



Regular Village Board Meeting Agenda

August 2, 2016 – 7:00 pm

Village Hall, 235 Hickory Street, Pewaukee, WI 53072

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call.
2. Approval of Minutes of Previous Meeting.
 - Minutes of the Regular Village Board Meeting – July 5, 2016
 - Minutes of the Regular Village Board Meeting – July 19, 2016
3. Citizen Comments. – *Comments should be addressed directly to the Village Board and should be limited to a maximum of three minutes per speaker. Speakers are asked to state name and address for the record.*
4. Ordinances.
 - a. Ordinance No. 2016-12, Ordinance to Create Chapter 28 of the Municipal Code of the Village of Pewaukee To Establish a Code of Ethics
5. Old Business.
 - a. Discussion and Possible Action on Village Code of Conduct
6. New Business.
 - a. Discussion and Possible Action on Laimon Family Lakeside Park parking lot patching contract
 - b. License Approvals and Vendor Permits.
 1. Operator License – New and Renewals
 - c. Discussion and Possible Action on Citizen Member Appointment for Plan Commission
 - d. Discussion and Direction on Village Board Meeting Time Limits
7. Citizen Comments. – *Comments should be addressed directly to the Village Board and should be limited to a maximum of three minutes per speaker. Speakers are asked to state their name and address for the record.*
8. Closed Session. – The Village Board of the Village of Pewaukee will enter into closed session pursuant to Wis. Statute Section 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, specifically to discuss a negotiating strategy regarding a fire and EMS agreement with the City of Pewaukee; and pursuant to Wis. Statute Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically to consider employment of an Equipment Operator candidate.
9. Reconvene Into Open Session
10. Action Out of Closed Session.
 - a. Possible Action on an Offer of Employment for an Equipment Operator candidate



Regular Village Board Meeting Agenda

11. Adjournment.

Note: Notice is hereby given that a quorum of a Village Committee and/or Commission may be present at the Village Board meeting, and if so, this meeting shall be considered an informational meeting of that Committee or Commission and no formal action of that Committee or Commission shall occur.

Posted: July 29, 2016

VILLAGE OF PEWAUKEE
Village Board Meeting
July 5, 2016

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call

President Knutson called the meeting to order at approximately 7:00 p.m. The Pledge of Allegiance was recited followed by a moment of silence.

The following Village Board members were present on Roll Call: Trustee Paul Evert, Trustee Heather Gergen, Trustee Cathy Baumann, Trustee Joe Zompa, Trustee Tom Calder, and President Jeff Knutson; Trustee Kevin Yonke was excused.

Also Present: Park, Rec, and Building Services Director, Kelley Woldanski; Park and Rec Chairperson, Bob Rohde; Village Attorney, Mark Blum; Village Administrator, Scott Gosse; Village Clerk, Chaz Schumacher.

2. PUBLIC HEARINGS

None.

3. Approval of Minutes of Previous Meeting

a. Minutes of the Special Village Board Meeting – June 2, 2016

Trustee Zompa moved, seconded by Trustee Evert to approve the minutes as presented, motion failed due to lack of quorum with Trustee Baumann, Trustee Calder, and Trustee Gergen abstaining.

Approval deferred to July 19, 2016 meeting.

b. Minutes of the Regular Village Board Meeting – June 21, 2016

Trustee Calder moved, seconded by Trustee Baumann to defer approval to the next Village Board meeting on July 19, 2016. Motion carried 6-0.

4. Citizen Comments

Jim Grabowski – 128 Park Avenue – Mr. Grabowski stated he informed the Village Board of the logistical nightmare of banning trailer parking by the boat launch at the previous board meeting. He stated he is speaking out in opposition to the trailer parking ban because it shows the Village Board doesn't have the best interest of downtown businesses in mind.

Carole Stamm – 130 West Wisconsin Avenue, Unit #1 – Ms. Stamm stated that the previous day was one of the busiest days of the year and there was 1 car with a trailer parked in the area at 2 p.m. She stated the Village cannot tell them not to park there. She stated the Laimon parking lot is terrible with an exposed manhole that sits 2" above the surrounding area; there are cracks and crevices and she is scared someone will fall and get hurt. Ms. Stamm stated she lost a daughter and grandchild due to Flint, Michigan trying to save money by not salting the roads. She doesn't want to see the same thing happen with Smokey's. She stated if it's just patched, it's just a Band-Aid; if someone falls and dies, it's the Village's fault. She stated she hopes the Village Board takes her comments into consideration.

Charlie Shong – 116 Highland Avenue – Mr. Shong stated there is a large public parking lot for cars & trailers and it's easy to pull into. He stated there are people on Park and Lake but no one in the lot. He stated that signs at the launch might be easier than an ordinance, he stated he didn't know if residents were aware the parking lot was there. Mr. Shong stated in regards to the pedestrian bridge, he

understands the engineers are making a proposal to test abutments, he stated if that is the route then it is necessary to go as quickly as possible. He stated that there are offers of equipment use if needed by R.A. Smith. Mr. Shong stated he wants to keep the abutment issue moving forward. He understands there is another potential floodplain hydraulics study, there was one done by the MSOE students and he would ask that the Village use that one to save money.

John Laimon – 120 Park Avenue – Mr. Laimon expressed his concerns about the trailer parking proposal to ban parking on the weekends and holidays. He asked how the Village could put an individual into business and then take away their business. He stated in 31 years there has been 1 trailer complaint of parking, if this caused a problem, why is it blowing up now. Mr. Laimon expressed he hopes the Village Board will reconsider and know many businesses will be affected. He stated that when he was Village President it was scoffed at about hiring more PD to mark tires and go back an hour later to check for parking violations.

Ken Kreitlow – 129 Park Avenue – He stated everything is going great and that the trailer parking doesn't seem to be excessive. He stated for most people it's more convenient to park on the road but there is only a handful that do. He stated they do instruct and provide a map with additional areas to park. He stated in regards to the parking lot pavement, it does need attention and Kelley Woldanski with Park and Rec has been great helping with the park.

5. Resolutions

a. Resolution No. 2016-04, A Resolution Recognizing the Service of Village Trustee Pat Nauth
Trustee Baumann moved, seconded by Trustee Gergen to approve Resolution No. 2016-04 Recognizing the Service of Village Trustee Pat Nauth. President Knutson asked that Clerk Schumacher read the Resolution for the Record:

"A Resolution Recognizing the Service of Village Trustee Pat Nauth; WHEREAS, Pat Nauth was elected as a Village Trustee from 2012-2016; and WHEREAS, Pat Nauth demonstrated dedication and commitment to the Village of Pewaukee through her leadership and service to the Village Board; and WHEREAS, during her term in office, Pat served on the Public Works and Safety Committee as a Trustee representative and as a Village representative on the Fire Advisory Committee in addition to her responsibilities as Village Trustee in an effort to provide a high quality of life for Village residents. Now, THEREFORE, BE IT RESOLVED by the Village Board and residents of the Village of Pewaukee, Waukesha County, Wisconsin, hereby extend their heartfelt appreciation for the dedication given to the Village of Pewaukee by Pat Nauth as a Village Trustee. Dated and approved this 5th day of July 2016."

Motion carried 6-0.

6. Ordinances

a. Remove from Table – Ordinance No. 2016-11, Ordinance to Create Section 86.119.5(e) of the Village of Pewaukee Code of Ordinance Regarding Restricted Parking of Trailers During Certain Times in Specific Areas

Trustee Calder moved, seconded by Trustee Zompa to remove Ordinance No. 2016-11 from the table. Motion carried 6-0.

Administrator Gosse stated the ordinance as requested by the Village Board lists official holidays along with weekends for the Village Board to consider.

Trustee Zompa moved, seconded by Trustee Calder to deny Ordinance No. 2016-11, an Ordinance to Create Section 86.119.5(e) of the Village of Pewaukee Code of Ordinance Regarding Restricted Parking of Trailers during Certain Times in Specific Areas. Trustee Zompa stated he feels an ordinance like this kills the lakefront community. Trustee Gergen stated her agreement with Trustee Zompa. Trustee Calder stated his concern that the ordinance isn't specific and just lists streets, Lake Street goes up to the Library. **Motion carried on Roll Call Vote, 6-0.**

7. Old Business

a. *Remove from Table – Discussion and Possible Action on Village Code of Ethics*

Trustee Calder moved, seconded by Trustee Evert to remove item 7a from the table. **Motion carried 6-0.**

Administrator Gosse stated this was originally on the agenda at the request of President Knutson and background information has been provided to the Board in the form of letters from Attorney Blum to President Knutson regarding the State ethics laws and a draft ordinance. Gosse staff is looking for direction from the Board.

Attorney Blum stated currently there are State Statutes concerning public officials' ethics and it is similar to what is being presented to the Board, however, having an additional ethics code would allow a board to oversee any concerns brought forth by the public, on the public's behalf for possible conflicts of interest. Blum stated this would not handle matters of civility. An additional policy, like the one for Green Bay, would have to be adopted and it would deal with public officials conduct during meetings and other situations.

Trustee Calder stated he shared a disclosure of economic interests as an example to include that he would ask that every elected and certain staff members to complete. Calder stated this would provide transparency and would be a good way to show if there is any conflict of interest on public record. He stated the City of Pewaukee has one as well as an Ethics Board. Calder stated this not just for big government, but especially for small government because of the closeness of the community.

Trustee Evert stated concern that all employees would be included in the economic interest disclosure. Attorney Blum stated the Board could make a change to limit and modify it.

Trustee Calder expressed concern that there were issues in the Police Department with conflicts of interest and holding other jobs. Trustee Zompa asked how this would interface with the Police Commission. Attorney Blum stated there is a separate section in the State Statutes that addresses protective services and possible conflicts of interest. Blum stated those complaints would be addressed by the Police Commission. Discussion followed.

Trustee Gergen stated that the ethics committee needs to be non-partial and consist of ethic professors or someone who has no interests in what they're deciding. Gergen asked if the information in the disclosure would be internal or public record. Attorney Blum stated there is personal information such as social security numbers or account numbers that is prohibited from being public.

Trustee Calder stated that as a public official you open yourself up. He stated the ethics board should consist of 3 residents appointed by the Village president and approved by the Village Board but to find someone with an ethics background would be difficult.

President Knutson stated he liked the material provided by Trustee Calder but he is concerned there is a lot of personal information even without the social security numbers or account numbers. Trustee Baumann stated it could be modified. Trustee Calder stated the Board could look at other options for the disclosure, and he isn't saying that all of it needs to be included but the Village needs something. Discussion followed.

President Knutson asked if the ethics committee would have the hearing in open session. Attorney Blum stated the deliberations could take place in closed session but that evidence would have to be heard in open session.

Trustee Zompa stated his support of the ethics board and ethics standards but stated his disapproval of the disclosure document and personal information requested that is found on forms like a W-2. President Knutson stated if other committee members were asked to complete it the Village would have an even harder time getting members. Discussion followed.

Trustee Gergen stated she would be interested in someone with an ethics background for the ethics board. Attorney Blum stated the board is usually residents that don't necessarily have an ethics background.

Trustee Evert stated he would like to move forward but he would like Attorney Blum to do more investigation about the disclosure. Attorney Blum stated the only piece the Board needs is if the disclosure will be required, if not, than the Board can move forward with the policy as is. President Knutson stated he would like Attorney Blum to look into what the County does with the disclosure and the information in it. Discussion followed.

Trustee Calder moved, seconded by Trustee Baumann to defer item 7a to the first meeting in August to allow Attorney Blum to find more information, with the Village Board members communicating to Administrator Gosse what areas of the disclosure document they are not comfortable with. Motion carried 6-0.

b. Discussion and Possible Action on Pedestrian Bridge Design Option

AND

c. Discussion and Possible Action on Authorizing Preliminary Design Phase of R. A. Smith National Pewaukee River Pedestrian Bridge Agreement

Administrator Gosse referenced the staff memo, stating Charlie Shong information stated the abutments did not move when compression testing was performed with a 100,000 lb. backhoe. Gosse stated that Tim Barbeau, the Village consulting engineer, indicated that while the testing is informative it is not sufficient enough for a structural engineer to certify the abutments for use in a pedestrian bridge and that hydraulic analysis is needed. Gosse stated that while MSOE performed their own hydraulic analysis with the existing abutments included, there is not enough information about how they were constructed and they don't appear in good repair. Gosse stated the DOR will need a hydraulic analysis completed and it costs approximately \$1,000 to perform one. He stated if the analysis determines there is no impact to the floodway then R.A. Smith will work with PSI to see what the abutments are constructed on and the soil tested, this will cost approximately \$20,000 and will provide the best information to the Village Board.

Trustee Zompa stated this is important, if the Board determines the existing abutments need to be removed it could cost the Village into the six-figure range, so to spend \$20,000 to see would be money well spent.

Trustee Gergen stated it would be money well spent for testing and asked if after the hydraulic analysis and soil testing the engineer would certify the abutments. Administrator Gosse stated it would depend on what was found and what fixes would be needed. Trustee Gergen asked if it was indicated if the tests would impact the existing abutments.

Trustee Evert stated it doesn't look like the Board is too interested in putting a bridge there, if the abutments are taken out then the Army Corps of Engineers will need to give approval for new abutments and it could cost millions. Trustee Zompa stated no, it costs an estimated \$250,000.

President Knutson stated that before the Board can decide on a design an engineer needs to sign off on the existing abutments. He stated the first step is the hydraulic analysis, if that works, then do the soil testing and then the process moves more quickly. He stated if the hydraulic analysis doesn't work then the Village won't spend the \$20,000 for the soil testing and cannot use the existing abutments. He stated the Board is being asked to approve spending the \$20,000 to test the abutments. He stated Administrator Gosse needs to determine if the testing will interfere or affect the abutments, if they are built on something that will last and will the engineer sign off on it; the Board needs to be told okay. Discussion followed.

Trustee Gergen moved to approve the hydraulic analysis if the student work cannot be used by R. A. Smith; if it's positive then the soil testing can be completed for a cost up to \$20,000. President Knutson asked that having the engineer sign off on it be added to the motion. Attorney Blum stated the Board cannot require that, they test and analyze what they think the bridge will support and stamp plans up to that limit, the bridge design would then be designed to those specifications. Trustee Evert asked for the Village consulting engineer, Tim Barbeau, to be present at the next Village Board meeting. Trustee Zompa stated this is a bigger project and the engineer needs to be present. Discussion followed.

Trustee Calder stated he is in favor doing the bridge and having it done right but the donor is losing patience. He stated there is no easement; it's a bridge to no-where without an easement. He is okay with \$1,000, but where is the \$20,000 coming from. Trustee Zompa stated the bridge is part of the TIF district. Discussion followed.

Trustee Gergen moved to approve \$1,000 for the hydraulic analysis to determine if a bridge can be built within the constraints and if so then the Board authorizes the next step in the process and performing soil testing for an approximate \$20,000. Motion carried 6-0.

8. New Business

a. Discussion and Update on Laimon Park Operations

Bob Rohde, Chairperson for the Park and Recreation Board, stated it's been one year since the Village purchased the Laimon property and through the whole process Kelley Woldanski and her staff have worked hard to make it work. The park and business have been a great addition.

Park, Rec, and Building Services Director Woldanski gave a status update on Laimon Park. She stated that Beachside Boat & Bait did some nice alterations and has done a lot of good things. She stated they have boat rentals and other goods and services, and that they work closely with her and her staff, they

are like a partner and family at this point. Woldanski stated there has been cleanup work, a camera was added, there were a lot of things to do and it was good to get a year under their belt. She stated they will be working out how the pier works and marking it, also researching vendors for the lift process. Woldanski stated they have gotten a lot of compliments.

Bob Rohde stated there is a waiting list to get a slip rental.

Kelley Woldanski stated the official park dedication will take place on July 26th. She stated the bathroom does need to be upgraded and it's on the capital improvement plan. Woldanski stated she spoke with DPW Director White and repairing the parking lot is on the radar to fix. She gave an overview of the budget to date, stating the tenant's rent is additional revenue not included in the original budget.

Trustee Gergen gave her thanks to Kelley, Bob, and Marietta for the great job they have done.

Trustee Calder also thanked Kelley, Bob, and Marietta. He inquired into who owns the boats. Woldanski stated the tenant, Marietta does.

President Knutson thanked the tenants stating it looks beautiful, he gave his compliments to Kelley and Bob for their work.

b. License Approvals and Vendor Permits

1. Operator Permits

i. New, Renewal, and Temporary Operator Permits

Trustee Evert moved, seconded by Trustee Zompa to approve the New Operator Permits as presented for the following applicants:

Sarah Durica	Cody Otto	Brittney Papador
Ryan Dunn	Stacy Thomas	

For the remainder of the July 1, 2016 to June 30, 2017 term. Motion carried 6-0.

Trustee Zompa moved, seconded by Trustee Evert to approve the Renewal Operator Permits as presented for the following applicants:

Angela Martin	Brittany Rich	Amanda Siodlarz
Megan Vasquez	Tammy Winkelman	Kali Robbins
Raquel Magdaleno	Beth Blanck	Nicole Lauer
Mariah Nelson	Sarah Toth-Lisowicz	Heidi Hodgson
Erin Chilson	Rebecca Sweet	Kristen Olsen
Stephanie Viergutz	Abby Kaeppel	Anastasia Luksich
Jennifer Wallace	Angela Kleinhaus	Dorothy Salazar
Adam Labs	Sandra Bishop	

For the remainder of the July 1, 2016 to June 30, 2017 term. Motion carried 6-0.

2. Food Vendor

Trustee Gergen moved, seconded by Trustee Evert to approve the Food Vendor Permit application as presented for Kona Ice Lake Country for the Pewaukee Baseball Tournament on July 23 -24, 2016. Motion carried 6-0.

3. Liquor License

Trustee Baumann moved, seconded by Trustee Zompa to approve the Renewal of a Class B Combination Liquor License as presented for Blue Bell Enterprises, DBA Lancer Catering, Agent Dorothy Salazar, for the remainder of the July 1, 2016 to June 30, 2017 license term.

Motion carried 6-0.

c. Discussion and Possible Action on MS Bike Ride Special Event Permit Application

Administrator Gosse stated this event is the same as in past years and is being recommended for approval with the given conditions.

Trustee Baumann moved, seconded by Trustee Evert to approve the special event permit for the MS Bike Ride on Saturday, August 6, 2016 with the following conditions:

1. Provision of Certificate of Insurance (one million dollars minimum coverage) and provision of a copy of the "additional insured" endorsement with each naming the Village of Pewaukee as an additional insured as the event may include temporary road closures. The proof of insurance is required 30 days prior to the event (already provided)
2. Referencing that the basis of approval for this event is that the proceeds from the event benefit a regional population by providing funding for Multiple Sclerosis research.
3. The National MS Society – Wisconsin Chapter shall be responsible for reimbursing the Village for event staffing costs related to this event with payment made within 30 days of invoicing.

Motion carried 6-0.

d. Discussion and Direction Regarding Possibility of Offering a Rebate of Planner Fees to New Businesses that Locate in the Village

Trustee Gergen stated at a previous Board meeting there was discussion on attracting businesses to the Village. She stated brainstorming incentives to new businesses the Village could do a rebate of planner and engineer fees, but before putting too much into it, she wanted the Board's input. She provided a handout with Plan Commission examples for applicants that were approved/not approved so the dollar amounts can be seen.

Trustee Calder stated it's a great idea but what about businesses 3 years ago and businesses today would get waived. He stated he sees these as a cost of doing business, if they can't afford the fees he has to question their business plan, and as much as they were told it may not fly, applicants still went through. He's hesitant because of the need to treat everyone the same.

Trustee Evert stated if the Village is going to start doing this, where is the money going to come from, where it will start and stop, the Board already gave money back they shouldn't have.

Trustee Gergen stated she is concerned because the Village needs to attract businesses. Trustee Calder stated they can have a consultation with Administrator Gosse and Planner Censky at no cost.

Administrator Gosse stated that when the applicant moves forward with the application then fees are charged for reimbursement for the application to go before the Plan Commission. Discussion followed.

Trustee Zompa stated Trustee Gergen should move forward with the idea to attract businesses, it's a financial incentive, the money isn't coming from empty storefronts, just expecting people to come isn't working. He stated Positively Pewaukee and the Chamber of Commerce are trying, something coupled with a promotional program would be good.

Trustee Gergen stated letters were sent out to property owners of empty storefronts. Administrator Gosse stated meetings are scheduled with Meadowcreek Market and Larry Sheveland and they are working on reaching out to the property owner of Ashley Furniture.

Trustee Calder stated Positively Pewaukee and the Chamber have struggled to help Pewaukee, the Board hasn't heard from Positively Pewaukee and they are focused downtown, he would like continuity between the two groups, the Village needs a CDA. Trustee Gergen stated a CDA was brought to the Board.

Administrator Gosse stated the Village could do an economic incentive grant. Trustee Baumann asked about the façade grant. Trustee Calder asked what happened with the money from it. Administrator Gosse stated the money was used for Koepp Park as part of the Koepp Park development project. Gosse stated business owners could apply for the façade grant and it would be funded with the fund balance and the applicant would repay it over time. Discussion followed.

Trustee Gergen stated it seems the Board agrees something needs to be done; she suggested adding a page to the website with information regarding the façade loan program.

9. Citizen Comments

None

10. **Closed Session** – *The Village Board of the Village of Pewaukee will enter into closed session pursuant to Wis. Statute Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically to consider employment of a Deputy Clerk-Treasurer candidate; and pursuant to Wis. Statute Section 19.85(1)(e) for the purpose deliberating or negotiating the purchasing of public competitive or bargaining reasons require a closed session, specifically to discuss a negotiating strategy regarding a fire and EMS agreement with the City of Pewaukee.*

Trustee Baumann moved, seconded by Trustee Evert to move into Closed Session at approximately 8:50 p.m. Motion carried on a Roll Call vote, 6-0.

11. Reconvene Into Open Session

Trustee Baumann moved, seconded by Trustee Zompa to reconvene into Open Session at approximately 9:18 p.m. Motion carried on Roll Call vote, 6-0.

12. Action Out of Closed Session

a. Possible Action on an Offer of Employment for a Deputy Clerk-Treasurer candidate

Trustee Zompa moved, seconded by Trustee Baumann to approve hiring the chosen candidate with 2 week's vacation, with 2016 pro-rated for 1 week vacation, at an hourly rate of \$21.00. Trustee Baumann stated she would like the hourly rate to be \$20.50. Trustee Zompa amended the motion to reflect an hourly rate of \$20.50, Trustee Baumann seconded. Roll Call vote was taken:

Trustee Paul Evert	Nay	Trustee Gergen	Nay
Trustee Baumann	Aye	Trustee Zompa	Aye
Trustee Calder	Nay	President Knutson	Nay

Motion failed 4-2.

13. Adjournment

Trustee Baumann moved, seconded by Trustee Zompa to adjourn the July 5, 2016 Village Board Meeting. Motion carried 6-0.

Meeting adjourned at approximately 9:21 p.m.

Respectfully Submitted,

Chaz M. Schumacher
Village Clerk



**VILLAGE OF PEWAUKEE
VILLAGE BOARD MEETING
July 19, 2016**

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call

President Knutson called the meeting to order at approximately 7:01 p.m. The Pledge of Allegiance was recited followed by a moment of silence.

Village Board members present on Roll Call: Trustee Paul Evert, Trustee Kevin Yonke, Trustee Heather Gergen, Trustee Cathy Baumann, Trustee Joe Zompa, Trustee Tom Calder, and President Jeff Knutson.

Also Present: Village Attorney, Mark Blum; PD Lieutenant, Mark Garry; Village Treasurer, Becky Higby; Park & Recreation Chairperson, Bob Rohde; Village Administrator, Scott Gosse; Village Clerk, Chaz Schumacher.

2. Approval of Minutes of Previous Meeting

a. *Minutes of the Special Village Board Meeting June 2, 2016*

Trustee Yonke moved, seconded by Trustee Zompa to approve the June 2, 2016 minutes as presented. Motion carried 5-0, Trustee Baumann and Trustee Calder abstained.

b. *Minutes of the Regular Village Board Meeting June 21, 2016*

Trustee Zompa moved, seconded by President Knutson to approve the June 21, 2016 minutes as presented. Motion carried 4-0, Trustee Calder, Trustee Baumann, and Trustee Gergen abstained.

c. *Minutes of the Regular Village Board Meeting July 5, 2016*

Not presented for approval.

3. Citizen Comments

John Laimon – 145 Park Avenue – Mr. Laimon stated he heard news of a reversal of the trailer parking ordinance. He stated the Board will have to vote in a \$100,000 tax raise this year for next year in order to police the trailer parking, the Village will need 3 additional police officers. He stated the Village will need meter maids. He stated Pewaukee is a lake city, it's a magnet, people on it, in it, or near it, and it's an excellent lake for fishing and swimming. He stated the Village would be cutting off revenue from tax payers, and will have to raise everyone's taxes.

Dennis Anders – 150 Lake Street – Mr. Anders stated his position with the parking of vehicles and trailers is if there is one hour parking and they park 6am to 8:30pm, they get 1 citation for the whole day. He stated they should get 1 citation an hour. He stated someone parked in front of a hydrant and got a \$15 citation. He stated there is not another boat launch in Lake Country that allows parking on the street. He asked if this was brought up when the launch was purchased.

Jim Grabowski – 128 Park Avenue – Mr. Grabowski stated he first expressed concern about the logistical nightmare of prohibiting trailer parking by the lakefront; he secondly expressed concern over the economic impact and the crippling of local businesses. He stated his concern of the legitimacy of the petition to bring the ordinance back. He stated it was a 6-0 vote to deny the ordinance. Mr. Grabowski stated there were 25 signatures on the petition and 16 of the signers on the petition don't live in the lakefront area. He stated that one resident stated they were approached by a maintenance director for

Yonke Funeral Home. He stated the petition does not list why or specific areas affected by the restrictions. He stated he can't tell how many were compromised. He doesn't feel it should be reconsidered.

Bob Rohde – 766 Glacier Road – Mr. Rohde asked if this is good government to take an ordinance that showed little support and was voted down 6-0 and bring it back. He asked if it loses tonight, will it be brought back. He stated he understands the trailer parking issue and those affected by it but he feels the ordinance is an over-reaction and the approach is like killing a fly with a shotgun. He stated there needs to be a measured approach and if the police believe there is an issue then it can be dealt with.

Carissa Walter – 126 Lake Street – Ms. Walter stated there is an issue, it's every day, and it would be nice to park in front of her house. She stated if a trailer is parked on the lake front, someone won't visit businesses; there is a parking lot made and not being used.

Mark Grabowski – 318 Park Avenue – Mr. Grabowski stated he is against the trailer parking ordinance coming back. He stated as a resident of Park Avenue he sees the same thing. The launch has been there 30 years, now in public ownership and it is going to be killed. He stated people will not go to that ramp and park 3 blocks away, they won't go through it. He stated he occasionally parks his own trailer on Park Avenue and he doesn't want to be prevented to from doing so because of a ban, he asked if other solutions have been made such as striping or signage for trailers. Mr. Grabowski questioned the signatures of the petition; someone was approached by a maintenance man from Yonke Funeral Home. The petition was dated July 15th but made it to the agenda right away even though agenda items are supposed to be in by noon on Wednesdays. He stated of the people who signed the petition, 16 don't live in the area and 9 park in the alley.

Dennis Anders – 150 Lake Street – Mr. Anders stated the parking has been issue here and there and it's been going on for years; cars park over approaches of driveways. It's been ongoing since assessment for curb and gutter it's become worse because the streets appear bigger.

Jim Grabowski – 128 Park Avenue – Mr. Grabowski stated if Lake Street was striped like Park Avenue it could curb parkers from the street. He stated if there is a problem with the funeral home you could put cones out during funeral and give permission to the funeral director to put the cones out to reserve parking. He stated on Saturday when it was 88 degrees out and sunny he took a drive along Park Avenue, Lake Street, and Orchard Avenue; there were 3 total trailers parked and 1 was the sheriff. He stated Pewaukee Ski Team parks there. He stated the ordinance is like killing a fly with a shotgun and smaller measures can be taken to fix it, not to the extreme.

Carissa Walter – 126 Lake Street – Ms. Walter asked why a parking lot was made and not being used.

John Laimon – 145 Lake Street – Mr. Laimon stated signage is a big problem and the lack of it; it's not going to stop them from parking. If there was signage to the other parking lot it would be used. Mr. Laimon stated there could be signage by the Railway and the Freeway exits, parking is not being used, and signage is a simple inexpensive solution, not 3 hour shifts for Saturdays and Sundays.

Mark Grabowski – 318 Park Avenue – Mr. Grabowski stated there should be no trailers along other side of Orchard, north of Orchard is where driveways are.

4. **Ordinances**

- a. Discussion and Possible Action on Request to Reconsider Ordinance No. 2016-11, Ordinance to Create Section 86.119.5(e) of the Village of Pewaukee Code of Ordinance Regarding Restricted Parking of Trailers During Certain Times in Specific Areas.*

No Action Taken.

5. **Old Business**

- a. Discussion and Direction Regarding Code of Conduct*

President Knutson stated he asked to have this put on the agenda because this is what he was looking for when the discussion was previously presented for consideration. He would like for the Board to adopt it for the Village of Pewaukee. He stated it gets to the meat of the matter of how the Board should act.

Trustee Calder stated that until he was on the Board he didn't see any problems, he's seen less respect and decorum since being on the Board. He stated there is a lack of leadership and ability to control an elected official.

Trustee Evert stated he doesn't understand the urgency, he thought this was going to be discussed at the first meeting in August.

Trustee Calder stated he would also like to address the public disclosure statement from the last meeting.

President Knutson stated the document from Green Bay was not part of the last meeting; he read a copy of it and thought it should be part of the discussion before the first meeting in August instead of being given to the Board at that meeting for the first time.

Trustee Gergen stated much of the code of ethics is subjective, she can see there have been many items that would have been extreme violations. She stated it should be more of a guideline as to how to conduct oneself but not an official document.

Trustee Zompa stated he is okay with it being a guideline and adopting guidelines like this would be to the Board's benefit. Discussion followed.

Attorney Blum asked for clarification if the Board wants it to be a guideline or policy. He asked if the Board is looking for a complaint process or just guidelines and recommendations to the Board on how to conduct with the public. Blum stated that in response to the financial disclosure there is a provision in the County's version that says it's a public record and if the Village adopted it would be considered a public record, he asked if the Board is accepting of that. He asked how far the Board wants to go, do they want a code of conduct, a code of ethics; staff needs more direction. Discussion followed.

The consensus of the Board was to discuss the matter at the next Board meeting.

- b. Discussion and Possible Action on Pedestrian Bridge Design Selection*

AND

- c. Discussion and Possible Action on Authorizing Preliminary Design Phase of R. A. Smith National Pewaukee River Pedestrian Bridge Agreement*

AND

6. New Business

a. Discussion and Possible Direction Regarding Hydraulic Analysis of Existing Abutments in Pewaukee River

Administrator Gosse began the discussion stating Gary Raasch of R. A. Smith is present to review the materials included in the agenda packets.

Gary Raasch, of R. A. Smith National, reviewed the information he provided to the Board regarding the hydraulic analysis that was performed and presented proposed bridge design options using the existing abutments, new abutments, or a combination of the existing and new abutments. He stated that any bridge or structure has to be built without increasing the floodplain, or flood easements need to be obtained from the affected properties. Discussion followed.

Trustee Gergen asked which design would be least expensive with a covered bridge. Mr. Raasch stated the cost would be proportionate to the length of the bridge and the abutments will have their own costs. Raasch stated options 'A' and 'B' are the least expensive, he believes option 'A' would be the least expensive but he wouldn't be sure until he works out the approach ramps. Discussion followed.

Trustee Calder moved, seconded by Trustee Evert to move forward with a wood covered bridge using existing pillars and abutments with flower boxes, relocating three power poles using reimbursement from TIF funds, creating an escrow account for the maintenance of the bridge, and completing the structural analysis of the existing abutments. Motion carried 5-2, with Trustee Gergen and Trustee Zompa voting nay.

b. Discussion and Possible Action on Making the Deputy Clerk-Treasurer a Salaried Position

Trustee Calder stated he asked to have this on the agenda as he sees it as an opportune time to turn the position into a salaried position, there's no question around election time there are more hours.

President Knutson asked if there is any advantage to making it salaried. Trustee Calder stated the Board would know the exact wages and there would be continuity with what is going on across the State.

Administrator Gosse stated if the position was made a salaried position it would not be exempt from overtime as it would not be considered exempt. Gosse stated the position would have to meet managerial level within the organization as well as salary threshold. Discussion followed.

Trustee Calder moved, seconded by Trustee Evert to make the Deputy Clerk-Treasurer position a salaried position. Trustee Gergen stated she feels it's more of an administrative position. President Knutson stated the position doesn't meet the FSLA rules; it would still be paid overtime because it may not meet exempt guidelines. Motion carried on Roll Call vote 5-2, Trustee Gergen and President Knutson voting Nay.

c. Monthly Approval of Checks and Invoices for all funds – June 2016

Trustee Calder moved, seconded by Trustee Baumann to approve the June Treasurer's Report in the amount of \$345,355.40. Motion carried 7-0.

d. License Approvals and Vendor Permits

1. Food Vendor Licenses – Taste of Lake Country

Trustee Calder moved, seconded by Trustee Baumann to approve Food Vendor Licenses for the Taste of Lake Country event July 29-30, 2016 as presented for the following applicants:

The Lakeside Supper Club
Casa Tequila Restaurant
Park Avenue Pizza Co.
Billy Ho's
Revere's Well Street Tavern

Rich's House of Cakes
The Golden Anchor
Butler Inn of Pewaukee
Dickey's Barbecue Pit

Motion carried 7-0.

2. Operator License – New, Renewals, and Temporary

Trustee Calder moved, seconded by Trustee Evert to approve Regular Operator permits for the remainder of the July 1, 2016 through June 30, 2017 license term as presented for the following applicants:

Kelly Davidson	Parker Marsalli	Ashlee Dummer
Sebastian Steinberger	Jean Braeger	Renee Lowery
Julie Denk	Kelly Vickers	

Motion carried 7-0.

Trustee Calder moved, seconded by Trustee Zompa to approve the Temporary Operator permits for the Taste of Lake Country Event July 29-30, 2016 as presented for the following applicants:

Brady Callen	Kelley Woldanski	Sheila Jilot
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Motion carried 7-0.

7. Citizen Comments

None.

8. Closed Session – *The Village Board of the Village of Pewaukee will enter into closed session pursuant to Wis. Statute Section 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, specifically to discuss a negotiating strategy regarding a fire and EMS agreement with the City of Pewaukee; and pursuant to Wis. Statute Section 19.85(1)© to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically to consider employment of a Deputy Clerk-Treasurer candidate.*

Trustee Evert moved, seconded by Trustee Baumann to move into Closed Session at approximately 8:52 p.m. Motion carried on Roll Call vote, 7-0.

9. Reconvene into Open Session

Trustee Baumann moved, seconded by Trustee Yonke to reconvene into Open Session at approximately 9:14 p.m. Motion carried on Roll Call vote, 7-0.

10. Action Out of Closed Session

- a. *Discussion and Possible Action to Reconsider Prior Action on an Offer of Employment for a Deputy Clerk-Treasurer candidate.*

President Knutson moved, seconded by Trustee Calder to reconsider prior action by the Village Board on July 5, 2016 on an Offer of Employment for a Deputy-Clerk candidate. Motion carried 7-0.

Trustee Zompa moved, seconded by Trustee Gergen to approve an offer of employment for a Deputy Clerk-Treasurer candidate with a salary of \$43,680; 2 weeks of vacation, with the remainder of 2016 pro-rated for 1 week of vacation; and pending a background check and other checks performed for a new-hire. Motion carried 7-0.

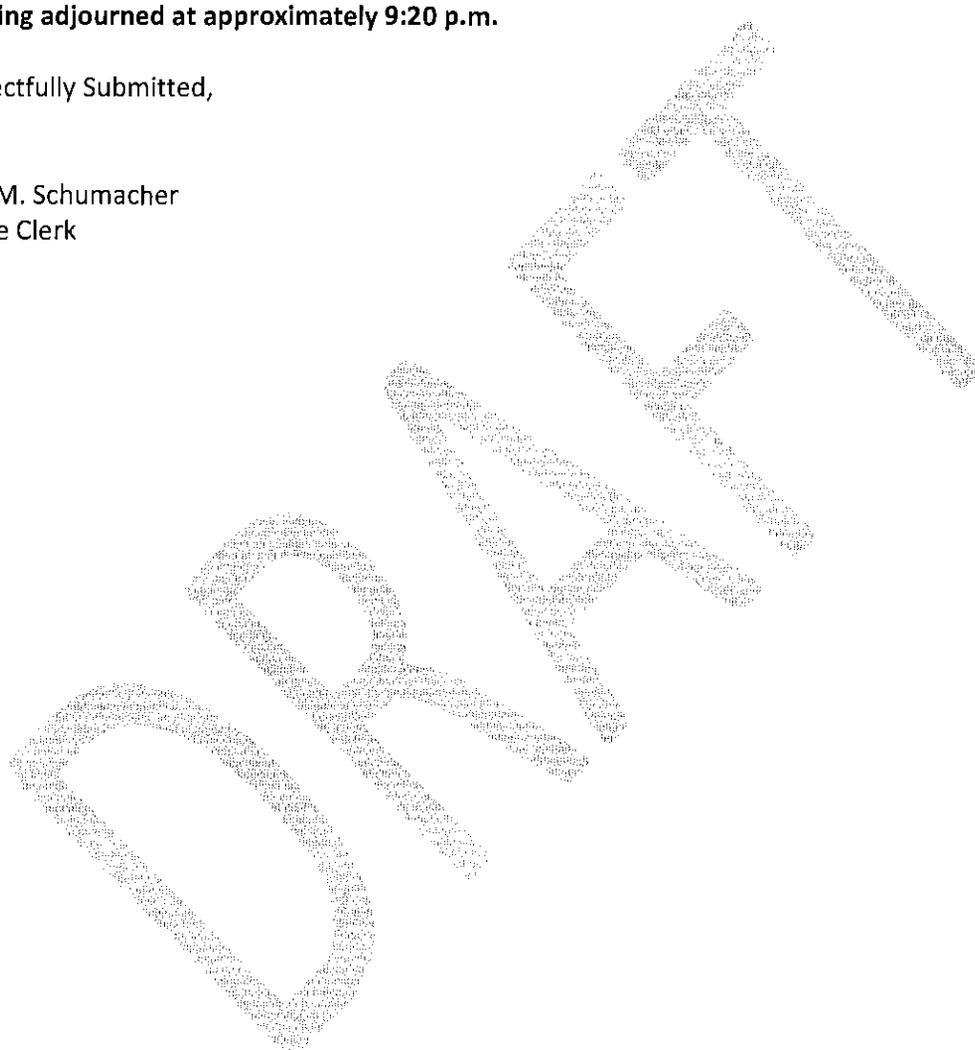
11. Adjournment

Trustee Baumann moved, seconded by Trustee Evert to adjourn the July 19, 2016 Village Board meeting. Motion carried 7-0.

Meeting adjourned at approximately 9:20 p.m.

Respectfully Submitted,

Chaz M. Schumacher
Village Clerk





To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: July 28, 2016

Re: Agenda Item 4a, Ordinance No. 2016-12, Ordinance to Create Chapter 28 of the Municipal Code of the Village of Pewaukee To Establish a Code of Ethics

BACKGROUND

Attached for your review and consideration please find a copy of a memorandum from Village Attorney Mark Blum providing his review and comments regarding the Waukesha County Disclosure of Economic Interest Policy. Also attached please find a copy of the draft Ethics ordinance for your reference.

ACTION REQUESTED

The action requested of the Village Board is to review the attached information and determine how it desires to proceed on the attached matters.

ANALYSIS

The attached memo from Attorney Blum includes a copy of the County's Ethics Code along with a copy of the County Public Official Financial Disclosure form. As previously mentioned, the draft Village Ethics ordinance and Ethics Board Rules of Procedure are attached for review and possible amendment in the event the Village Board desires to modify the draft documents.

Attachments

LAW OFFICES OF
HIPPENMEYER, REILLY, MOODIE & BLUM, S.C.

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E-MAIL: MGBLUM@HRMBLAWFIRM.COM

July 28, 2016

Via Email ONLY

Mr. Scott Gosse
Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Re: Ethics Code – Disclosure of Economic Interest Policy Memo

Dear Scott:

Enclosed is a Memo which I have prepared relative to the Waukesha County Policy on requiring a Statement of Economic Interest from elected officials, appointed officials and public employees who are involved with purchasing or making decisions regarding public contracting. With this Memo, I am including a copy of the County's Ethics Code as provided by Tom Calder, as well as the County HR Policy on the Financial Disclosure Statements and finally, the actual Financial Disclosure form.

Please let me know if you have any questions or concerns regarding this issue.

Sincerely,

HIPPENMEYER, REILLY,
MOODIE & BLUM, S.C.



Mark G. Blum
Village Attorney

MGB/jb
Enc.

MEMORANDUM

TO: Village of Pewaukee Village Board
FROM: Village Attorney Mark G. Blum
SUBJECT: Waukesha County Disclosure of Economic Interest Policy
DATE: July 28, 2016

I have been provided with a portion of the Waukesha County Ethics Code dealing with the subject of the disclosure of economic interests, as well as the County Human Resource Department's Policy with respect to the disclosure of such information. It is my understanding that the Village Board is interested in possibly implementing such a financial disclosure policy in the Village, and is using the information from the County as a starting point for that conversation. I have been asked to review this information and to provide comments on the County Policy for the review of the Board.

To begin with, the Ethics Code references a Declaration of Policy that public officials and employees be independent and impartial and responsible to the people, and that government decisions and policies be made in proper channels of the governmental structure, and that public office or public employment not be used for improper personal gain. What follows then is the policy by which the County implements this and in general, no public official may engage in any business or transaction or act in regard to economic or personal interests, direct or indirect, which is incompatible with the proper discharge of his or her official duties or which would be intended to impair his or her independence of judgment or action. In that regard, no public official would be permitted to accept gifts or certainly, to demand or solicit such gifts. Public officials are prohibited from asking other public officials to make political campaign contributions and public officials are prohibited from contributing monetarily to candidates for elected County office. The Policy also references contractual relationships with the County on such subjects as influence peddling and the providing of personal services. The Policy also has a process for action in the event that a public official is deemed to have breached the terms of the Ethics Code. The elements that I have noted to this point are similar to those that appear in the Public Ethics Code that I had provided to the Board for its consideration. However, where that draft Ordinance differs from the County's Ordinance lies in the requirement of the County of a disclosure of economic interest.

Section 2-13 of the County Ordinances requires public officials to file a Statement of Economic Interest. More specifically, the Ordinance indicates that all elected officials and all public officials whose duties and responsibilities include the evaluating, awarding and executing of contracts for the purchase of supplies, services, materials and equipment for, on or behalf of, the County, are required to file Statements of Economic Interest as provided in the Ordinance. Therefore, any elected representative or public employee who would have

those responsibilities would be included. The Ordinance also references appointees by the Board to committees or commissions whose duties and responsibilities, including making land use decisions, zoning permits, are also required to file a Statement of Economic Interest. The Statement of Economic Interest is required to be filed annually, and new employees, appointees or elected representatives are required to file the Statement of Economic Interest within thirty workdays of assuming such responsibilities. Section 2-13(A)(4) states that the Statements of Economic Interest are considered public record and shall be open to public inspection. Request for examination of these Statements shall be made in writing to the County Clerk. The public official shall be notified of the request of examination of his/her Statement of Economic Interest and shall be supplied with the identity of the requester. Since the Public Records Law of the State of Wisconsin does not require that the individual who makes the request for a record identify the purposes therefore, I do not believe that requiring the disclosure of the identity of that person to the person whose Economic Interest Statement is being solicited is legally supported. With that said, the County has made an across-the-board conclusion that all financial disclosure statements would be made available to the public upon request. In my opinion, if the Village were to adopt such a requirement, the restrictions in the County Ordinance regarding making the request in writing and identifying the person who is seeking the information are not supportable under the law.

The Statement of Economic Interest would include the following specific pieces of information:

- (1) The names and addresses of the public official and all members of his/her immediate family. The inclusion of the addresses of the public official and the members of his/her immediate family are optional, however.
- (2) The name of all employers of the public official and the public official's spouse.
- (3) The nature and source of principal income of the public official and spouse. However, specific dollar amounts need not be disclosed.
- (4) The address of real property located in the County, other than the principal residence which the public official or a member of his/her immediately family has a fair market interest which exceeds \$5,000.00.
- (5) The names and addresses of all creditors to whom the public official or member of his/her immediate family is indebted by more than \$10,000.00.
- (6) The name of all corporations and other business interests, both profit and non-profit, in which the public official or members of his/her immediately family hold any officer or directorship, or own or control, directly or indirectly, more than 10% of the outstanding stock, or more than 10% of other business ownership.

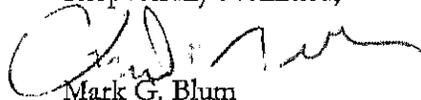
Based upon the Ordinance, if any public official has a personal or economic interest in any proposed legislation, that public official is required to make disclosure of the nature and extent of that interest prior to or during the initial discussion of the particular legislation.

The HR Department Policy with respect to these Economic Disclosure Statements includes a list of the positions required to file the Statement. Presumably, if the Village wished to adopt this statement, we would need to do the same. Under the County Ordinance, each Department Head is required to identify persons who would meet the definition of someone who is involved in the acquisition of supplies, equipment, etc., as provided for under the Ordinance. A copy of the Financial Disclosure Statement is enclosed for your reference.

Finally, the Ordinance provides a process for filing a complaint if a conflict of interest is deemed to exist. If such a conflict is sustained by the Board, the findings and recommendation of the Ethics Board would be provided to the appropriate supervising authority, along with the recommendation for sanction. That sanctioning could include a private reprimand, public reprimand, denial of merit increase, suspension without pay, discharge or forfeiture. Any action in which the public official may take which is subject to a conflict of interest is subject to be voided. These provisions apply to any ethics violation which may be deemed to exist.

Thank you for your consideration of these comments.

Respectfully submitted,



Mark G. Blum

MGB/jb
Enc.

Chapter 1 – Human Resources		
Issued: 1/26/93 Revised: 5-19-16	ETHICS CODE	Section 800

800 Introduction

805 Disclosure of Economic Interest

.1 List of Positions Required to File Statement of Economic Interest

Appendices:

HR-800-A County Code Chapter 2 - Code of Ethics

Chapter 1 – Human Resources		
Issued: 1/26/93 Revised: 5-19-16	ETHICS CODE	Section 800

800 **Introduction** The County Ethics Code establishes guidelines for ethical standards of conduct intended to assist County employees, elected officials, and appointed members of boards, committees, commissions, and panels to avoid conflicts of interest between their official County responsibilities and their personal and economic interests outside of the County. **Please refer to Appendix HR-800-A for the complete text of the Waukesha County Code of Ethics for all specific details.**

805 **Disclosure of Economic Interest** The Ethics Code requires that certain County employees complete a Statement of Economic Interest on an annual basis during the month of May. Any employee hired after April 30 of a given calendar year into a position which requires completion of the Statement of Economic Interest, must complete the Statement within thirty (30) work days of hire. The Statements of Economic Interest must be filed with the County Clerk's Office.

A. Generally, all elected officials and those employees whose duties include the evaluating, awarding and executing of contracts for the purchase of supplies, services, materials, and equipment for or on behalf of the County or any board or commission thereof, or for the construction of public works, or for the sale or lease of real estate are required to file statements of economic interest. This includes all elected officials, department heads and managers, and other select positions as determined by the department head and the Ethics Board.

B. All appointees to any Waukesha County Board, Committee, or Commission whose duties and responsibilities include making land use decisions, including land use decisions to grant or deny any petition, application, request or appeal regarding zoning, permits, conditional uses, variances, special exceptions, land division or plan amendments are also required to file a statement of economic interest.

805.1 **List of Positions Required to File Statement of Economic Interest** The County positions required to file a Statement of Economic Interest are as follows:

Administration (Finance)	Accounting Services Manager Budget Management Specialist Budget Manager Centralized Records Supervisor Collections & Business Services Manager Community Services Representative Director of Administration Principal Financial Projects Analyst
(Human Resources)	Employee Benefits Administrator Human Resources Manager Principal Human Resources Analyst Training Coordinator Workforce Development Center Coordinator
(Risk/Purchasing)	Risk/Purchasing Manager Principal Buyer Senior Buyer
(Information Technology)	Business Services Administrator Information Technology Manager Infrastructure Administrator Principal Applications Analyst

Chapter 1 – Human Resources		
Issued: 1/26/93 Revised: 5-19-16	ETHICS CODE	Section 800

Senior Applications Analyst
Principal Business Analyst
Senior Business Analyst
Principal Data Analyst
Senior Data Analyst
Principal Database Administrator
Principal Network Analyst
Principal Public Safety Systems Administrator
Senior Public Safety Systems Administrator
Senior End User Analyst
Senior Microcomputer Technician
Solutions Administrator
Telecommunications Specialist

Circuit Court Services
(Chief Judge)

Court Commissioner (position with Administrative duties only)
Family Court Services Supervisor

(Clerk of Courts)

Business Manager
Chief Deputy Clerks
Circuit Court Division Coordinator
Clerk of Circuit Court
Principal (and Senior) Computer Services Coordinator
Programs and Projects Analyst

(Juvenile Court)

Clerk of Juvenile Court

(Probate)

Register in Probate

Corporation Counsel

Attorneys
Corporation Counsel
Principal Assistant Corporation Counsel
Senior Attorney

County Board

County Board Chairman
County Board Supervisors
County Board Chief of Staff
Internal Audit Manager
Legislative Policy Advisor
Office Services Coordinator

County Clerk

County Clerk
Deputy County Clerk

County Executive

Chief of Staff
County Executive
Executive Assistant

Emergency Preparedness

Communications Center Specialist
Director of Emergency Preparedness
Emergency Management Coordinator

Chapter 1 – Human Resources		
Issued: 1/26/93 Revised: 5-19-16	ETHICS CODE	Section 800

	Operations and Training Manager Radio Communications Administrator
Federated Library System	Director of Federated Library System Library Automation Coordinator
Health & Human Services	Accounting Services Coordinator Administrative Services Manager ADRC Manager Business Applications Support Supervisor Centralized Records Supervisor Clinical Director Chief Psychiatrist Clinical Services Manager Criminal Justice Collaboration Coordinator Data Management Supervisor Deputy Director of Health and Human Services Director of Health & Human Services Economic Support Coordinator Health and Human Services Coordinator Human Services Manager Human Services Supervisors Information Services Coordinator Juvenile Center Coordinator Mental Health Center Administrator Nutrition and Aging Services Supervisor Nursing & Patient Services Coordinator Outpatient Services Administrator Programs and Projects Analyst Public Health Manager Senior Financial Analyst Veteran's Services Officer
Medical Examiner	Medical Examiner
Parks & Land Use	Business Manager Community Development Coordinator Director of Parks & Land Use Environmental Health Manager Environmental Health Supervisor Exposition Center Manager Golf Course Clubhouse Supervisors Hazardous Materials Coordinator Ice Arena Coordinator Land Information Systems Manager Land Resources Manager Parks Supervisor Parks System Manager Planning & Zoning Manager Senior Landscape Architect Solid Waste Supervisor

Chapter 1 -- Human Resources		
Issued: 1/26/93 Revised: 5-19-16	ETHICS CODE	Section 800

Public Works	Director of Public Works Business Manager
(Airport)	Airport Manager Programs and Projects Analyst
(Transportation)	Engineering Services Manager Highway Operations Manager Fleet Manager Senior Civil Engineer (position with real estate duties only)
(Facilities Management)	Construction Project Supervisor Architectural Services Technician Facilities Manager Facilities Supervisor Housekeeping Supervisor
Register of Deeds	Deputy Register of Deeds Register of Deeds
Sheriff	Business Manager Captain Correctional Facilities Managers Deputy Inspector Inspector Jail Administrator Senior Correctional Facility Manager Sheriff
Treasurer	Treasurer Deputy County Treasurer
U.W. Extension	Programs and Projects Analyst
Board of Adjustment	citizen members
Park and Planning Commission	citizen members
Airport Commission	citizen members

**CHAPTER TWO
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CHAPTER 2 ETHICS CODE

ARTICLE I. IN GENERAL

Sec. 2-1. Declaration of policy.

(a) The proper operation of a democratic and representative government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office and public employment not be used for improper personal gain; and that conflicts between private interests and public responsibilities be avoided. In recognition of these goals there is hereby established a code of ethics for county public officials, employees, and appointed members of boards, commissions, committees and panels, hereinafter collectively referred to as public officials. The purpose of this code is to establish guidelines for ethical standards of conduct to assist public officials in avoiding those acts or actions which are incompatible with the best interests of county government by directing disclosure by such officials of private interests in matters affecting the county.

(b) Public officials are agents of the public purpose and should exercise their judgments for the benefit of the public. They are bound to uphold the United States Constitution and the constitution of this state and to carry out impartially the laws of the nation, state and county, and to observe in their official acts the highest standards of ethics and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in their official actions should be above reproach so as to foster respect for all government.

(c) The county board recognizes that the officials of the county are drawn from society and, therefore, cannot and should not be without all personal and economic interests in the decisions and policies of public government; that citizens who serve as county officials retain their rights as citizens to interests of a personal and economic nature; and that the standards of ethical conduct for county officials need to distinguish between those minor and inconsequential conflicts which are unavoidable in a free society and those conflicts which are substantial and material.

(d) It is intended that this code shall apply to all persons whose functions require the exercise of discretion and judgment. Nothing contained herein is intended to deny, to any individual, rights granted by the United States Constitution, the constitution of this state, the laws of this state or by labor agreements negotiated with bargaining representatives.

(Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-2. Definitions.

Advisory opinion means an interpretation requested by a public official and issued by the ethics

board regarding the propriety of any matter to which the public official is or may become a party.

Anything of value means any money or property, favor, gift, service, payment, advance, forbearance, loan, or promise of future employment, including, without restriction by enumeration, tickets, passes, lodging, travel, recreational expenses, and admission offered and provided by persons doing business, or interested in doing business, with the county. "Anything of value" does not include compensation and expenses paid by the county; political contributions which are reported under Chapter 11, Wisconsin Statutes; occasional meals and beverages, unsolicited advertising or promotional material such as pens, pencils, note pads, calendars, and other items of nominal value; or hospitality of nominal value, or extended for a purpose unrelated to county business; or business related seminars, trade shows or other training related activities.

Associated means [includes], when used with reference to a person, any organization in which a person or member of his or her immediate family is a director, officer or trustee, or owner, or controls, directly or indirectly and severally or in the aggregate at least ten (10) percent of the outstanding equity.

Board means the ethics board created by this code of ethics.

Confidential information means written material or oral information related to county government which is not otherwise subject to the open records law and which is designated by statute, ordinance, court decision, lawful order, or custom as confidential.

Conflict of interest means a public official's action or failure to act in the discharge of his or her official duties which could reasonably be expected to produce or assist in producing a substantial economic or personal benefit for such official, his or her family or an organization with which he or she is associated.

Contract means all agreements executed between the county or a sub-unit thereof and another party or parties for the provision of goods, materials, supplies, construction, or services in exchange for valuable and sufficient consideration.

County facilities means all buildings that are owned, leased, or rented by the county.

Economic interest means any interest that will yield directly or indirectly a monetary or other material benefit to the public official or to any person employing or retaining the services of the public official, or any member of the family of said public official, except as permitted by section 946.13 of the Wisconsin Statutes.

Employee means all persons filling an allocated fulltime or parttime position of county employment.

Family means any individual related to a public official as spouse, parent, child, sibling,

grandparent, grandchild, parent-in-law, sibling-in-law and step relations of the above, or as a legal dependent of the public official for tax purposes.

Gift means the payment or receipt of anything of value without valuable and sufficient consideration.

Immediate family means any individual related to a public official as spouse or legal dependent for federal income tax purposes.

Income means the meaning given under the federal internal revenue code.

Incompatibility means a conflict between one's official responsibilities and personal or economic interests which would prevent the public official from the complete and proper discharge of his or her official county duties.

Nominal value means a value of ten dollars (\$10.00) or less received by a public official from any one (1) person within one (1) calendar month.

Organization means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual, body politic, or charitable entity.

Person means any natural person, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, joint venture, trust, or other legal entity recognized as such by the laws of the state.

Personal interest means any interest arising from a blood, marriage or adoptive relationship.

Principal income means earnings which constitute at least one-half ($\frac{1}{2}$) of total annual earnings.

Private business means those activities related to non-county government employment in which the public official has an economic interest.

Public official means any person holding an elected county office and candidates for elected county office, or any person holding an appointed county office, including all county department heads, all county employees, and all citizens appointed by the county executive to advisory boards or commissions, and elected officials, and appointed members of committees and panels who are not elected.

Valuable and sufficient consideration means payment or compensation of an amount equivalent to the actual value of any item or service received. If the actual value cannot be determined, payment or compensation of a reasonable value is acceptable.

(Ord. No. 147-126, § 1, 1-26-93)

Secs. 2-3 - 2-10. Reserved.

ARTICLE II. CONFLICTS OF INTEREST AND DISCLOSURE

Sec. 2-11. Specific conflicts of interest and standards of conduct.

(a) *Economic and personal interest.* No public official shall engage in any business or transaction or shall act in regard to economic or personal interest, direct or indirect, [in a manner] which is incompatible with the proper discharge of his or her official duties or which would tend to impair his or her independence of judgment or action in the performance of his or her official duties. This section is not intended to interfere with public officials having duties or employment in addition to those related to the county, provided those duties or employment do not cause violations of this code of ethics and are disclosed to his or her supervisor.

(b) *Gifts.* It shall be a breach of ethical standards for any public official to solicit, demand, accept or agree to accept anything of value if it is in relation to a particular contract, solicitation, or proposal, therefore, or if it could reasonably be expected to influence his or her independence of judgment, action or inaction in the performance of his or her official duties. In addition, the acceptance of a gift offered in relation to any proceedings such as decision, approval, disapproval, recommendation, rendering of advice, investigation, auditing or any other advisory capacity is also prohibited.

(c) *Campaign contributions.* No public official shall use his or her position to influence other public officials to make political campaign contributions.

(d) *Political activity.* Public officials are prohibited from contributing monetarily to candidates for elected county office and current elected office holders. These offices include: county executive, county board supervisor, county clerk, register of deeds, sheriff, county treasurer, and clerk of courts.

This section does not prohibit a public official from contributing to his or her own campaign.

Public officials will refrain from participation in any political activity if such activity could reasonably be expected to create a conflict of interest with the full discharge of his or her official county duties.

No public official may bring any type of political campaign materials into county buildings. This section does not prohibit items that may be displayed by a public official such as campaign buttons on overcoats or purses if such items are not within full view during official hours of said building.

Further, this section does not prohibit a public official from accepting employment or being involved with any political campaign which in no way interferes or could reasonably be expected to interfere with the full discharge of his or her official duties. This section may not fully apply to law enforcement officers employed by the Waukesha County Sheriff's Department and who are covered by the law enforcement officers' bill of rights contained in chapter 164 of the Wisconsin Statutes.

(e) *Contracts with county.* Except as permitted by [section] 946.13, Wisconsin Statutes, no

public official shall, in his or her official capacity, negotiate, bid for, participate in the making of a contract or enter into a contract in which he or she has a private economic interest.

(f) *Use of public property.* No public official shall request or knowingly permit the use of county services or of county-owned vehicles, equipment, materials or property for non-authorized nongovernmental purposes or personal profit, except when such services or uses are available to the general public.

(g) *Incompatible employment.* No public official shall engage in or accept private employment or render service for private interest when such employment or service is in conflict with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of his or her official duties.

(h) *Use and disclosure of confidential information.* No public official shall knowingly use confidential information for actual or anticipated personal gain or for the actual or anticipated gain of any other person. Nor shall a public official, without proper legal authorization, disclose confidential information gathered in the course of public employment to an unauthorized person.

(i) *Influence peddling.* No public official shall use or attempt to use his or her public position to influence or gain unlawful benefits or to influence or gain advantage or privileges for himself or herself or others.

(j) *Personal services.* No public official shall require another public official to perform any private work or private or personal service.

