



## Legislation Details (With Text)

<b>File #:</b>	03513	<b>Version:</b>	1	<b>Name:</b>	separate Clerk-Treasurer into two positions
<b>Type:</b>	Charter Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	4/25/2006	<b>In control:</b>	BOARD OF ESTIMATES (ended 4/2017)		
<b>On agenda:</b>	5/16/2006	<b>Final action:</b>	5/16/2006		
<b>Enactment date:</b>	6/3/2006	<b>Enactment #:</b>	CHA-06-00005		
<b>Title:</b>	CHARTER - Repealing and recreating Section 3.12 of the Madison General Ordinances to establish an office of City Treasurer, repealing Section 3.35(1)(jj) of the Madison General Ordinances to delete the title of City Clerk-Treasurer from the list of positions exempt from Civil Service, creating Section 3.13 of the Madison General Ordinances to establish an office of City Clerk, creating Sections 3.35(1)(jj) and (kk) to add the titles of City Clerk and City Treasurer to the list of positions exempt from Civil Service, and amending Section 3.38(6)(b) of the Madison General Ordinances to update the list of positions to be compensated as managerial employees.				
<b>Sponsors:</b>	David J. Cieslewicz				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 03513 registration stmt.pdf				

Date	Ver.	Action By	Action	Result
5/16/2006	1	COMMON COUNCIL	Adopt	Pass
5/8/2006	1	BOARD OF ESTIMATES (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT (14 VOTES REQUIRED) - REPORT OF OFFICER	Pass
5/2/2006	1	COMMON COUNCIL	Refer	
4/25/2006	1	Attorney's Office/Approval Group	Approved As To Form	
4/25/2006	1	Attorney's Office	Fiscal Note Required / Approval	
4/25/2006	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
4/25/2006	1	Attorney's Office	Referred for Introduction	

### Fiscal Note

Funding for the new City Clerk and City Treasurer agencies is available within the 2006 Clerk-Treasurer Adopted Operating Budget. The 2007 Requested Operating Budget will include separate budgets for the two new agencies. No appropriation is required. There is no impact upon cost controls.

### Title

CHARTER - Repealing and recreating Section 3.12 of the Madison General Ordinances to establish an office of City Treasurer, repealing Section 3.35(1)(jj) of the Madison General Ordinances to delete the title of City Clerk-Treasurer from the list of positions exempt from Civil Service, creating Section 3.13 of the Madison General Ordinances to establish an office of City Clerk, creating Sections 3.35(1)(jj) and (kk) to add the titles of City Clerk and City Treasurer to the list of positions exempt from Civil Service, and amending Section 3.38(6)(b) of the Madison General Ordinances to update the list of positions to be compensated as managerial employees.

### Body

DRAFTER'S ANALYSIS: Recently, the City changed its ordinances to have a combined Clerk-Treasurer position. In recruiting for that position, it became clear that the City would in fact have to separately recruit for Clerk and Treasurer. This ordinance makes a number of changes to separately establish the positions of Clerk and Treasurer as managerial employees with employment contracts, like other City managers. The ordinance amendment should be considered at the same time as the ordinance to update the compensation schedule with the new and deleted positions (Legistar No.

03524), the resolution deleting and creating the necessary positions from the permanent salary detail of the respective budgets (Legistar No. 03495), and the resolution to approve the employment contract for the new City Clerk (Legistar No. 03477).

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Pursuant to secs. 62.09(9) and 66.0101, Wis. Stats. 2003-04, the Common Council of the City of Madison do ordain as follows:

1. Section 3.12 entitled "City Clerk/Treasurer" of the Madison General Ordinances is repealed and recreated to read as follows:

**"3.12 CITY TREASURER.** The office of City Treasurer is hereby established to perform the duties of the Treasurer as provided in Section 62.09(9) of the Wisconsin Statutes. The City Treasurer shall be appointed by the Mayor, subject to the approval of the Common Council and shall be a managerial employee within Sec. 3.38(6), MGO. The City Treasurer shall collect and account for all taxes, license monies, fees, accounts of charges due or owing to the City, shall be responsible for the collection, receiving, safekeeping, and accounting for all monies and securities of the City of Madison and attend to all related treasury affairs, and shall perform such other duties as are required by State law, City ordinance or the Mayor. The City Treasurer shall take an oath of office to perform faithfully and impartially the duties of the office and shall execute the bond required by Section 3.28(1), Madison General Ordinances.

This is a Charter Ordinance which requires adoption by two-thirds of all the members of the Common Council and which shall take effect sixty (60) days following passage and publication, subject, however, to the referendum provisions of Section 66.0101(5), Wis. Stats."

EDITOR'S NOTE: Section 3.12 of the Madison General Ordinances currently reads as follows:

**"3.12 CITY CLERK/TREASURER.**

The office of City Clerk/Treasurer is hereby established to perform the duties of Clerk as provided in Section 62.09(11) of the Wisconsin Statutes and to perform the duties of Treasurer as provided in Section 62.09(9) of the Wisconsin Statutes. Effective January 1, 2006, the position of City Clerk/Treasurer as it becomes vacant shall be filled according to Sec. 3.38(6)(f) of these ordinances. The City Clerk/Treasurer shall be responsible for the publication, filing, indexing, and safekeeping of all proceedings of the Common Council; shall be responsible for all election duties as required by the laws of the State of Wisconsin and shall keep and maintain all election records and be responsible for all property used in connection with the holding of elections. The City Clerk/Treasurer shall publish all required legal notices unless otherwise provided; shall file and preserve all contracts, bonds, oaths of office and other documents not required to be filed elsewhere and shall issue all licenses required by ordinance or state statute, except as otherwise provided. The City Clerk/Treasurer shall be the custodian of the official City seal and shall notify the appointing authority and the Chair of all boards or commissions thirty (30) days prior to the expiration of the term of office of any member thereof. The City Clerk/Treasurer shall prepare the tax roll and tax notices as required by Wisconsin Statutes. The City Clerk/Treasurer shall collect and account for all taxes, license monies, fees, accounts of charges due or owing to the City, shall be responsible for the collection, receiving, safekeeping, and accounting for all monies and securities of the City of Madison And to all related treasury affairs.

The City Clerk/Treasurer shall perform such other duties as are required by State law, City ordinance or the Mayor. The City Clerk/Treasurer shall take an oath of office faithfully to perform the duties of the office and shall execute the Treasurer bond as required by Section 3.28(1) of these ordinances.

This is a Charter Ordinance which requires adoption by two-thirds of all the members of the Common Council and which shall take effect sixty (60) days following passage and publication, subject, however, to the referendum provisions of Section 66.0101(5), Wis. Stats."

2. Subdivision (jj) of Subsection (1) entitled "Civil Service Created - Exceptions Therefrom" of Section 3.35 entitled "Civil Service System" of the Madison General Ordinances is hereby repealed.

EDITOR'S NOTE: Section 3.35(1)(jj) currently reads as follows:

"(jj) City Clerk/Treasurer.

This is a Charter Ordinance which requires adoption by two-thirds of all the members of the Common Council and which shall take effect sixty (60) days following passage and publication subject, however, to the referendum provisions of

Section 66.0101, Wis. Stats."

NON-CHARTER PROVISIONS:

3. Section 3.13 entitled "City Clerk" of the Madison General Ordinances is created to read as follows:

**"3.13 CITY CLERK.** The office of City Clerk is hereby established to perform the duties of Clerk as provided in Section 62.09(11) of the Wisconsin Statutes. The City Clerk shall be appointed by the Mayor, subject to the approval of the Common Council and shall be a managerial employee within Sec. 3.38(6), MGO. The City Clerk shall be responsible for the publication, filing, indexing, and safekeeping of all proceedings of the Common Council; shall be responsible for all election duties as required by the laws of the State of Wisconsin and shall keep and maintain all election records and be responsible for all property used in connection with the holding of elections. The City Clerk shall publish all required legal notices unless otherwise provided; shall file and preserve all contracts, bonds, oaths of office and other documents not required to be filed elsewhere and shall issue all licenses required by ordinance or state statute, except as otherwise provided. The City Clerk shall be the custodian of the official City seal and shall notify the appointing authority and the Chair of all boards or commissions thirty (30) days prior to the expiration of the term of office of any member thereof. The City Clerk shall prepare the tax roll and tax notices as required by Wisconsin Statutes. The City Clerk shall take an oath of office to faithfully perform the duties of the office."

4. Subdivision (jj) of Subsection (1) entitled "Civil Service Created - Exceptions Therefrom" of Section 3.35 entitled "Civil Service System" of the Madison General Ordinances is created to read as follows:

"(jj) City Treasurer."

5. Subdivision (kk) of Subsection (1) entitled "Civil Service Created - Exceptions Therefrom" of Section 3.35 entitled "Civil Service System" of the Madison General Ordinances is created to read as follows:

"(kk) City Clerk."

6. Subdivision (b) entitled "Positions" of Subsection (1) entitled "Compensation of Managerial Employees " of Section 3.38 entitled "Compensation Plan" of the Madison General Ordinances is amended to read as follows:

"(b) Positions. This subsection shall apply to the following positions:

Affirmative Action Director	Motor Equipment Superintendent
Assessor	Overture Center Director
City Attorney	Parking Manager
<u>City Clerk</u>	Parks Superintendent
City Comptroller	Planning & Development Director
<u>City Treasurer</u>	Planning Unit Director
Community & Economic	Police Chief
Development Unit Director	Public Health, Director
Engineer	Public Works Director
Engineer, Assistant	Housing Operations Unit Director
Equal Opportunity Comm., Exec. Director	<del>Revenue, Director of</del>
Fire Chief	Street Superintendent
Human Resources Director	Traffic Engineer
Information Services Manager	Transit General Manager
Inspection Unit Director	Transportation Director
Library Director	Water Utility General Manager
	Water Utility Manager, Asst."