

City of Whitewater Memorandum

To: City of Whitewater Finance Committee
From: Assistant City Attorney Jonathan K. McDonell
Date: March 29, 2023
Re: In re: Library Board budget questions

Introduction:

Steve Hatton advised us that a member of the Finance Committee requested more information regarding the Library Board's 2022 budget. It is our understanding that the Library Board spent all the funds budgeted to it by the Common Council for 2022 operations. The Library Board also took action to make additional expenditures out of additional funds it controls. Therefore, its total expenditures exceeded the amount budgeted to it by the Common Council.

Issue:

Was it proper for the Library Board to spend the funds it controls exceeding the amount the Common Council budgeted to the Library Board?

Short Answer:

Yes, it was appropriate for the Library Board to use its funds for expenditures that exceeded its 2022 budget.

Discussion:

Chapter 43 of the State of Wisconsin Statutes provides that the Library Board has the exclusive control of monies it has collected by sources other than its Common Council budget allocation. The Library Board is not prohibited from using those funds in any reasonable way regardless of it exceeding its Common Council budget. It is important to note that the Library Statutes give the Library Board far more power and discretion regarding financial matters than other City departments.