

VILLAGE OF WESTON, MARATHON COUNTY,
WISCONSIN
5500 SCHOFIELD AVENUE, WESTON, WI 54476

Board of Trustees – 5/21/2018

From: Sherry Weinkauff, Clerk

Question: Should the Board of Trustees modify Sec. 78.103 (C) of the Municipal Code and eliminate the language stating the Tourism Commission members shall serve without compensation?

Background

Staff recently noticed the ordinance stated the Tourism Commission shall serve without compensation. All other Committee/Commission/citizen members get paid \$40 each meeting they attend. Staff recommends eliminating the language in the ordinance that states the members shall serve without compensation.

Public Review: No Prior Official Review.

Fiscal Impact: None

Recommendation: Clerk and Finance Department recommend approval of Ord. No. 18-022.

Recommended Language for Official Action

I move to approve Ord. No. 18-022 amending Sec. 78.103(C) regarding the Tourism Commission.

Are there additional reference documents which have been attached to this report?

Sec. 78.103. Tax moneys.

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- (a) **Collection of tax.** This section shall be administered by the Village Finance Director/Treasurer. The Room Tax is imposed for each calendar quarter, or first partial calendar quarter, and is due within thirty (30) days of the end of that quarter. A return shall be filed with the Village Finance Director/Treasurer, with each quarterly payment. The return shall itemize the gross receipts of the preceding calendar quarter from the retail furnishing of rooms or lodging, the amount of taxes imposed for such period, and such other information as the Village Finance Director/Treasurer deems necessary. Every person required to file such quarterly return shall, with the first return, elect to file on an annual calendar year or fiscal year. An annual return shall be filed with the Village Finance Director/Treasurer summarizing the quarterly returns, reconciling and adjusting for errors in the quarterly returns, and containing such additional information as the Village Finance Director/Treasurer requires. The annual return shall be filed within 90 days of the close of each calendar or fiscal year. The annual returns shall be made on forms as prescribed by the Village Finance Director/Treasurer. All returns shall be signed by the person required to file a return or duly authorized agent. The Village Finance Director/Treasurer may, for good cause, extend the time for filing any return for up to thirty (30) days after its original due date.
- (b) **Distribution of tax.** Some of the Room Tax shall be retained by the Village for unrestricted use and the remaining amount shall be forwarded to the Weston Tourism Commission for tourism promotion and tourism development. Beginning with the Room Tax collected on January 1, 2017, the Village shall retain, each year, the greater of either 30% of the Room Tax collected for that year or one of the following amounts:
- (1) For the fiscal year 2017, the same dollar amount of the Room Tax retained as the Village retained in its 2014 fiscal year.
 - (2) For the fiscal year, 2018, the same dollar amount of the Room Tax retained as the Village retained in its 2013 fiscal year.
 - (3) For the fiscal year, 2019, the same dollar amount of the Room Tax retained as the Village retained in its 2012 fiscal year.
 - (4) For the fiscal year, 2020, the same dollar amount of the Room Tax retained as the Village retained in its 2011 fiscal year.
 - (5) For the fiscal year, 2021 and thereafter, the same dollar amount of the Room Tax retained as the Village retained in its 2010 fiscal year.
- (c) **Weston Tourism Commission.** The Weston Tourism Commission (the "Commission") shall consist of five members, ~~who shall serve without compensation.~~ At least one of the members shall represent the Wisconsin hotel and motel industry. All members, except the Wisconsin hotel and motel industry representative, shall be residents of the Village of Weston. The Wisconsin hotel and motel industry representative must be employed by, or have an ownership interest in, a hotel or motel located in the Village of Weston.
- (1) **Appointments.** Members of the Commission shall be appointed by the Village President and confirmed by a majority vote of the members of the Village Board who are present when the vote is taken. Members shall serve for a one year term, at the pleasure of the appointing official, and may be re-appointed. The Commission shall, from among its members, elect a chairperson, vice chairperson, and secretary.
 - (2) **Meetings.**

- a. All meetings of the Commission shall be at the call of the Chairperson or upon written request of any two (2) members directing the Secretary to hold such meetings.
 - b. Three (3) members present at the meeting shall constitute a quorum.
 - c. Notice of the time and place of all Commission meetings shall be posted in accordance with Wisconsin State Statutes.
 - d. The Commission shall keep minutes of its proceedings and shall keep other pertinent records that may come into the Commission's possession. Commission records are subject to the Wisconsin Public Records Law, subject to the confidentiality requirements of the Wisconsin Room Tax Statute. The Chairperson or his/her designee shall be designated to serve as custodian of the Commission's records.
 - e. The Commission shall have the power to make such rules and regulations as may be required for the ordinary conduct of its business.
- (3) Powers and Duties.
- a. The Commission shall have the powers and duties conferred upon it by Wis. Stat § 66.0615. All Room Tax revenue provided to the Commission shall be spent on tourism promotion and tourism development within the Village of Weston including, but not limited to, marketing projects, transient tourist information services and tangible municipal development activities.
 - b. Any contract entered into by the Commission shall not be valid and enforceable until approved by the Village Board.
 - c. The Commission shall provide an annual report to the Village Board itemizing the amounts and purposes for which the Room Tax revenues were allocated.

(Ord. of 1-16-1989 and Ord. of 8-16-04, § 1(10)) [Amended via Ord. No 15-027, 11/18/2015; Ord. No 17-005, 2/22/2017]

ORDINANCE NO. 18-022

**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN AN ORDINANCE
AMENDING SECTION 78.103(C) WESTON TOURISM COMMISSION OF THE
MUNICIPAL CODE FOR THE VILLAGE OF WESTON, MARATHON COUNTY,
WISCONSIN**

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Sec. 78.103(C) Weston Tourism Commission of the Village of Weston Municipal Code is hereby amended as follows:

C. Weston Tourism Commission. The Weston Tourism Commission (the “Commission”) shall consist of five members. At least one of the members shall represent the Wisconsin hotel and motel industry. All members, except the Wisconsin hotel and motel industry representative, shall be residents of the Village of Weston. The Wisconsin hotel and motel industry representative must be employed by, or have an ownership interest in, a hotel or motel located in the Village of Weston.

SECTION 2: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION 3: SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 15th day of October 2018

VILLAGE BOARD, VILLAGE OF WESTON

By: _____
Barbara Ermeling, President

ATTEST: _____
Sherry Weinkauff, Clerk

APPROVED:

ADOPTED:

PUBLISHED: