

ORDINANCE NO. 2018-29

AN ORDINANCE REGARDING CLAIMS AGAINST THE VILLAGE

The Village Board of the Village of Bristol, Kenosha County, Wisconsin, do ordain as follows:

SECTION I. REPEAL OF PROVISIONS; ADOPTION OF PROVISIONS.

Section 3-1-8 of the Village of Bristol Code of Ordinances is repealed and re-adopted to read as follows:

Sec. 3-1-8 Claims Against the Village; Outstanding Checks.

(a) Legal Claims Against the Village.

- (1) The Village Board shall develop and maintain procedures, pursuant to Sec. 893.80, Wis. Stats., to manage and control any legal claims against the Village of Bristol and/or its officers, officials, agents or employees. Claims for money against the Village of Bristol and/or its officers, officials, agents or employees arising out of acts done in their official capacity shall be filed with the Village Clerk-Treasurer as provided under Sec. 893.80(1)(b), Wis. Stats. The Village Clerk-Treasurer shall immediately contact the Village President and Village Administrator regarding such claims. The Village Administrator, in consultation with the Village President, shall arrange any appropriate meeting of the Village Board for actions pursuant to Sec. 893.80, Wis. Stats., to allow or disallow any claim. The Village Administrator, in consultation with the Village President, shall contact the Village Attorney regarding the claim prior to the meeting of the Village Board.
- (2) The Village Board shall allow or disallow the claim. Notice of disallowance shall be made as provided under Sec. 893.80(1)(b), Wis. Stats.

(b) Regular Accounts Payable Payment Procedures.

- (1) The Village Board authorizes the utilization of an alternative system of approving certain financial claims, invoices or vouchers against the Village of Bristol by virtue of the provisions of Sec. 66.0609, Wis. Stats. Accounts payable claims, invoices and vouchers will be processed in a timely manner utilizing the procedures of this Subsection.

- (2) Upon receipt for the purchase or acquisition of material, goods or completion of a contract for services or construction, the Village Administrator or department supervisor shall:
 - a. Verify the quantity, quality or scope of services is as specified.
 - b. Attach to the claim, invoice or voucher the packing slip and any other documentation.
 - c. Any missing items or services shall be documented on the claim, invoice or voucher with information on when the order will be complete.
 - d. All claims, invoices or vouchers shall be examined, validated, initialed, and, when appropriate, coded by account before being submitted to the Village Clerk-Treasurer for processing.
 - e. Obtaining missing documentation for claims, invoices or vouchers is the responsibility of department supervisors.
 - f. If a claim, invoice or voucher regarding a specific project requires a special budgetary or project account or tracking designation, the Village Administrator or department supervisor shall provide this information to the Clerk-Treasurer.
- (3) Payments may be made from the Village treasury after the Village Clerk-Treasurer audits and approves in writing each claim, invoice or voucher as a proper charge and endorses his/her approval on the claim, invoice or voucher as a proper charge after having determined that the following conditions have been met:
 - a. That the funds are available therefor under the budget approved by the Village Board.
 - b. That the service covered by such claim, invoice or voucher has been authorized by the Village Board, Village Administrator or other proper Village official, department head, commission or committee.
 - c. That the service has been properly rendered or supplied in conformity with such authorization.
 - d. That the claim, invoice or voucher against the Village appears to be valid according to law. The Village Clerk-Treasurer may require submission of such proof and evidence to support the above as the Clerk-Treasurer may deem necessary. If there is uncertainty regarding a claim, invoice or voucher, the Clerk-Treasurer shall consult with the Village Administrator regarding payment of the claim, invoice or voucher.
- (4) After determining that the payment requirements under Subsection (b)(2) above have been met, the Village Clerk-Treasurer shall indicate approval of the claim, invoice or voucher by placing his/her signature on the statement, invoice or voucher, or upon a list of claims, invoices or vouchers prepared by the Clerk-Treasurer. Upon approval of a

claim, invoice or voucher under this procedure, the Village Clerk-Treasurer shall authorize payment pursuant to Sec. 66.0607, Wis. Stats. All payment checks shall be signed and counter-signed by the proper designated Village officials.

