MUNICIPAL ATTORNEY. The Municipal Attorney shall undertake, on behalf of the City of Prairie du Chien, Wisconsin, the following duties:

- (a) Shall be duly admitted to practice in the courts of record in the State of Wisconsin;
- (b) Appearance at all sessions of the Municipal Court of the City of Prairie du Chien;
- (c) Meet with all defendants that wish to discuss their case brought by the City of Prairie du Chien for the purpose of settlement or other discussions;
- (d) Adequately prepare and prosecute all cases that are to be tried in the Municipal Court for the City of Prairie du Chien;
- (e) Meet with the City Administrator, Chief of Police for the City and the Common Council for the City of Prairie du Chien upon request and upon reasonable notice;
- (f) Meet with City police officers, City Administrator and others as needed to discuss City Ordinance violations;
- (g) Field phone calls from citizens of the City of Prairie du Chien or others as to Ordinance violations or questions relative to City Ordinances;
- (h) Attend all continuing legal education programs as directed by the City, the cost of same to be paid by the City; and

Nothing in this section shall prevent the Municipal Attorney from representing clients other than the City of Prairie du Chien so long as said representation does not conflict with his representation of the City nor is in conflict with the Canons of Ethics of the American Bar Association or the Rules of Professional Conduct as established by the Supreme Court of the State of Wisconsin now in effect and as hereafter amended.

(4) 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.

(5) CITY ENGINEER: The City Engineer shall have a Bachelor of Science Degree in civil engineering and shall be capable and experienced in municipal public work.

Section 2: Any ordinance or parts thereof inconsistent herewith are hereby repealed.

Section 3: This Ordinance shall be effective from and after its passage and publication as required by law.

Passed and approved this 4th day of August, 2015.

David Hemmer, Mayor

ATTEST:

Aaron Kramer, City Administrator

Barb Elvert, City Clerk