

## Structure

Mayor-Council government. The City of Amery is a body corporate and politic with the powers of a municipality at common law and governed by the provisions of Chapters 62 and 66 of the Wisconsin Statutes, laws amending those chapters, other acts of the legislature and the Constitution of the State of Wisconsin. The City of Amery operates under the Mayor-Council form of government under Chapter 62, Wis. Stats., with general administrative responsibilities performed by the City Administrator/Clerk-Treasurer.

## Legislative Branch

The City Council is the legislative branch of City Government. Its primary business is the passage of laws in the form of ordinances or resolutions which shall prescribe what the law shall be, not only in relation to the particular facts existing at the time, but as to all future cases arising under it. The City Council shall establish the salaries of all officers and employees of the City, and be charged with the official management of the City's financial affairs, its budget, its revenues and the raising of funds necessary for the operation of the City.

## Power of the City Council

The Alderpersons of the City of Amery shall constitute the City Council. The City Council shall be vested with all the powers of the City not specifically given some other officer, as well as those powers set forth elsewhere throughout this Code.

- A. General. The City Council shall be vested with all the powers of the City not specifically given some other officer. Except as otherwise provided by law, the City Council shall have the management and control of the City property, finances, highways, streets, navigable waters and the public service, and shall have the power to act for the government and good order of the City, 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.
- B. Acquisition and disposal of property. The City Council may acquire property, real or personal, within or without the City, for parks, libraries, historic places, recreation, beautification, streets, waterworks, sewage or waste disposal, harbors, improvement of watercourses, public grounds, vehicle parking areas and for any other public purpose; may acquire real property within or contiguous to the City, 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 City-owned property, except dedicated, platted parks.
- C. Acquisition of easements and property rights. Confirming all powers granted to the City Council and in furtherance thereof, the Council is expressly authorized to acquire by gift, purchase or condemnation under Ch. 32, Wis. Stats., any and all property rights in lands or waters, including rights of 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 any public purpose, including the exercise of powers granted under § 62.23, Wis. Stats.; and may sell and convey such easements or property rights when no longer needed for public use or protection.
- D. City finances. The City Council may 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; and generally, may manage the City finances.
- E. Construction of powers. Consistent with the purpose of giving to cities 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 City Council in this section and throughout this Code of Ordinances shall be liberally construed in favor of the rights, powers and privileges of cities to promote the general welfare, peace, good order and prosperity of the City and its inhabitants.
- F. Vacancies. Pursuant to § 62.09(5), Wis. Stats., if any officer be incapacitated or absent for any cause, the City Council may appoint some person to discharge his/her duties until he/she returns or such disability has ended.

## President of Council

The City Council, at its first meeting subsequent to the regular election and qualification of new members shall, after organization, annually choose from its members a President who, in the absence of the Mayor, shall preside at meetings of the Council and, during the absence or inability of the Mayor, shall have the powers and duties of the Mayor, except that he/she shall not have power to approve an act of the Council which the Mayor has disapproved by filing objections with the City Administrator/Clerk-Treasurer. He/she shall, when so officiating, be styled "Acting Mayor." The President of the Council shall be elected for a one-year term of office.

## Alderspersons

The Alderspersons of the City of Amery shall constitute the City Council. The City Council shall be vested with all the powers of the City not specifically given some other officer, as well as those powers set forth elsewhere throughout this Code.

- A. Number. The City shall have six Alderspersons in addition to the Mayor, who is a member of the City Council by virtue of his/her office as Mayor.
- B. Districts. Two Alderspersons shall be elected from each Aldermanic district. Each of said Alderspersons shall be an elector of the City, and in case of such Aldermanic district offices, of the Aldermanic district, and actually residing therein. In addition to Aldermanic seats elected by district, two Alderspersons shall be elected at large. Each of such Alderspersons shall be an elector of the City and actually residing therein.
- C. Election. The at-large Aldermanic seats shall be first filled by election at the spring election of 1988. The candidate for the position of Aldersperson at-large receiving the greatest number of votes in said election shall have an initial term of four years, with such seat having subsequent terms of four years each. The candidate for the position of Aldersperson at-large receiving the next greatest number of votes shall have an initial term of two years, with such seat having subsequent terms of four years each (Charter Ordinance).
- D. Appointment as Mayor. An Aldersperson shall be eligible for appointment as Mayor to fill an unexpired term.

## Executive Branch

The Mayor shall be the chief executive officer. The Mayor shall take care that all City ordinances and state laws are observed and enforced and that all City officers, boards, committees and commissions discharge their duties. When present, he/she shall preside at the meetings of the City Council. The Mayor shall from time to time give the Council such information and recommend such measures as he/she may deem advantageous to the City.

## Power of the Mayor

- A. Election. The Mayor shall be elected in even-numbered years for a term of two years.
  - B. Duties.
    - a. The Mayor shall be the Chief Executive officer of the City. The Mayor shall take care that City ordinances and the state statutes are observed and enforced.
    - b. The Mayor shall, from time to time, provide the Council such information and recommend such measures as he/she may deem advantageous to the City. When present, he/she shall preside at the meetings of the Council.
    - c. The Mayor shall have such other duties and responsibilities as are prescribed in the Wisconsin Statutes.
  - C. Veto power. The Mayor shall have the veto power as to all acts of the Council except such as to which it is expressly or by necessary implications otherwise provided. All such acts shall be submitted to him/her by the City Administrator/Clerk-Treasurer and shall be enforced upon his/her approval, evidenced by his/her signature, or upon his/her failing to approve or disapprove within five days, which fact shall be certified thereon by the City Administrator/Clerk-Treasurer. If the Mayor disapproves, he/she shall file his/her objection with the City Administrator/Clerk-Treasurer, who shall present it to the Council at its next regular meeting. A 2/3 vote of all the members of the Council shall be necessary to make the act effective, notwithstanding the objection of the Mayor.
- [Amended 7-10-2019 by Ord. No. 10-2019]

D. Mayoral appointments.

- a. Wherever in this Code of Ordinances the Mayor is required to appoint citizens to committees, commissions and/or boards, the Mayor shall give written notice naming the appointees to be nominated by executive letter to the City Council at least three days prior to the Council meeting at which such appointment shall be made. In the event the City Council rejects a Mayor's appointment, the same name may not be submitted for the same job for a period of 12 months after the refusal of such appointment.
- b. In the event a vacancy occurs in any committee, board or commission requiring the appointment of a citizen member and the Mayor does not nominate a successor thereof for a period of 60 days after the vacancy occurs, the City Council may then nominate an appointee to such position, subject to the approval of the Mayor.
- c. In the event the Council, by parliamentary practice, tables an appointment by the Mayor, such tabling action shall be effective for that meeting, but at the next regular meeting of the City Council, such appointment shall be on the meeting agenda for further consideration, and the particular appointment involved may not be tabled a second time.

## Administrative Officer

The City Administrator/Clerk-Treasurer shall be the chief administrative officer. He/she shall be responsible for directing and coordinating the administration of the City government in accordance with policies established by the City Council as set forth in this Code of Ordinances.

### Mayor - Chief Executive Officer

- Veto power over the council
- Make necessary appointments for open board positions with council approval
- Presides over council meetings
- Serves as city representative
- Works with City Administrator on short and long term goals

### City Council - Legislative Branch

- Consists of a mayor and six elected council members
- Has all of the powers not given to some other officer
- Serves as the communities policy maker
- Reviews and approves items related to the cities financials
- Manage the cities land portfolio

### City Administrator

- Oversee cities daily operations
- Proposes and administers the city budget
- Appoints, supervises, and removes city staff
- Make reports and recommendations to the council about the city
- Has no authority over the Mayor or City Council