

CHAPTER 5

BOARDS AND COMMISSIONS

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5.01 **BOARD OF REVIEW**

- (a) **COMPOSITION.** The Board of Review shall consist of the Village President, Village Clerk and the members of the Village Board.
- (b) **DUTIES.** The duties and functions of the Board of Review shall be as prescribed in section 70.47, Wis. Stats.

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

5.02 **PLANNING AND ZONING COMMISSION**

- (a) **COMPOSITION.** The Planning and Zoning Commission shall consist of seven (7) members, two (2) members of the Village Board and five (5) citizens. The full term of each citizen member shall be for three (3) years beginning on the first day of May in the year of appointment and until a successor is appointed and qualified; but when the Commission is first constituted, terms of appointment shall be made to provide for annual appointment of two citizen members for three-year terms in each of two successive years and one citizen member for a three-year term in the third successive year of every three year period.
- (1) How Constituted. The Planning and Zoning Commission shall consist of seven (7) members as follows: The Village President, who shall be its presiding officer, a Trustee, the Village Administrator and the Director of Public Works, who shall be non-voting members, and four (4) citizens. Citizen members shall be persons of recognized experience and qualifications.
- (2) Appointment.

- a. **Trustee Member.** The Trustee member of the Commission shall be elected by a two-thirds (2/3) vote of the Village Board upon creation of the Commission and during each April thereafter.
 - b. **Citizen Members.** Three citizen members shall be appointed by the Village President upon creation of the Commission to hold office for a period ending one, two and three years respectively from the succeeding first day of May, and thereafter annually during April, one such member shall be appointed for a term of three years.
 - c. **Additional Citizen Members.** The additional citizen member, who shall be appointed by the Village President, shall be first appointed to hold office for a period ending one year from the succeeding first day of May and thereafter annually during April. Whenever a park board is created, the president of such board shall succeed to a place on said Commission when the term of such additional citizen member shall expire.
- (b) **RECORD.** The Planning and Zoning Commission shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the Village Clerk. Four members shall constitute a quorum but all actions shall require the affirmative approval of a majority of all of the members of the Commission.
- (c) **DUTIES.**
- (1) The Master Plan.
 - a. The Planning and Zoning Commission shall make, adopt and, as necessary amend, extend or add to the master plan, to be known as the "Village of Pulaski Comprehensive Plan", subject to Village Board confirmation, for the physical development of the Village including areas outside of its boundaries which, in the Plan Commission's judgment, bear relation to the development of the Village. The master plan, with the accompanying maps, plats and descriptive and explanatory matter, shall show the Commission'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 privately or publicly owned, the acceptance, widening, narrowing, extensions, 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 Commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master 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 of the 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 the members of the Plan Commission. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Commission 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 Commission, and a copy of the plan or part thereof shall be certified to the Village Board. The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the Plan Commission and the Village Board in the performance of their duties.
- c. The Village of Pulaski Comprehensive Plan, dated 1990, shall be amended to include treatment of the wastewater of the Village of Pulaski by the Green Bay Metropolitan Sewerage District as outlined in the Wastewater Management Facilities Plan, dated July, 1991, along with Amendment Number One, dated February 20, 1992. (History: Ord. #326, 1992)

- (2) Matters referred to Commission. The Village Board or officer of the Village having final authority thereon, shall refer to the Planning and Zoning Commission, for its consideration and report before final action is taken by the Board, public body or officer, the following matters: The location and architectural design of any public building; the location of any statue 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 ways, park, playground, airport, area 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 of lands in the Village or within the territory over which the Village is given platting jurisdiction by Chapter 236, Wis. Stats.; the location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children; the amendment or repeal of any land use ordinance; and, such other

matters as may be referred to the Commission by the Village for determination or recommendation. Unless such report is made within 30 days, or such longer period as may be stipulated by the Village Board, the board or other public body or officer, may take final action without it.

- (3) Miscellaneous Powers. The Commission may make reports and recommendations relating to the plan and development of the Village to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens. It may recommend to the Village Board programs for public improvements and the financing thereof. All public officials shall, upon request, furnish to the Commission, within a reasonable time, such available information as it may require for its work. The Commission, 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 Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning.

State Law References: Secs. 61.35, 62.23, and Chapter 236, Wis. Stats.

5.03 BOARD OF HEALTH

- (a) **COMPOSITION**. The Village Board of the Village of Pulaski shall constitute the Board of Health for the Village of Pulaski. The Health Officer, by virtue of his office, shall be an ex officio member of such Board with voting power.
- (b) **DUTIES**. It shall be the duty of the Board of Health of the Village of Pulaski to assume the general administration of health and sanitation laws and regulations in the Village, to supervise the work of the Health Officer and to attend to the administration and enforcement of the health laws of the State and the rules and regulations prescribed by the State Board of Health and the ordinances of the Village.
- (c) **POWERS**. The Board shall take such measures and make such rules and regulations as shall be necessary and effectual for the preservation and promotion of the public health in the Village of Pulaski. All orders and regulations of the Board shall be published in the official newspaper and, after publication, shall have the force and effect of ordinances, including penalty for violation.

