

## CITY OF BARABOO

### Position Description

---

<b>Class / Title:</b>	City Attorney	
<b>Grade:</b>	17 – Contract Employee	<b>Created/Updated:</b> 2012 and 2017, 2021
<b>Department:</b>	Administration	
<b>Reports to:</b>	Mayor and Council	

---

**General Purpose:** The City Attorney shall conduct all the law business in which the City is interested, except the Common Council may employ and compensate special counsel to assist or take charge of any matter in which the City is interested.

**Supervision:**

Received: Appointed by the Mayor and the Common Council. Reports to the Mayor and Common Council for overall direction. The nature of the work requires that an employee in this class establish and maintain close cooperative working relationships with the City Administrator, Mayor, members of the Common Council, supervisory personnel in all City Departments and Divisions, representatives of the court system, opposing counsel, and the general public.

Exercised: Has shared authority to direct and evaluate activities and schedules of Executive Assistant staff in the Administration Department and, to some degree, the Secretary in the Engineering/Building Inspection/Public Works/Assessor Departments. From time to time, the City Attorney may utilize personnel in other departments on special projects. This position may recommend disciplinary action or the hiring and firing of such office staff to the Mayor and Common Council.

**Essential Duties and Responsibilities:** The following duties are normal for this position. These duties are not to be construed as exclusive or all-inclusive. Other duties may be required or assigned by the Mayor or Common Council.

1. Act as legal advisor to the Mayor, the Common Council, and all duly constituted City Committees, Commissions, Boards, and other City government groups or organizations, and act as legal advisor to City Officers, City Officials, and City staff on City legal matters.
2. Report to the Mayor and Common Council and work closely and cooperatively with the City Administrator.
3. Act as legal advisor for the Utility Department and Utility Commission, and the Baraboo Community Development Authority.
4. Undertake legal research and prepare and render written and verbal legal opinions when requested to do so by the Mayor, City Officers, and Common Council.
5. Review City contracts, bonds, insurance policies, and other legal documents involving the City and render legal advice thereon.
6. Draft and review resolutions, ordinances, leases, affidavits, notices, purchase and sale agreements, contracts, releases, deeds, closing statements, Council communications, agendas, background/historical information on business issues, and other legal documents as necessary.
7. Responsible for, with staff assistance, maintaining the revisions to the Municipal Code of Baraboo, with supplements to be prepared for insertion in the Codebook at least annually.
8. Attend all Common Council meetings and act as parliamentarian. Attend meetings of City committees, commissions, and boards when requested to do so by the Mayor or committee chairperson. Assist in the preparation of the meeting agenda as needed.

9. Perform necessary legal work in connection with the acquisition, sale, or disposal of City property.
10. Except where special counsel is retained, assist and work closely with the City Administrator, Mayor, and Common Council in legal matters involving employment and labor relations, including participation in negotiations, arbitrations, mediations, grievances, and fact-finding hearings, and other personnel matters and defending or representing the City in connection with discrimination or employment-related claims.
11. Prosecute and handle trial work for traffic and ordinance code violations, including any appellate work arising therefrom.
12. Except where special counsel is retained, at the direction of the Common Council, defend and handle trial, administrative, and appellate work of the City, its elected and appointed officials, commissions, and boards in all claims, disputes, and litigation or administrative proceedings arising out of City-related matters.
13. Except where special counsel is retained, at the direction of the Common Council, prosecute and handle trial, administrative, and appellate work in connection with all legal claims of the City against third parties.
14. Attend and advise the Board of Review at all hearings as requested by the Board and examine the tax and assessment rolls and other tax proceedings and advise the proper City Officers in regard thereto, and handle any trial or appellate work arising from a Board of Review proceeding.
15. Advise and represent the Police and Fire Commission in connection with any disciplinary matters involving personnel under the jurisdiction of the commission and representation of the commission in any trial, administrative, or appellate work arising out of commission business.
16. Maintain competency in municipal and other relevant areas of the law by attending seminars and continuing legal education courses and keep current on relevant areas of the law by maintaining an adequate library of law reports, periodicals, and municipal law-related materials, and by reading the current court decisions, legal periodicals, and by participating in municipal law organizations.
17. Assist the Mayor and City Administrator as necessary in management of outside retained counsel.
18. Assist and work with the Mayor, City Administrator, and City staff in connection with land use planning, new developments, projects and related planning, building, and zoning issues relevant to the City. Work with appropriate personnel to update the City's Zoning Code and Subdivision Code to keep in step with expected land developments as the City grows.
19. Prepare and recommend the annual City Attorney Department Budget. Implement and monitor expenditures of that budget throughout the year.
20. Assist the City Administrator as requested in analysis of new and existing programs and systems for legal implications and potential problems.
21. Assist and work with the City Administrator and other City Officers and staff in risk management; assist in the development of forms and procedures in risk management; participate in providing education and training for City staff in risk management and related procedures.
22. Be responsible, with staff assistance, to supervise and oversee the investigation of accidents or occurrences that might involve a potential claim against the City. Process all claims filed against the City pursuant to §893.80, Wis. Stats., in accordance with the City's Claim Policy
23. Be a part of the City staff team who make up the Development Workgroup. This group interplays with and advises developers by preparing them for what will be required to bring their projects to completion.