(k) *Issuance of permits.* No public official empowered to issue a discretionary permit under either the state or local laws or regulations shall issue any such permit to himself or herself or to any member of that public official's immediate family without first revealing in writing the request for such permit to that public official's immediate supervisor.

(l) *Conducting private business on county time.* No public official shall engage in his or her private business while he or she is engaged in his or her public duties.
(Ord. No. 147-126, § 1, 1-26-93; Ord. No. 149-111, § 1, 1-24-96)

Sec. 2-12. Action upon conflict of interest or potential conflict of interest.

(a) Any public official who, in the discharge of his or her official duties, is involved in or is about to be involved in any matter that could result in a breach of this code of ethics on his or her part, shall prepare a written statement describing such matter and the nature of the possible breach. This statement shall be delivered to the county clerk for transmittal to the ethics board chairman for the ethics board review and recommendation. In the case of employees, this statement shall be delivered to their department head and in the case of department heads, to the county executive. The public official is to withdraw from further participation in the potential breach involved until such

discussion or determination is made.

(b) Non-county government employment which may be related to the public official's county duties and membership in social, political, fraternal, charitable, or religious organizations is not prohibited. However, it is the responsibility of the public official to ensure that non-county government employment or membership does not conflict or interfere with the complete and proper discharge of his or her duties for the county. Any non-county government employment or membership which could potentially lead to a conflict situation should be discussed with the public official's immediate supervisor or with the ethics board to determine the best means of preventing conflict situations from developing.

(c) If the conflict of interest matter reported by the public official in writing to the department head cannot be resolved at a departmental level through reassignment of specific duties or other means and/or further clarification is needed, the matter shall be referred on behalf of the public official by the department head to the ethics board for an advisory opinion.

(d) It is prima facie evidence of intent to comply with the code of ethics when a public official seeks advice from supervisory personnel and/or from the ethics board on how to resolve a real or potential conflict situation and abides by that advice.

(Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-13. Disclosure of economic interest.

(a) Public officials required to file statement.

1. All elected officials and all public officials whose duties and responsibilities include the evaluating, awarding and executing of contracts for the purchase of supplies, services, materials, and equipment for or on behalf of the county or any board or commission thereof, or for the construction of public works, or for the sale or lease of real estate, are required to file statements of economic interest as set forth in this section. All appointees to any Waukesha County board, committee or commission whose duties and responsibilities include making land use decisions, including land use decisions to grant or deny any petition, application, request or appeal regarding zoning, permits, conditional uses, variances, special exceptions, land divisions or plan amendments, are also required to file a statement of economic interest.
2. Those required to file shall include all elected officials and all public officials in managerial position classifications.¹ In addition, each department head shall prepare a list of all other positions within his or her department, whose duties include those outlined above. These position lists shall be submitted to the ethics board for its determination of which public officials, in addition to those in the managerial level, shall be required to file statements of

¹Managerial positions are listed in the Waukesha County Personnel Policy and Procedures Manual.

economic interest.

3. Each public official required to file a statement under this section shall do so during the month of May of each year, commencing in the first full calendar year following adoption of this code of ethics. Public officials required to file who are hired, and/or assume responsibilities requiring them to file, after April 30 of the calendar year, shall file within thirty (30) work days of assuming such responsibilities. These statements shall be filed with the county clerk.
4. The statements of economic interest are considered public record and shall be open to public inspection. Requests for examination of these statements shall be made in writing to the county clerk. The public official shall be notified of the request for examination of his or her statement of economic interest and shall be supplied with the identity of the requester.

(b) *Content of statement.* The ethics board shall prescribe the format for the filing of the statements of economic interest, which shall include the following:

1. The names and addresses of the public official and all members of his or her immediate family. The inclusion of the addresses of the public official and members of his or her immediate family are optional at the discretion of the public official.
 2. The names of all employers of the public official and spouse.
 3. The nature and source of principal income of the public official and spouse. Specific dollar amounts need not be disclosed.
 4. The address of real property located in the county, other than principal residence, in which the public official or a member of his or her immediate family has a fair market interest in the property exceeding five thousand dollars (\$5,000.00).
 5. The names and addresses of all creditors to whom the public official or member of his or her immediate family is indebted by more than ten thousand dollars (\$10,000.00).
 6. The names of all corporations and other business interests, both profit and nonprofit, in which the public official or members of his or her immediate family hold any office or directorship or own or control, directly or indirectly, more than ten (10) percent of the outstanding stock or more than ten (10) percent of other business ownership.
- (Ord. No. 147-126, § 1, 1-26-93; Ord. No. 165-53, §1, 10-27-10)

Sec. 2-14. Disclosure of legislative interest.

Any public official who has or whose family has a personal or economic interest in any proposed legislation before the county board and who participates in discussion with or gives an official

opinion or recommendation to the county board on that proposed legislation shall make disclosure of the nature and extent of such personal or economic interest to be recorded in the journal of proceedings prior to or during the initial discussion of the particular legislation.
(Ord. No. 147-126, § 1, 1-26-93)

Secs. 2-15 - 2-20. Reserved.

ARTICLE III. ETHICS BOARD

Sec. 2-21. Created.

There is hereby created an ethics board to consist of three (3) members and one (1) alternate. (Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-22. Composition.

The [three (3)] members [and one (1) alternate] of the ethics board shall be residents of the county and shall not be county public officials during the time of their appointment. The members of the ethics board shall be appointed by the county executive and shall be subject to approval by the county board; the corporation counsel shall provide legal advice, secretarial service and assistance to the board.

(Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-23. Terms of members; majority.

(a) The terms of office shall be three (3) years, except that when the initial appointments are made one (1) member shall be appointed for one (1) year, one (1) for two (2) years, and one (1) for three (3) years. The alternate shall serve on the board when one (1) of the members of the board is unavailable [and his term] shall be three (3) years. A chairman of the ethics board shall be elected annually by the members of the board. In the event that a member or alternate leaves the board prior to the completion of his or her term, a new member or alternate shall be appointed in the same manner to serve the balance of the term.

(b) A quorum of the ethics board shall be three (3) members. A majority vote of the board shall be required for any action taken by the board, with the exception that action taken by the board pursuant to a hearing conducted under section 2-27 of this article shall require a unanimous vote. (Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-24. Written rules of procedure.

The ethics board shall develop and promulgate written rules of procedure which shall be filed with the office of the county clerk and which shall be distributed to all candidates for public office and all public officials affected by this code of ethics.

(Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-25. Advisory opinions.

Any public official to whom this code of ethics applies may request from the ethics board an advisory opinion and shall be guided by the opinion rendered. The requesting public official shall have the opportunity to present his or her interpretation of the facts at issue and of the applicability

of provisions of this code of ethics before the advisory decision is made or rendered. The board's deliberations and action upon such requests shall be in meetings not open to the public. Records of the board's opinions, opinion request and investigations of violations shall be closed to public inspection. The board, however, will make such records public with the consent of the individual requesting the advisory opinion. The board may make public a summary of an advisory opinion after making sufficient alterations in the summary to prevent disclosing the identities of individuals and departments involved.

(Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-26. Complaints-Filing and preliminary disposition.

(a) The board shall accept from any identified person a verified complaint in writing which states the name of the public official alleged to have committed a violation of this code of ethics and which shall set forth the particulars thereof. The board shall forward within ten (10) work days a copy of the complaint to the accused public official.

(b) If the board determines that the verified complaint does not allege facts sufficient to constitute a violation of the code of ethics, it shall dismiss the complaint and notify the complainant and the accused.

(c) If the board determines that the verified complaint was brought for harassment purposes, the board shall so state.

(d) If the board determines that the verified complaint alleges facts sufficient to constitute a violation of the code of ethics, it may make an investigation with respect to any alleged violation after notifying the accused public official in writing. Such notice shall state the exact nature and purpose of the investigation, the public official's specific action or activities to be investigated and a statement of the public official's due process rights.

(Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-27. Same-Actions and procedure when probable cause exists.

(a) If after investigation the board finds that probable cause exists for believing the allegations of the complaint, then not later than thirty (30) work days after such finding is made the board shall announce that it will conduct a hearing. The board shall give the complainant and the accused at least twenty (20) work days notice of the hearing date. The hearing shall be closed to the public unless the accused requests that it be opened.

(b) The rules of civil procedure shall apply to such hearings.

(c) All evidence, including certified copies of records and documents which the board considers, shall be fully offered and made part of the record of the case.

- (d) The evidence presented shall be limited to the scope of the charge(s) made in the complaint.
- (e) Every party shall be offered, during all stages of any investigation or proceeding conducted under this code of ethics, adequate opportunity to rebut or offer countervailing evidence.
- (f) The accused or his or her representative shall have an adequate opportunity to examine all documents and records to be used at a hearing under this section at a reasonable time prior to the date of the hearing.
- (g) During the hearing the parties shall have the opportunity to present witnesses, confront and cross-examine adverse witnesses, and establish all pertinent facts.
- (h) The burden of proving the violation(s) alleged in the complaint shall be on the complainant. Violations shall be proved by evidence that is clear, satisfactory, and convincing.
- (i) The board shall keep a record of the hearing. The board shall have the power to compel the attendance of witnesses and to issue subpoenas as granted to other boards and commissions under section 885.01(3), Wisconsin Statutes.
- (j) Within five (5) work days of the conclusion of the hearing, the board shall file its written findings and recommendations signed by all participating board members, together with findings of fact and conclusions of law concerning the propriety of the conduct of the public official. If the board determines that no violation of the code of ethics has occurred, it shall dismiss the complaint, and if requested to do so by the accused, issue a public statement.
- (k) No recommendation of the board becomes effective until twenty (20) work days after it is issued, or while an application for rehearing or a rehearing is pending, expressly or by implication, or the board has announced its final determination on rehearing.
(Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-28. Penalties.

If after investigation and a hearing, the ethics board determines that a violation of the code of ethics has occurred, it shall refer its findings and a recommendation for sanction to the appropriate supervising authority. In the case of a county employee, the referral shall be made to the employee's department head, and in the case of a department head, the referral shall be made to the county executive, and in the case of an elected official, the executive committee for referral to the county board. The recommendation may be private reprimand, public reprimand, denial of merit increase, suspension without pay, discharge or fine (private reprimand, public reprimand and fine will be the only sanctions which apply to elected officials and appointees to boards, commissions, committees and panels) as is appropriate for the category of public official being sanctioned. Any action taken by a public official in violation of this code may be deemed void.
(Ord. No. 147-126, § 1, 1-26-93)

Sec. 2-29. Appeals process.

The accused public official shall have the right to a rehearing with the ethics board upon the service of a decision by the ethics board to the accused public official, and provided a request for rehearing is filed with the board within ten (10) work days of service. Only one (1) rehearing shall be granted by the board for each case. An application for rehearing is governed by such general rules as the board may establish. The rehearing will be done in closed session within thirty (30) work days of the ethics board receiving the application for rehearing. The accused and the complainant will have a minimum of ten (10) work days notice prior to the rehearing date. Both shall have the opportunity to present arguments to the ethics board. The rehearing shall become a matter of record. (Ord. No. 147-126, § 1, 1-26-93)

PUBLIC OFFICIAL

Name (Print): _____ Date: _____

Address: _____ City: _____ State: _____

List Name of Department, if Waukesha County Employee: _____ OR

List Name of Board or Commission: _____

(Use additional forms if more space is required):

IMMEDIATE FAMILY MEMBERS (The Ethics Code defines immediate family as any individual related to a public official as spouse or legal dependent for federal income tax purposes)

Name	Address	Relationship

PUBLIC OFFICIAL'S EMPLOYER(S)

Name	Address	Position Held

SPOUSE'S EMPLOYER(S)

Name	Address	Position Held
Flint Group	14909 N Beck Rd., Plymouth, MI	Sales

PRINCIPAL INCOME SOURCE (PUBLIC OFFICIAL)

Type (Salaries, commissions, interests, maintenance, dividends, etc.)	Source

PRINCIPAL INCOME SOURCE (SPOUSE)

Type (Salaries, commissions, interests, maintenance, dividends, etc.)	Source

As of this filing date do you or an immediate family member hold an interest valued at \$5,000 or more in real property in Waukesha County other than your principal residence?

If no, check here:

If yes, identify the property and nature of interest held:

Location of Real Property (Street or rural route address, zip number, and municipality)	Type of Property (Farm, apartment, commercial property, or recreational home)	Nature of Interest (Own, lease, option, and contract, partnership)

As of this filing date do you or an immediate family member owe, separately or together with another person, to any creditor \$10,000 or more?

If no, check here:

If yes, identify each creditor who is owed \$10,000 or more:

Creditor	Address
Landmark Credit Union	2400 N Grandview Blvd., Waukesha, WI 53188

As of this filing date do you or a member or your immediate family hold an office or directorship of a business or organization other than a charitable, political or non-profit social or community service organization or trust?

If no, check here:

If yes, identify each and every business or organization:

Name of Business or Organization	Location	Position Held

As of this filing date do you or an immediate family member own or control, directly or indirectly, more than 10% of the outstanding stock or more than 10% of other business ownership?

If no, check here:

If yes, identify each business:

Type of stock, bond, mutual fund, business partnership, etc.	Location	Type of Security

By signing this form I certify that the information contained in this Statement of Economic Interest is true, correct and complete to the best of my knowledge, information and belief.

Signature of Person Filing, _____

Date _____

ORDINANCE NO. 2016-12**Ordinance to Create Chapter 28 of the Municipal Code of the Village of Pewaukee
To Establish a Code of Ethics**

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin do ordain as follows:

SECTION I

Chapter 28 of the Municipal Code of the Village of Pewaukee is hereby created to read as follows:

CHAPTER 28 – ETHICS, CODE OF**Sec. 28-1. Declaration of Policy.**

- A. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; government decisions and policy be made in the proper channels of the government structure; public office not be used for personal gain; and the public have confidence in the integrity of its government. In recognize of these goals, there is hereby established a Code of Ethics for all Village officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the Village. The purpose of this Chapter is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Village and by directing disclosures by such officials and employees of private financial or other interests in matters affecting the Village. The Village Board recognizes that the representatives of the Village are drawn from society and therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government; that citizens who serve as Village officials and employees retain their rights as citizens to interest of a personal and economic nature; that the standards of ethical conduct for Village officials and employees need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society and those conflicts which are substantial and material; and the Village officials and employees may need to engage in employment, professional or business activities other than official duties in order to support themselves or their families and to maintain a continuity of professional or business activity or may need to maintain investments, which activities or investments do not conflict with the specific provisions of this Chapter. The provisions and purpose of this Chapter and such rules and regulations

as may be established are hereby declared to be in the best public interest.

- B. It is the intent of the Village Board that, in its operations, the Board of Ethics shall protect to the fullest extent the rights of individuals affected.

Sec. 28-2. Standard of Conduct; Incorporation of Statute.

There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes are made a part of this Chapter and shall apply to public officers and public employees, whenever applicable.

- §946.10 Bribery of public officials and employees
- §946.11 Special privileges from public utilities
- §946.12 Misconduct in public office
- §946.13 Private interest in public contract prohibited

Sec. 28-3. Responsibility of Public Office.

Public officials and employees are agents of public purchase and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of the State of Wisconsin and the State of Wisconsin Public Official Ethics Law, and to carry out impartially the laws of the nation, state and municipality and thus, to foster respect of all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal consideration, recognizing that the public interest must be their primary concern.