State Law Reference: Section 141.015, Wis. Stats.

5.04 **BOARD OF APPEALS**

- (a) **ESTABLISHMENT.** The Board of Appeals shall consist of five members appointed by the Village President, subject to confirmation by the Board of Trustees, for three (3) years, except that of those first appointed; one (1) shall serve for one (1) year, two (2) for two (2) years, and two (2) for three (3) years. The members shall be removable by the Village President for cause upon written charges and after public hearing. The Village President shall designate one of the members chairman. The Village President shall appoint an alternate member for a term of three years, who shall act with full power only when a member of the Board of Appeals refuses to vote because of interest. Vacancies shall be filled for the unexpired terms of members whose terms become vacant. Compensation for services shall be fixed by the Village Board. The Board of Appeals may employ a secretary and other employees.
- (b) **RULES.** The Board of Appeals shall adopt rules for its government and procedure. Meetings of the Board of Appeals shall be held at the call of the chairman and at such other times as the Board of Appeals may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.
- (c) **PROCEEDINGS.** The Board of Appeals 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 examinations and other official actions, all of which shall be immediately filed in the office of the Board of Appeals and shall be a public record.
- (d) **POWERS.** The 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 the Building Inspector.
 - (2) To hear and decide special exceptions to the terms of the Village of Pulaski 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 use 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 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 and to that end shall have all the powers of the Building Inspector. The concurring vote of four 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.
- (6) To hear and decide administrative appeals under Sec. 9.08 where the Board of Appeals is so appointed and authorized by the Village President, pursuant to Sec. 9.09.

5.05 COMMISSION ON AGING

The Commission on Aging shall consist of nine (9) members appointed by the Village President, subject to confirmation by the Village Board, four (4) members shall be appointed in odd-numbered years and five (5) members shall be appointed in even-numbered years. The term of office shall be two (2) years. The Commission shall make recommendations to the Village Board regarding the well-being of senior citizens.

5.06 COMMUNITY DEVELOPMENT AUTHORITY

- (a) **CREATION OF COMMUNITY DEVELOPMENT AUTHORITY.** Pursuant to the authority granted by §66.436, Wis. Stats., and §66.4325, Wis. Stats., there is hereby created and established for the Village of Pulaski a community development authority to be hereinafter referred to as the Community Development Authority of the Village of Pulaski.
- (b) **MEMBERSHIP.**
 - (1) Appointment of Commissioners. The Village President shall appoint seven (7) residents of the Village of Pulaski, having sufficient ability and experience in the fields of urban renewal, community

development and housing, as commissioners of the Community Development Authority. Each appointee shall be subject to confirmation by majority vote of the Village Board. Two of the commissioners shall be members of the Village Board and shall serve as commissioners during their term of office on the Village Board.

- (2) Term of Commissioners. The terms of the commissioners of the Community Development Authority shall be as follows:
 - a. The two (2) commissioners who are members of the Village Board shall serve as commissioners during their term of office on the Village Board.
 - b. The first appointments of five (5) non-Village Board members shall be for the following terms: Two for one year and one each for terms of 2, 3, and 4 years.
 - c. After the initial terms of the initial non-Village Board member commissioners, the terms of all non-Village Board member commissioners shall be four (4) years and until their successors have been appointed and qualified.
 - (3) Vacancies. Vacancies to any unexpired term of a commissioner shall be filled for the remainder of that term as provided in Sec. 5.06(b)(1).
 - (4) Compensation. Commissioners shall be reimbursed to their actual and necessary expenses, including local travel expenses incurred in the discharge of their duties and shall receive such other compensation as shall be established, from time to time, by the Village Board.
- (c) **POWERS AND DUTIES.** The Community Development Authority shall have all powers, duties and functions set out in §§ 66.40 and 66.431 of the Wisconsin Statutes for housing and redevelopment authorities and as to all housing projects initiated by the Community Development Authority and shall proceed under §66.40, Wis. Stats., and as to all projects related to blight elimination, slum clearance, urban renewal and redevelopment programs, it shall proceed under §§ 66.405, to 66.425, 66.43, 66.431, 66.435 or 66.46 as may be determined appropriate by the Village Board on a project by project basis. As to all Community Development programs and activities undertaken by the Village under the Federal Housing and Community Development Act of 1974, the Community Development Authority shall proceed under all applicable laws and ordinances not inconsistent with the laws of the State of Wisconsin. The Community Development Authority shall have the authority to take title to real and personal property in its own name, including, but not limited to the right of eminent domain under Chapter 32 of the Wisconsin Statutes, or any other law relating to eminent domain for redevelopment authorities. The chairperson, or the vice-chairperson in the absence of the chairperson, and the executive director shall, unless otherwise provided, have the authority to execute all

documents for and on behalf of the Community Development Authority. The Community Development Authority shall have the authority to employ such personnel as the Commission may determine necessary to carry out and accomplish the duties and responsibilities hereof, including, without limitation, to retain the services of the Village Engineer, Village Attorney and Village Financial Consultant. Except as expressly reserved or otherwise provided herein, the Community Development Authority is hereby granted all powers permitted by law to be exercised by community development authorities.