#### **Peripheral Duties:**

1. Assist the City Treasurer as necessary in the collection of City personal property taxes and the collection of amounts due the City.
2. Serve on law-related committees sponsored by the Wisconsin Bar Association, the League of Wisconsin Municipalities, the Wisconsin Supreme Court, or the Wisconsin Alliance of Cities, as needed.

3

3. Defend the City in any lawsuit that might be brought against it.
4. Address all legal issues involved in the handling of the acquisition of property (for example, river-front property for the Riverwalk), annexations, Brownfield condemnations, establishment of and releases of Irrevocable Letters of Credit, and involvement as required on the State of Wisconsin Smart Growth Initiative.
5. Address, on a daily basis, phone calls and visits with inquiries from citizens, staff, and Alderpersons.
6. Perform additional tasks as required or requested.

**Desired Minimum Qualifications:**

1. Must be an Attorney in good standing with the Wisconsin State Bar Association.
2. Must be able to communicate effectively and establish effective working relationships with staff, other departments, elected officials, and the general public.
3. Must be able to draft contracts, legal opinions, and other legal documents.
4. Must have human resource or labor relations, trial, and land development experience.

**Education and Experience:**

1. Graduation from a college or university of recognized standing with a Juris Doctor Degree required.
2. Between five and ten years of experience in the practice of law, preferably including considerable municipal law experience as an attorney with a City government in the State of Wisconsin.

**Certification and Licenses:** Must be licensed as an attorney by the State of Wisconsin.

**Tools and Equipment Used:** Telephone, personal computer (using Microsoft Office Suite), Westlaw, copy machine, fax machine, laser printer, cassette dictation equipment, and 10-key calculator.

**Physical Demands:** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is required to sit, talk, and hear. The employee is further required to be mobile; use hands to finger; handle or operate objects, tools, or controls; reach with hands and arms; bend and stoop, and lift boxes of files. Therefore, required essential physical abilities would include:

1. Clarity of speech and hearing which permits the employee to communicate well with others and to make effective presentations in a court of law;
2. Sufficient vision, with or without correction, which permits the employee to produce and review a wide variety of written materials;
3. Sufficient manual dexterity which permits the employee to operate a computer keyboard and to make handwritten notations and to transport legal files and reference materials from time to time;
4. Sufficient personal mobility which permits the employee to visit other city, county, state, and private-sector offices and work locations, and courthouses;
5. Ability to pass employment physicals including drug testing.

**Work Environment:** The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is moderate, however, due to many visitors and meetings held in the vicinity of counsel's office, noise level can at times peak.

**Selection Guidelines:** Formal application, rating of education and experience, oral interview, reference check, and job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and the employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

The City of Baraboo is an Equal Employment Opportunity employer.