Sec. 28-4. Definitions.

As used in this Chapter, the following terms shall have the means indicated:

ANYTHING OF VALUE or THING OF VALUE

Any money or property, favor, service, payment, advance, forbearance, loan or promise of future employment, but does not include compensation and expenses paid by the state, fees, honorariums and expenses which are permitted and reported under §19.56, Wis. Stats., and political contributions which are reported under Chapter 11, Wis. Stats.

EMPLOYEE

Includes all full-time and part-time employees of the Village.

FINANCIAL INTEREST

Any interest which shall yield, directly or indirectly, a monetary or other material benefit to the official or employee or to any person employing or retaining service of the official or employee.

IMMEDIATE FAMILY

Spouse and children living at home.

PERSONS

Any person, corporation, partnership or corporate venture.

PUBLIC OFFICIAL

Includes all of those officers set forth in §61.24, §61.25, §61.26, §61.261, §61.27, §61.31 and §61.32 of the Village Code, as well as all department heads, but shall not include the Municipal Judge and Village Attorney, who are already subject to stringent codes of professional responsibility and ethics. If the Weed Commissioner is a full-time Village employee, the Ethics Code shall not apply to such Village employee only to the extent of his serving as the Weed Commissioner, but shall apply to such employee in all other respects. Public official shall not include any individual, his company, firm or business or any of its employees or members whose relationship with the Village is created by contract.

SEASONAL EMPLOYEE

Employees hired to work a specific period of time or to work on a specific project or program with employment to terminate upon completion of project or program.

Sec. 28-5. Conflicts of Interest.

- A. Asking for or receiving anything of value. No official or employee shall ask for or accept anything from any source which may tend to impair his independence of judgment or action in the performance of his official duties. If an official or an employee receives anything from an unknown or anonymous source and has a question as to its appropriateness, the official or employee shall request an advisory opinion from the Ethics Board pursuant to §28.7B of this Chapter so as to avoid the appearance of impropriety. It is not a conflict of interest for any public employee or public official to receive from an individual person a gift or gratuity that is an unsolicited item or items.
- B. Engaging in certain business or transaction when incompatible with discharge of duties. No public official or employee shall engage in any business or transaction or shall act in regard to any financial interest, direct or indirect, which is incompatible with the proper discharge of his official duties for the benefit of the public, contrary to the provisions of this Chapter or which tend to impair his independence of judgment or action in the performance of his official duties. This subsection is not intended to interfere with public officials or employees having duties or employment in addition to those related to the Village, provided those duties or employment do not cause violations of this Chapter.
- C. Engaging in or accepting private employment when incompatible with discharge of duties. No public official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence or judgment or action in the performance of this official duties unless otherwise permitted by law, unless disclosure is made as hereinafter provided.
- D. Entering into contract with the Village. No public official or employee and no

business in which a Village official or employee holds a ten (10%) percent or greater interest may enter into a contract with the Village. Unpaid members of Village boards and commissions may enter into a contract or contracts with the Village involving a payment or payments of not more than \$3,000.00 within a twelve-month period if such board or commission member has first made a written disclosure of the nature and extent of such proposed contract to the board and the department acting for the Village in regard to such proposed contract or contracts. This Section does not affect the application of §946.13, Wis. Status.

- E. Disclosing confidential information. No official or employee shall disclose confidential information concerning the property, government or affairs of the Village nor shall he use such information to advance the financial or other private interest of himself or any other person.
- F. Disclosure of interest.
 - (1) In legislation. Any member of the Village Board who has a financial interest in any proposed legislation before the Village Board shall disclose on the records of the Village Board the nature and extent of such interest prior to or during the initial discussion on such legislation. Mere status as a taxpayer shall not be considered "financial interest". Any other official or employee who has a financial interest in any proposed legislative action of the Village Board and who participates in discussion with or gives an official opinion or recommendation to the Village Board shall disclose, on the records of the Village Board, the nature and extent of such interest.
- G. All public officials, Village employees and citizen member of boards and commission shall file with the Village Administrator the Code of Ethics Statement which is incorporated by reference. Public officials and citizen members will complete the form within sixty (60) days of appointment or election, and thereafter upon reappointment or reelection. All Village employees will complete the form within two (2) weeks of their employment.

Sec. 28-6. Creation of Ethics Board; Qualifications; Membership.

- A. There is hereby created an Ethics Board consisting of three (3) members and one (1) alternate, all of whom shall serve without compensation. The members of the Board of Ethics shall be residents of the Village and shall not be elected officials, full-time appointed officials, Village employees nor shall they be currently serving on any other Village board, committee or commission. The Village Attorney shall furnish the Board whatever legal assistance necessary in carrying out its functions. Terms of office shall be three (3) years, except that when the initial appointments are made, one member shall be appointed for one (1) year, one member shall be appointed for two (2) years, and one for three (3) years. The alternate shall serve on the Board when one of the members of the Board is unavailable. The term of the alternate shall be for three (3) years. The Ethics Board shall elect its own Chairman.

- B. Each member shall be appointed by the Village President subject to confirmation by the Village Board. The initial appointments shall be for staggered terms; one person with a single year term, one person with a two year term and a third person with a three year term. The alternate shall be appointed for a three year term as well.

Section 28-7. Duties of Ethics Board.

- A. The Ethics Board may adopt and develop written rules which shall be submitted to the Village Board for approval. A copy of such rules shall be filed with the Village Clerk. The Ethics Board shall select one of its members as Chairman and a Secretary who need not be a member.
- B. Any person to whom this Chapter applies may apply to the Ethics Board for an advisory opinion and shall be guided by the opinion rendered. Such person shall have the opportunity to present his interpretation of the facts at issue and of the applicability of provisions of this Chapter before the advisory decision is rendered. The Board's deliberations and action upon such applications shall be in meetings not open to the public. Records of the Board's opinions, opinion requests and investigations of violations shall be closed to public inspection. The Board, however, may choose to make such records public, but only with the consent of the individual requesting the advisory opinion.
- C. The Board shall investigate any complaint properly filed with it.
- D. The Board shall accept from any person or make upon its own motion a verified complaint, in writing, which shall state the name of the official or employee alleged to have committed a violation of this Chapter and which shall set forth the particulars thereof. The Board shall forward within ten (10) days a copy of the complaint to the official or employee who is accused. If no action on the verified complaint is taken by the Board within sixty (60) days, the complaint shall be void.
- E. Following the receipt or motion of a verified complaint, the Board may make preliminary investigations with respect to alleged violation of this Chapter. No preliminary investigation of the activities of any official or employee may be initiated, unless such official or employee is notified, in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific actions or activities to be investigated and a statement of such person's due process rights including, but not limited to, the right to appear before the Board to fairly, but concisely, respond to the results of the preliminary investigation.
- F. If after such investigation the Board finds that probable cause exists for believing the allegations of the complaint, it shall conduct a hearing on the matter which shall be held not more than thirty (30) days after such finding. The Board shall give the accused at least twenty (20) days' notice of the hearing date. Such hearings shall be at open session, unless the accused petitions for a hearing closed to the public. The rules of criminal evidence shall apply to such hearings. All evidence, including certified copies of records and documents which the Board considers, shall be fully

offered and made part of the record in the case. Every party shall be afforded adequate opportunity to rebut or offer countervailing evidence.

- G. During all stages of any investigation or proceeding conducted under this subsection, the accused or any person whose activities are under investigation shall be entitled to be represented by counsel of his own choosing.
- H. The accused or his representatives shall have an adequate opportunity to examine all documents and records to be used at the hearing under Subsection F at a reasonable time before the date of the hearing, as well as during the hearing, to bring witnesses, establish all pertinent facts and circumstances and question or refute any testimony or evidence, including opportunity to confront and cross-examine adverse witnesses.
- I. The Board shall have the power to compel the attendance of witnesses and to issue subpoenas granted other boards and commissions under 885.01(1), Wis. Stats.
- J. Upon conclusion of the hearing, the Board shall file its decision within five (5) days, in writing, signed by all participating Board members with findings of fact, conclusion of law concerning the propriety of the conduct of the official or employee, if appropriate, refer to the matter to the Village Board, Civil Service Commission or other proper authority for its consideration.
- K. The affirmative vote of the Board shall be required for any action taken by the Board, with the exception that action taken by the Board pursuant to a hearing conducted under Subsection F shall require a unanimous vote of all those voting.

Sec. 28-8. Applicability of Code.

This Code shall be operative in all instances covered by its provisions, except as follows:

- A. All employees of the Village Police Department shall be governed by the Department's Code of Conduct as set established by the Chief, as well as any rules and regulations as set forth by the Village Police Commission when more restrictive than the Code.
- B. When superseded by an applicable statutory provision and statutory action is mandatory, or when the application of a statutory provision is discretionary, but determined by the Ethics Board to be more appropriate or desirable.

SECTION II

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. Any Charter provision or any previously enacted Ordinance or Charter Ordinance inconsistent or in conflict hereby to that extent repealed.

SECTION III

The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the Ordinance.

Passed and adopted this _____ day of _____ 2016 by the Village Board of the Village of Pewaukee.

APPROVED:

Jeff Knutson, Village of Pewaukee President

Countersigned:

Chaz Schumacher, Village of Pewaukee Clerk

DRAFT

ETHICS BOARD - RULES OF PROCEDURE

VILLAGE OF PEWAUKEE

1.01 Ethics Board. The Ethics Board is created by Section 28 of the Municipal Code of the Village of Pewaukee and has the authority to administer the Code of Ethics for officials, employees and others as described in Section 28-7 of the Village Code. It consists of three (3) appointed members and an alternate member serving when one of the members of the Board is unavailable.

1.02 Officers. At the initial meeting, and thereafter the annual meeting, in the month of May each year, the Board shall elect, by majority vote of its members, a Chairman and Secretary. The Chairman shall be a member of the Board and the Secretary need not be a member. They shall hold office until the next annual meeting.

1.03 Regular Meetings. The regular meetings of the Ethics Board shall be held when the need arises in the Village Hall in the room designated in the Agenda. The meetings may be held on the call of the Chairman or any two (2) Board members. Notice shall be given at least twenty-four (24) hours in advance of each meeting. The notice shall set forth the date, time, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereafter.

1.04 Agenda. The Agenda of the items of business for each meeting shall be prepared by the Chairman and notice published by the Secretary.

1.05 Quorum. Three (3) members of the Board shall constitute a quorum. The alternate member of the Ethics Board shall be considered in making a determination whether the Board has a quorum.

1.06 Voting. A majority vote of the Board shall be necessary to pass any motion with the exception that Findings of Fact and Conclusions of Law made by the Board at a hearing conducted under Section 28-7(F) of the Village Code shall require the unanimous vote of the Board. The Secretary shall record all votes.

1.07 Minutes. The Secretary shall keep minutes of all meetings. The Board shall direct the obtaining of a Court Reporter for any hearing conducted under Section 28-7(F) of the Code.

1.08 Records. The Secretary shall be the custodian of the records of meetings of the Board. Financial and all other records shall be kept in a locked file cabinet in the office of the Village Clerk with access limited to members of the Ethics Board.

1.09 Access to Records.

A. Advisory Opinions. Records of the Board's Opinions, opinion requests and investigations of violations shall be closed to public inspection. The Board, however, may make such records public with the consent of the individual requesting the advisory opinion. If an individual who has received a written opinion from the Ethics Board publishes or discloses any

ETHICS BOARD - RULES OF PROCEDURE

VILLAGE OF PEWAUKEE

portion of the opinion, he or she shall have waived all confidentiality regarding the request, opinion, deliberations and all actions taken by the Board, and shall be deemed to have given the Board's consent to release otherwise confidential records. Upon issuing the advisory opinion, the Board shall inform the individual, in writing, of the waiver of confidentiality regarding the above records.

B. Records of Hearings. Certified copies, records and documents of a closed hearing conducted by the Board shall not be available to the public unless the accused requests release to the public.

2.01 Investigation.

A. If the Board receives a verified complaint, directs a formal investigation or makes a formal complaint on its own motion, the Board will conduct a preliminary investigation. The Board shall have access to the Police Department, Office of the Village Attorney and other investigative gathering services in order to conduct its investigations. Such investigative gathering service shall file a written report with the Board, a copy of which shall be provided to the public official or employee upon request.

B. The investigation shall proceed only after written notice is given to the public official or employee or other person subject to the Ethics Code within ten (10) days of the Board formally accepting the verified complaint, the Board making a formal complaint on its own motion or the Board directing a formal investigation. The notice shall contain the exact nature and purpose of the investigation, the individual's specific actions or activities to be investigated, a statement of such person's due process rights and a copy of the verified complaint to the officer or employee or other person subject to the Ethics Code shall be forwarded to such person.

C. If, following the investigation, the Board determines there is not probable cause to believe a violation of the Ethics Code has occurred, the Board will dismiss the complaint. A copy of the determination shall be delivered to the public official or employee or other person subject to the Ethics Code upon the Board filing its determination.

D. If, after such investigation, the Board finds that probable cause exists that a violation of the Ethics Code has occurred, the Board shall then conduct a hearing on the matter which shall be held not more than thirty (30) days after such finding. The Board shall give the public official or employee or other person subject to the Ethics Code at least twenty (20) days notice of the hearing date.

2.02 Hearing. Upon determination by the Board to hold a hearing, it shall set the day, time and place of the hearing and direct the Secretary to give written notice to the public official or employee or other person subject to the Ethics Code. Within ten (10) days of receipt of notice, the public official, employee or other person subject to the Ethics Code may obtain a continuation to a later hearing date but not more than thirty (30) days after the initial date set for hearing on the notice.

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2.03 Conduct of Hearing.

A. The hearing shall be open to the public unless the accused petitions for a hearing closed to the public, at which time the Board shall consider the factors contained in the open meetings laws, making its determination whether or not to close the hearing to the public. The Chairman of the Board shall preside at the hearing and all appearances shall be noted.

B. A transcript of the hearing shall be taken and prepared by a court reporter. The original transcript shall be paid for by the Village. Any additional copies shall be paid by the party requesting the same.

C. The Chairman shall read the verified complaint unless waived and the complainant shall be entitled to representation by counsel.

D. The Village Attorney shall be available to furnish the Board with whatever legal assistance is necessary in carrying out its functions. If the Board determines that counsel is needed to present the complaint, it shall arrange for counsel other than that of the Village Attorney, the expense of which shall be borne by the Village.

E. Opening and closing statements may be made by the parties or their attorney.

F. As the burden shall be upon the Village to prove a violation of the Code, the Village shall present its case to the Board first.

2.04 Witnesses.

A. The testimony of all witnesses shall be under oath.

B. The appearance of witnesses may be compelled by subpoenas issued by the Chairman of the Ethics Board.

C. Witnesses subpoenaed by the Board shall be entitled to payment of witness fees and mileage by the Village.

D. Each party shall have the right to cross-examine and impeach witnesses.

E. The Board shall have the right to examine any witness called to testify before the Board.

2.05 Rules of Evidence.

A. The Chairman may make all rulings on procedures and evidence. A ruling challenged by a Board member shall be finally determined by majority vote of the Board.