- (5) The Village Clerk-Treasurer shall immediately process the following claims, invoices or vouchers if proper by issuing payment checks or hold payment checks pending the approval of the Village Board:
 - a. Payroll and related payroll/compensation payments.
 - b. Fuel and utilities payments.
 - c. Tax settlements and overpayments.
 - d. Payments to county, state or federal agencies.
 - e. Health, workers compensation and liability insurance payments.
 - f. Debt service payments as scheduled.
 - g. Fixed purchase/service contracts as scheduled.
 - h. Credit card and revolving accounts per specific agreements and the procedures of Section 3-1-24.
- (6) The Village Clerk-Treasurer shall process the following claims, invoices or vouchers after first securing approval from the proper designated official by issuing payment checks or hold payment checks pending the approval of the Village Board:
 - a. Employee expenses: Village Administrator review and approval.
 - b. Special Village Administrator expenses: Village Board review and approval.
 - c. Professional services (engineering, legal, auditing/accounting, planning, consulting, etc.): Village Administrator review and approval.
 - d. Construction projects payments: Village Administrator, Village Board and Village Engineer review and approval.
 - e. Conferences, travel, training/meeting fees and tuitions: Village Administrator review and approval.
 - f. All other payments not specifically addressed in this Section: Village Board review and approval.
- (7) Any claims, invoices or vouchers filed with the Village Clerk-Treasurer after noon on the Friday preceding a regular Village Board meeting will be processed in the next approval cycle.
- (8) The Village Clerk-Treasurer shall file with the Village Board, not less than monthly, a written disbursement summary of the claims, invoices and vouchers approved and paid pursuant to this Section indicating the date paid, name of the claimant, purpose and amount.
- (9) The Village Board shall authorize an annual detailed audit of its financial transactions and accounts by a public accountant licensed under Ch. 442, Wis. Stats., as designated by the Village Board.

- (c) **Outstanding Checks Procedures.** The following procedures shall be followed for outstanding checks:
- (1) The Village, after carrying a vendor or other party's check for ninety (90) days, will:
 - a. Notify the payee.
 - b. If the check has been lost, a stop payment will be placed at the bank and a new check will be issued.
 - c. A stop payment will be issued on all vendor or other party's check dated over twelve (12) months.
 - (2) All payroll checks are automatically void if not cashed within ninety (90) days of issue.
- (d) **Withdrawal or Transfer of Funds From Depositories.**
- (1) Withdrawals of Village funds from designated public depositories shall be made by draft or check signed by the Village Clerk-Treasurer and other designated Village officials.
 - (1) Transfers from accounts shall be made by written transfer order. Written transfer orders may be executed only for the purpose of transferring deposits to an authorized account with the designated public depository in the same or another designated public depository. The transfer order shall be made directly by the public depository from which the withdrawal is made. No transfer order is valid unless signed by the Clerk-Treasurer and other designated Village officials. Each transfer shall include the following information:
 - a. Date transfer order is made.
 - b. Effective date of transfer.
 - c. Name, address and account number of the public depository where funds are being transferred from.
 - d. Name, address and account number of the public depository where funds are being transferred to.
 - e. Purpose of the transfer.
 - f. Signatures of the Clerk-Treasurer and other designated Village officials.

Cross-Reference: Sections 3-1-10, 3-1-11 and 3-1-24

State Law References: Secs. 66.0605, 66.0607, 66.0609, and 893.80, Wis. Stats.

SECTION II. SEVERABILITY.

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION III. EFFECTIVE DATE.

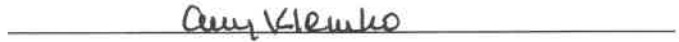
This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 10th day of December, 2018.

VILLAGE OF BRISTOL, WISCONSIN



Village President



Village Clerk-Treasurer

INTRODUCED: 12/10/18
ADOPTED: 12/10/18
POSTED/PUBLISHED: _____

State of Wisconsin:
County of Kenosha:

I hereby certify that the foregoing Ordinance is a true, correct and complete copy of an Ordinance duly and regularly adopted by the Village Board of the Village of Bristol on the 10th day of December, 2018. and that said Ordinance has not been repealed or amended and is now in full force and effect.

Dated this 10th day of December, 2018.

Amy Klemko
Amy Klemko, Village Clerk-Treasurer