(d) **COMMUNITY DEVELOPMENT AUTHORITY OPERATIONS.**

(1) Operational Meeting. Following the appointment and confirmation of all commissioners, the Community Development Authority Commission shall hold an organizational meeting for the purposes of electing a chairperson and a vice-chairperson of the Community Development Authority Commission and to establish Bylaws for the governance and operation of the Community Development Authority and Commission.

(2) Operations. The Community Development Authority and the Community Development Authority Commission shall operate under the terms and conditions of the Wisconsin Statutes, the provisions of this Section and the Bylaws of the Community Development Authority, which Bylaws shall be approved by the Village Board.

a. **Executive Director.** The executive director of the Community Development Authority Commission shall be the Village Administrator who shall serve as secretary of and adviser to the Commission and shall perform such duties as shall be authorized by the Commission. The executive director shall further appoint an assistant director, subject to confirmation by majority vote of the Commission.

b. **Budget.** On or before September 1 of each year, the Community Development Authority Commission shall prepare and submit to the Village Board for approval a budget prepared in conformity with § 65.90, Wis. Stats. The Village Board shall have the power to alter, amend or modify the Community Development Authority budget relating to salaries, office operations or facilities. The Village Board shall levy such taxes and assessments as may be necessary to provide adequate funding for the Community Development Authority.

(e) **HOUSING AND REDEVELOPMENT AUTHORITIES.** All housing authorities and redevelopment authorities previously established by the Village, pursuant to §§66.40 and 66.431, shall terminate upon the effective date of the creation of the Community Development Authority and any programs or projects which have been begun by the housing authority or the redevelopment authority shall be transferred to and completed by the

Community Development Authority. All contracts entered into between the Federal government and the housing or redevelopment authority, or between such authorities and other parties, shall be assumed and discharged by the Community Development Authority, except for the termination of operations by housing and redevelopment authorities as provided in § 66.4325, Wis. Stats. Contracts between the Federal government and the housing authority or the redevelopment authority shall be binding upon the Community Development Authority in such manner as though originally entered into by the Community Development Authority. The Housing Authority shall remain in operation after the creation of the Community Development Authority pursuant to the provisions of §66.4325(4)(e). The Housing Authority shall continue to exist, under the jurisdiction of the Community Development Authority, as a subcommittee thereof, for the purposes of running, operating and carrying on such programs, facilities and operations, and under such authorities as provided in Sec. 5.07 for the housing authority, including, but not limited to, appointment and confirmation of its committee members by the Village President and the Village Board, until such time as the outstanding bonds or other securities, which require its continued operation, continue to exist.

- (f) **JURISDICTION.** The Community Development Authority shall be an independent, distinct public body and a body corporate and politic and shall have its own seal. By the establishment of the Community Development Authority, the Village of Pulaski shall be precluded from exercising any powers provided in §66.43(4), Stats. The Community Development Authority shall have exclusive power to carry on redevelopment projects within the Village; except, that nothing contained herein shall preclude the Village from applying for, accepting or contracting for Federal grants, advances or loans where the conditions of said grants, advances or loans require participation by the Village.
- (g) **COMPREHENSIVE PLAN OF REDEVELOPMENT.** Except for such redevelopment projects as may be delegated to the Community Authority by the Village Board, the Community Development Authority shall not commence or undertake any redevelopment projects until there has been created and approved a comprehensive plan of redevelopment as provided in §66.32(6), Wis. Stats.

5.07 **HOUSING AUTHORITY**

- (a) **EXISTENCE.** The Village of Pulaski Housing Authority shall continue to exist and function under the provisions hereof and Sec. 5.06 until such time as the outstanding bonds or other securities, which require its continued operation, no longer exist. The Village of Pulaski Housing Authority shall continue to exist as a Subcommittee of the Community Development

Authority.

- (b) **ESTABLISHMENT.** The Housing Authority shall consist of five (5) members appointed by the Village President, subject to confirmation by the Village Board. The term of office shall be five (5) years, with one member being appointed each year.
- (c) **DUTIES.** The Housing Authority's responsibilities and duties shall be as prescribed in Chapter 55.

[History. Ordinance #302 and 318 (1992). former Sec. 2-4-7 established the Village of Pulaski Housing Authority. Ordinance #302, creating the Redevelopment Authority, was adopted in February of 1991. Ordinance #318, creating the Community Development Authority (the "CDA"), was adopted in November of 1991. Ordinance #318 merged the Housing Authority into the CDA as a subcommittee thereof, pending completion of ongoing Housing Authority financial obligations, and abolished the Redevelopment Authority, as required by §§66.436 and 66.4325, Stats.]