ETHICS BOARD - RULES OF PROCEDURE

VILLAGE OF PEWAUKEE

B. In making its determination, the Board shall consider only such evidence as is admissible under the evidentiary statutes of the State of Wisconsin.

2.06 Determination. Upon conclusion of the hearing and the Board's deliberation, the Board shall file its decision within five (5) days, in writing signed by all participating Board members, with Findings of Fact, Conclusions of Law and a Final Determination concerning the propriety of the conduct of the officer, employee or other person subject to the Ethics Code and, if appropriate, refer the matter to the Village Board or other proper authority with a recommendation for suspension, removal from office or employment or other disciplinary action.

3.01 Advisory Opinion.

A. Upon the written request of a public official, employee or other person subject to the Ethics Code, the Board will furnish an advisory opinion, in writing, regarding the application of the Code of Ethics to that public official, employee or other person subject to the Ethics Code.

B. The request shall contain a full statement of the pertinent facts and may contain the application of the Code of Ethics understood by the public official, employee or other person subject to the Ethics Code.

C. The request shall be filed with the Chairman or Secretary and placed on the next Board Agenda. The Board shall decide whether to prepare an opinion or request additional information in writing.

D. The Board's deliberations and actions on advisory opinions shall be in meetings not open to the public.

E. The Board shall direct the preparation of the advisory opinion by a member of the Board, the Village Attorney or Secretary and the final opinion shall be approved by the Board. Prior to the Board rendering an advisory opinion, the person who applies to the Ethics Board for an advisory opinion may, within twenty (20) days of submitting said application, request an opportunity to present his or her interpretation of the facts at issue and of the applicability of the provisions of the Code. The Board reserves the right to request the presence of the applicant to answer questions.

F. A Board member may dissent in writing from a Board advisory opinion.

G. Advisory opinions, opinion requests and records of investigations of alleged violations shall be closed to public inspection, except when requested by the individuals involved.

H. If an advisory opinion is given to a public official and that public official is later determined by the Board after a hearing to have violated the Code of Ethics in respect to this subject matter of the advisory opinion, the Board will then consider the advisory opinion in making its recommendation to the Village Board or other proper authority.

ETHICS BOARD - RULES OF PROCEDURE

VILLAGE OF PEWAUKEE

4.01 Amendment of Rules. These Rules shall not be changed, amended or repealed unless the amendment is introduced, in writing, at a regular meeting and the same laid over for consideration at the next regular meeting subsequently scheduled.

4.02 Roberts' Rules of Order. The Rules of parliamentary rules of order shall govern the proceedings of the Board in all cases to which they are applicable, if not inconsistent with any special rule adopted for the government of the Board or contrary to the laws of the State of Wisconsin.

Adopted by the Board of Ethics of the Village of Pewaukee on the _____ day of _____, 2016.

Chairman

ATTEST:

Secretary

The foregoing Rules were adopted by Motion of the Village Board of the Village of Pewaukee on the _____ day of _____, 2016.

Jeff Knutson, Village President

ATTEST:

Chaz Schumacher, Village Clerk



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: July 28, 2016

Re: Agenda Item 5a, Discussion and Possible Action on Village Code of Conduct

BACKGROUND

This matter is on the agenda at the request of President Knutson. Attached please find an updated copy of the Code of Conduct mirroring the City of Green Bay document revised to reference the Village of Pewaukee as requested at the last Village Board meeting.

ACTION REQUESTED

The action requested of the Village Board is to provide direction on this matter.

VILLAGE OF PEWAUKEE.
WISCONSIN CODE OF CONDUCT
FOR ELECTED OFFICIALS

DRAFT

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CODE OF CONDUCT FOR ELECTED OFFICIALS

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SECTION 1: The Village of Pewaukee Code of Conduct

It is the policy of the Village of Pewaukee to uphold, promote, and demand the highest standards of ethics from its elected officials. Accordingly, members of the Village Board and President shall maintain the utmost standards of personal integrity, trustfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants, comply with all applicable laws, and never use their Village position or authority improperly or for personal gain.

The Village of Pewaukee and its elected officials share a commitment to ethical conduct and service to the Village of Pewaukee. This Code has been created to ensure that all officials have clear guidelines for carrying out their responsibilities in their relationships with each other, with the Village staff, with the citizens of Pewaukee, and with all other private and governmental entities.

SECTION 2: Elected Official Conduct with One Another

The Village Board and President (hereinafter the "Board") have a responsibility to set the policies for the Village. In doing so, certain types of conduct are beneficial while others are destructive. The Board has the responsibility to take the high road on Intra-Board conduct and to treat other Board members as they would like to be treated.

The Board is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all choose to serve in public office and, therefore, have the obligation to preserve and protect the well-being of the community and its citizens. In all cases, this common goal should be acknowledged, and the Board must recognize that certain behavior is counterproductive, while other behavior will lead to success.

A. Use Formal Titles

The Board shall try to refer to one another formally during public meetings as President or Trustee followed by the individual's last name.

B. Use Civility and Decorum in Discussions and Debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of free democracy in action. Every Board member has the right to an individual opinion, which should be respected by the other Board members. Board members shall not be hostile, degrading, or defamatory when debating a contentious issue. Board members should assume the other members of the Board have the appropriate motives and interest of the public in mind and should not criticize differing opinions because they believe them to be lacking in judgment or improperly motivated.

However, this does not allow Board members to make belligerent, impertinent, slanderous, threatening, abusive, or personally disparaging comments in public meetings or during individual

encounters. Shouting or physical actions that could be construed as threatening or demeaning will not be accepted. If a Board member is personally offended by the remarks of another Board member, the offended member should make a note of the actual words used and call for a "point of personal privilege" that challenges the other Board member to justify or apologize for the language used.

C. Honor the Role of the Chair in Maintaining Order

It is the responsibility of the President, as Chair of the Board, to keep the comments of Board members on track during Board meetings. Board members should honor efforts by the President to focus discussion on current agenda items. If there is disagreement about the agenda or the President's actions, those objections should be voiced politely and with reason, following commonly recognized parliamentary procedure. Likewise, the same responsibilities vested in the President for Board meetings, are vested in the Committee Chair for Committee meetings.

SECTION 3: Elected Official Conduct with Village Staff

Governance of the Village relies on the cooperative efforts of elected officials who set policy and the Village staff who implement and administer the Board's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each other for the good of the community.

A. Treat all Staff as Professionals

Board members should treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior toward staff is not acceptable. Board members should refer to staff by their title followed by the individual's last name in public meetings when first introduced.

B. Never Publicly Demean or Personally Attack an Individual Employee

Board members shall never demean or personally attack an employee regarding the employee's job performance in public. All employee performance issues shall be forwarded to the employee's supervisor or the Village Attorney through private correspondence or conversation.

C. Do not Supersede Administrative Authority

Unless otherwise provided in this Code, neither the Board, nor any of its members, shall attempt to supersede the administration's powers and duties. Neither the Board nor any member thereof shall give orders to any subordinate of the Department Heads, either publicly or privately. Board members shall not attempt to unethically influence or coerce Village staff concerning either their actions or recommendations to Board about personnel, purchasing, awarding contracts, selection of consultants, processing of development applications, or the granting of Village licenses and permits.

Nothing in this section shall be construed, however, as prohibiting the Board while in open session from fully and freely discussing with or suggesting to the Department Heads anything pertaining to Village affairs or the interests of the Village.

D. Do not Solicit Political Support from Staff

Board members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, collection of petition signatures, etc.) from Village staff. Village staff may, as private citizens within their constitutional rights, support political candidates, but all such activities must be done away from the workplace. Photographs of uniformed Village employees shall not be used in political ads.

SECTION 4: Elected Official Conduct Towards the Public

In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice, or disrespect should be evident on the part of individual Board members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony. The Board members are expected to demonstrate, both publicly and privately, their honesty and integrity, and to be an example of appropriate and ethical conduct. All Board members should convey to the public their respect and appreciation for the public's participation, input, and opinions.

A. Be welcoming to Speakers and Treat them with Care and Respect

For many citizens, speaking in front of Board is a new and difficult experience. Under such circumstances, many are nervous. Board members are expected to treat citizens with care and respect during public hearings. Board members should commit full attention to the speakers or any materials relevant to the topic at hand. Comments and non-verbal expressions should be appropriate, respectful, and professional.

B. Be Fair and Equitable in Allocating Public Hearing Time to Individual Speakers

The President will determine and announce time limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated five minutes, with applicants and appellants or their designated representative allowed more time. If many speakers are anticipated, the President may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

Each speaker may only speak once during the public hearing unless the Board requests additional clarification later in the process. After the close of the public hearing, no additional public testimony will be accepted unless the Board reopens the public hearing for a limited and specific purpose.

C. Ask for Clarification, but Avoid Debate and Argument with the Public

Only the President, not other Board members, should interrupt a speaker during a presentation. However, other Board members may ask the President for a point of order if the speaker is off the

topic or exhibiting behavior or language the Board member finds disturbing. Questions directed by Board members to members of the public testifying should seek to clarify or expand information, not to criticize or debate.

D. Follow Parliamentary Procedure in Conducting Public Meetings

The Village Attorney serves as advisory parliamentarian for the Village and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the President or Committee Chair, subject to the appeal of the full Board or Committee per Roberts Rules of Order.

Outside Public Meetings

E. Make no Promise on Behalf of the Village or Board in Unofficial Settings.

Board members will frequently be asked to explain a Board action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Village policy and to refer to Village staff for further information. Overt or implicit promises of specific Board action or promises that Village staff will take some specific actions shall be avoided.

Board members must ensure that in expressing their own opinions they do not mislead any listener into believing that their individual opinion is that of the entire Board, unless the Board has taken a vote on that issue and the Board member's opinion is the same as the decision made by the Board. Likewise, no Board member should state in writing that Board member's position in a way that implies it is the position of the entire Village Board. A Board member has the right to state a personal opinion, and has the right to indicate that he/she is stating such as a member of the Board, but must always clarify that he/she is not speaking on behalf of the Village or the Board unless authorized by the Board to do so.

SECTION 5: Elected Official Conduct with Public Agencies

A. Be Clear about Representing the Village or Personal Interests

If a Board member appears before another governmental agency or organization to give a statement on an issue, the Board member must clearly state whether his or her statement reflects personal opinion or is the official stance of the Village.

Board members must inform the Board of their involvement in an outside organization if that organization is or may become involved in any issue within the Village's jurisdiction. If an individual Board member publicly represents or speaks on behalf of another organization whose position differs from the Village's official position on any issue, the Board member must clearly communicate the organization upon whose behalf they are speaking and must withdraw from voting as a Board member upon any action that has bearing upon the conflicting issue.

B. Representation of the Village on Intergovernmental Commissions and Other Outside Entities Board members serving on committees or boards as a Village representative for outside entities or agencies shall properly communicate with other Board members on issues pertinent to the Village.

SECTION 6: Elected Official Conduct with Boards and Commissions

A. Limit Contact with Board and Commission Members to Questions of Clarification

Board members shall not contact a Board or Commission member to lobby on behalf of an individual, business, or developer for personal gain. Board members may contact Board or Commission members in order to clarify a position taken by the Board or Commission or a member thereof. Board members may respond to inquiries from Board and Commission members. Communications should be for information only.

B. Attendance at Board or Commission Meetings

Board members may attend any Board or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation is viewed, especially if it is on behalf of an individual, business, or developer, which could be perceived as unfairly affecting the process.

C. Be respectful of Diverse Opinions

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Board with advice based on a full spectrum of concerns and perspectives. Board members must be fair and respectful to all citizens serving on Boards and Commissions.

SECTION 7: Elected Official Conduct with the Media

A. Expression of Positions on Issue

When communicating with the media, Board members should clearly differentiate between personal opinions and the official position of the Village. Each Board member represents one vote of twelve and until a vote on any issue is taken, Board members' positions are merely their own.

B. Discussions Regarding Village Staff

Board members should not discuss personnel issues or other matters regarding individual Village staff in the media. Any issues pertaining to Village staff should only be addressed directly to the Department Head or Village Attorney.

SECTION 8: Enforcement of this Code of Conduct

A. Filing of Complaints

Any person who believes a Elected official, in his/her official capaVillage, has violated a requirement, prohibition, or guideline set out herein may file a sworn complaint with the Village Clerk identifying (1) the complainant's name, address and contact information; (2) the name and position of the Village official who is the subject of the complaint; (3) the nature of the alleged violation, including the specific provision of the Code allegedly violated, and (4) a statement of facts constituting the alleged violation and the dates on which, or period of time during which, the alleged violation occurred.

Attached to the complaint the person making the complaint shall provide all documents or other materials in the complainant's possession that are relevant to the allegation, a list of all documents or other materials relevant to the allegation that are available to the complainant but not in the complainant's possession, and a list of all other documents or other materials relevant to the allegation but unavailable to the complainant, including the location of the documents if known, and a list of witnesses, what they may know, and information to contact those witnesses.

The complaint shall include an affidavit at the end of the complaint stating that the "information contained in the complaint is true and correct, or that the complainant has good reason to believe and does believe that the facts alleged are true and correct and that they constitute a violation of the Code." If the complaint is based on information and belief, the complaint shall identify the basis of the information and belief, including all sources, contact information for those sources, and how and when the information and/or belief was conveyed to the complainant by those sources. The complainant shall swear to the facts by oath before a notary public, or before the Village Clerk. The notary public or Village Clerk shall verify the signature.

If a complaint filing is determined to be complete by the Village Clerk, the Village Clerk shall forward the matter to the Ethics Board. If the complaint filing is determined incomplete, the Village Clerk shall notify the complainant of the deficiency.

B. Time for Filing

A complaint under the Code must be filed no later than one year from the date of discovery of the alleged violation. However, anyone having information on which a complaint is based is encouraged to file the complaint as soon as the information is obtained so that immediate action may be taken by the Board or the appropriate staff member or agency. The delay in filing a complaint may be considered in determining the sanction to be imposed.

C. False or Frivolous Complaints

A person who knowingly makes a false, misleading, or unsubstantiated statement in a complaint is subject to criminal prosecution for perjury and possible civil liability. If, after reviewing a complaint, it is determined that a sworn complaint is groundless and appears to have been filed in bad faith or for the purpose of harassment, or that intentionally false or malicious information has been provided under penalty of perjury. A Village official who seeks to take civil action regarding any such complaint shall do so at his or her expense.

D. Complaint Procedure

- (1) Hearing on Complaint- If the Village Clerk determines that the complaint is complete he/she shall forward it to the Ethics Board to set a hearing to investigate the allegations within 45 days after filing of the complaint. The Ethics Board shall issue a summons signed by the Village Clerk, commanding the individual so complained of to appear before the Ethics Board on a day and at a place named in such summons and show cause as to why the individual should not be subject to penalties and sanctions. Such summons shall be served at least seven days before the time in

which such person is commanded to appear, and shall include the complaint and any supporting documentation.

- (2) Failure to Respond to Summons- If the individual charged does not appear as required by the summons, the Ethics Board may consider such failure to appear in its recommendation to Board. The Board may subsequently consider such failure to appear in its decision to issue penalties or sanctions.
- (3) Parties Counsel- If the person charged appears as required by the summons and denies the complaint; both the complainant and the person charged may produce witnesses, cross-examine witnesses, and be represented by counsel. The person charged shall be provided a written transcript of the hearing at his or her expense.
- (4) Recommendations- At the conclusion of the evidentiary hearing, the Ethics Board, following deliberation in open or executive session, shall submit a report to the Board, including findings of fact, conclusions of law, and a recommendation as to what action, if any, the Board should take into account with respect to the individual charged. The Ethics Board shall provide the complainant and the individual charged with a copy of the report. Either the complainant or the person charged may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Board.
- (5) Board Action- The Board shall determine whether the arguments shall be presented orally, in writing, or both. The Board shall consider and take action on the recommendation of the Ethics Board within 60 days after the Ethics Board adjourns the hearing. Upon review of the report and following a discussion, if the Board, by motion, concludes that there is a violation of the Code, the Board may impose a sanction or penalty. The Board may adopt, reject, or modify the recommendation made by the Ethics Board. In resolving the complaint, the totality of the circumstances shall be taken into consideration, including the intent of the person accused of the wrongdoing.
- (6) Penalties and Sanctions Policy - It is the intent of the Board to educate and, when necessary, discipline Board members who violate this Code. Discipline shall be progressive, from the least punitive to the most punitive measures, unless the Board believes that the progressive discipline does not provide the appropriate sanction because of the gravity of the offense, or because the Board does not believe the sanction would deter future misconduct. In all instances, the totality of the circumstances shall be taken into consideration in resolving the matter, including the intent of the one accused of wrongdoing.
- (7) Possible Penalties and Sanctions- Possible sanctions may include:
 - a. An informal censure by the Board, which would only be made as part of a motion in a public meeting. [GBMC 2.06(1)]
 - b. A formal censure by the Board, which would be made by motion in a public meeting and then published in the Village newspaper. [GBMC 2.06(1)]
 - c. Mandatory community service. [Wis. Stat. 62.11(3)(e)]
 - d. Attendance at counseling or mediation sessions. [Wis. Stat. 62.11(3)(e)]
 - e. Imposition of a dollar fine of up to \$500.00. [Wis. Stat. 62.11(3)(a) & (c)]

f. Any other sanction available by law.

The imposition of any of these penalties or sanctions will require an affirmative vote of 3/4 of the Board, other than an informal or formal censure which shall only require a majority vote of the Board. A violation of the penalties imposed by Board may constitute grounds for removal from office under Wisconsin Statute §17.12(1)(a).

(8) Notice- The municipal clerk shall give notice of the Board's decision to the person charged.

DRAFT



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: July 29, 2016

Re: Agenda Item *6a*, Discussion and Possible Action on Laimon Family Lakeside Park parking lot patching contract

BACKGROUND

The Joint Park & Recreation Board reviewed a proposal to patch the parking lot at Laimon Family Lakeside Park to address short term concerns regarding the condition of the parking lot. At its July 13, 2016 meeting, the Joint Board reviewed and recommended approval of patching the parking lot in an amount not to exceed \$8,000, using the attached proposal as a reference point. The funds for the work are recommended to come from the donation account, currently has a balance of \$77,183.68.

ACTION REQUESTED

The action requested of the Village Board by the Joint Park & Recreation Board is to approve the proposal from Parking Lot Maintenance, Inc. in an amount not to exceed \$8,000.

Attachment



PAVING AND CONCRETE

Parking Lot Maintenance, Inc.

PARKING LOT MAINTENANCE, INC.

W225 N3178 DUPLAINVILLE ROAD
PEWAUKEE, WISCONSIN 53072

Phone: (262) 691-3964
Fax: (262) 691-4811
www.PLMPaving.com

PROPOSAL DATE:

6/27/2016

PROPOSAL #:
1913903-73242

Table with 2 columns: Proposal Submitted To, Work To Be Performed At. Rows include Company, Name, Street, City, State, Zip, Telephone Number, Fax, and Cell.

PROCEDURE TO MILL AND PAVE 7 AREAS OF DETERIORATED ASPHALT.

- 1. Mill each area 1.5" in depth.
2. Sweep and clean areas to be asphalted.
3. Apply tack coat (glue) over entire area to be paved for proper bond of new pavement to old.
4. Machine lay hot mix asphalt to a compacted depth of 1.5".

Thank you for the opportunity to quote on this project.

TERMS NET 30 DAYS

For the sum of \$7,980.00

NOTE: PRICE IS VALID FOR A PERIOD OF 20 DAYS.
Any credit card payments will be charged a 3% markup.
All permits and architectural drawings by others.

Work will stop if payments are not received per this schedule: 25% at time of execution of proposal and 75% net 10 days. PLM IS NOT RESPONSIBLE FOR PAVEMENT BREAKAGE DUE TO NORMAL CONSTRUCTION TRAFFIC.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. Parking Lot Maintenance, Inc. is authorized to do the work specified. Payments will be made as outlined above. This Proposal is also subject to the Terms & Conditions on the reverse side hereof.

Contractor Signature Tom Opie Owner Signature:
Printed Name: Tom Opie Printed Full Legal Name:
Signed This Date: Signed This Date:

"Quality Paving & Protective Coatings"

Customer Copy

Upon Owner's written acceptance of this proposal, the Owner accepts the project specifications and materials set forth herein. No other terms and conditions, or amendment to these terms and conditions, shall be enforceable unless set forth in writing and signed by all parties. Any refusal by the Owner to proceed with the project after acceptance of the proposal shall be deemed a material breach of this contract and Owner agrees to the recovery of damages incurred by Parking Lot Maintenance, Inc ("PLM") and/or its subcontractors for all lost profit and costs, including all planning, design, preparation and materials identifiable to the contract.

All permits are the Owner's responsibility prior to the commencement of the project unless PLM has specified otherwise in writing. If PLM is unable to start or complete the proposed project due to obstructions (eg. vehicles) or other actions of the Owner, the Owner shall be responsible for all costs associated with removing the obstruction or correcting the cause, plus 30% to cover PLM's overhead and profit.

All material will be as specified. All work will be performed in a workmanlike manner in accordance with industry standards. PLM does not guarantee the project from cracking, whether original installation or resurfacing, and Owner understands that cracking is likely to occur. PLM is not responsible for filling cracks in existing deteriorated (alligatored) areas unless otherwise specified in writing. PLM shall not be responsible to Owner for any damages of any nature for Owner specified grades of less than 1% or Owner's failure to backfill edges of paved areas. All labor performed and material provided is conclusively accepted as satisfactory unless PLM is notified otherwise in writing within 5 days after the project is completed.

In the event underlying concrete, wood, other materials or unusual subsoil conditions are discovered during excavation on the job, Owner recognizes that this will result in an additional charge. Any additional material or labor required to complete any portion of the proposed project outside the scope of the specifications through no fault of PLM shall result in an additional charge and PLM may, at its option, cease performing work at the project until the Owner shall agree to the changes and charges in writing. PLM shall not be responsible for any delays in completion of the project as a result of additional work or the Owner withholding approval of additional work.

EXCLUSION OF CONSEQUENTIAL DAMAGES AND DISCLAIMER OF OTHER LIABILITY. PLM's liability with respect to any breach of this Contract or any breach of any warranty that would be found to exist shall not exceed the contract price. **PLM SHALL NOT BE SUBJECT TO AND DISCLAIMS: (1) ANY OTHER OBLIGATIONS OR LIABILITIES ARISING OUT OF BREACH OF CONTRACT OR OF WARRANTY, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE; (2) ANY OBLIGATIONS WHATSOEVER ARISING FROM TORT CLAIMS (INCLUDING NEGLIGENCE AND STRICT LIABILITY) OR ARISING UNDER OTHER THEORIES OF LAW WITH RESPECT TO PRODUCTS SOLD OR SERVICES RENDERED BY PLM, OR ANY UNDERTAKINGS, ACTS OR OMISSIONS RELATING THERETO, AND (3) ALL CONSEQUENTIAL, INCIDENTAL, SPECIAL AND/OR CONTINGENT DAMAGES WHATSOEVER.** OWNER AGREES TO INDEMNIFY AND HOLD HARMLESS PLM FROM ANY AND ALL CLAIMS, LIABILITIES, COSTS AND EXPENSES OF ANY NATURE ARISING FROM INJURIES TO THIRD PARTIES AT THE JOB SITE OR THE INTERRUPTION OR DESTRUCTION OF OWNER/PRIVATE UNDERGROUND CABLE, PIPES OR INSTALLATIONS.

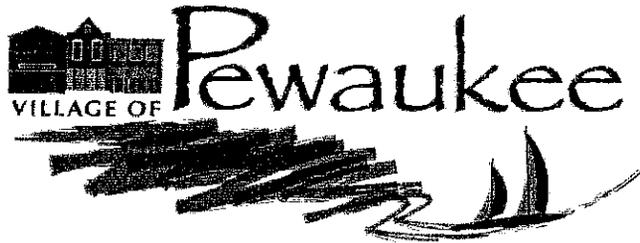
COMPLETION, DELAY AND CLAIMS. PLM shall not be liable for any damage as a result of any delay due to any cause beyond PLM's complete control, including but not limited to any act of God, act of Owner, embargo or other governmental act, regulation or request, fire, accident, strike, slow-down, war, riot, delay in transportation, delayed delivery by suppliers or Owner's or PLM's inability to obtain the necessary permits or licenses or comply with any other governmental regulations concerning the installation or performance. In the event of any such delay, the date of completion shall be extended for a period equal to the time lost by reason of the delay. Claims by Owner against PLM must be made in writing to PLM within five (5) days of knowledge of the alleged claim and failure to give such notice shall constitute unqualified acceptance and a waiver of all such claims by Owner.

PRICE AND PAYMENT. The prices in this proposal are PLM's prices for the goods and/or services with the Exclusion of Consequential Damages and Disclaimer of Other Liabilities, set forth above, including the disclaimer of strict liability and other tort liability, enforceable against the Owner. If Owner desires for PLM to provide a greater or additional warranty and/or to be liable for some or all of the matters disclaimed herein, then the Owner must notify PLM in writing and a new contract will be prepared which excludes this language, but which reflects higher sales prices reasonably compensating PLM for assuming that additional exposure. In the absence of such a notification, by signing this proposal Owner is accepting such limitations and disclaimers in exchange for the lower prices set forth herein. **Owner agrees to pay all costs of collection, including reasonable attorney fees. ALL INVOICES ARE DUE 15 DAYS AFTER THE DATE ON THE INVOICE. Any payment not made when due shall accrue compound interest at the rate of 1 1/2% per month.**

WARRANTY. Owner agrees that this proposal is subject to PLM's standard one (1) year limited warranty, a copy of which Owner acknowledges receiving with this proposal. In the event any payment is not made when due, any warranty of PLM shall be void.

SEVERABILITY. If any of these Terms and Conditions shall be deemed illegal or unenforceable, such illegality or unenforceability shall not affect the validity and enforceability of any legal and enforceable provisions hereof which shall be construed as if such illegal and unenforceable provision or provisions had not been inserted herein, unless such illegality or unenforceability shall destroy the underlying business purpose of these Terms and Conditions.

NOTICE OF LIEN RIGHTS: "AS REQUIRED BY THE WISCONSIN CONSTRUCTION LIEN LAW, YOU ARE HEREBY NOTIFIED THAT PERSONS OR COMPANIES FURNISHING LABOR OR MATERIALS FOR THE CONSTRUCTION ON YOUR PROPERTY MAY HAVE LIEN RIGHTS ON YOUR LAND AND BUILDING(S) IF THEY ARE NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO THE UNDERSIGNED PRIME CONTRACTOR, ARE THOSE WHO CONTRACT DIRECTLY WITH YOU OR THOSE WHO GIVE YOU IDENTIFICATION NOTICE WITHIN SIXTY (60) DAYS AFTER THEY FIRST FURNISH LABOR AND MATERIALS FOR THE CONSTRUCTION. YOU PROBABLY WILL RECEIVE NOTICES FROM THOSE WHO FURNISH LABOR AND MATERIALS FOR THE CONSTRUCTION. YOU SHOULD GIVE A COPY OF EACH NOTICE YOU RECEIVE TO YOUR MORTGAGE LENDER, IF ANY. THE UNDERSIGNED PRIME CONTRACTOR AGREES TO COOPERATE WITH YOU AND YOUR LENDER, IF ANY, TO SEE THAT ALL POTENTIAL CLAIMANTS ARE DULY PAID."



To: Jeff Knutson, Village President
Village Board

From: Chaz Schumacher
Village Clerk

Date: July 29, 2016

Re: Agenda Item C61, Issue Operator License Approval

BACKGROUND

The Village Board is the ruling body responsible for approving Operator License applications.

ACTION REQUESTED

To approve the Bartender Licenses as listed.

New Operator Permits

Kwik Trip
Thomas Seidl
Irene Leong

Buffalo Wild Wings
Samantha Rogers

Renewal Operator Permits

Applebee's
Erin Johnson
Bari Geers

Billy Ho's
Amanda Kimball

ANALYSIS

The bartender license applications listed above are being presented for approval. A background check has been performed and the applicants meet the requirements to hold a license in the Village of Pewaukee.

Staff recommends approval of the licenses as recommended above for the remainder of the current license term through June 30, 2017.



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: July 28, 2016

Re: Agenda Item 6c Discussion and Possible Action on Citizen Appointment for Plan Commission

BACKGROUND

Current Plan Commissioner Chris Bernauer has indicated a desire to step down from the Plan Commission. Attached for your review and consideration please find a Committee Application form for Cheryl Mantz for review and consideration as submitted by President Knutson.

ACTION REQUESTED

The action requested of the Village Board is to review the proposed appointment of Cheryl Mantz to the Plan Commission to fulfill the balance of Chris Bernauer's term (expiring 4/30/19).

Attachment



235 Hickory Street - Pewaukee, WI 53072

Committee APPLICATION

If you are interested in serving the community as a committee member, please complete this application form. If applying for an existing vacancy, your committee application will be kept on file until after an appointment has been made. If there is no vacancy currently exists, your application will be kept on file until a vacancy occurs. If you have any additional questions, please feel free to contact Village Hall by calling (262) 691-5660 or email the Village President, Jeff Knutson, at villagepresident@villageofpewaukee.com.

First Name Cheryl	M.I. M.	Last Name Mantz
Applicant's Residence: Street Address 315 Cardinal Ridge Dr.	City Pewaukee	State WI
Zip 53072	Home Phone: (262) 696-4158	Work Phone:
Cell Phone:	Home Email: Chmantz@aol.com	Work Email:

Choose a Committee(s)

<input type="checkbox"/> Zoning Board of Appeals <input type="checkbox"/> Board of Review <input type="checkbox"/> Library Board <input type="checkbox"/> Parks & Recreation <input checked="" type="checkbox"/> Plan Commission	<input type="checkbox"/> Police Commission <input type="checkbox"/> Public Works & Safety Committee <input type="checkbox"/> Water Utility Commission <input type="checkbox"/> Other (please specify): _____
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Background (related experience, skills, or qualifications): **Town of Brookfield Supervisor - Elected for 3 consecutive terms. On Zoning Board of Appeals prior to being elected. On Board of Review with Village of Pewaukee & Town of Brookfield. On Waukesha County Selective Service Board. Volunteer with Ronald McDonald House prior volunteer with positively Pewaukee & Pewaukee Historical Society.**

Why are you interested in this committee(s): **I have lived in the Village of Pewaukee for 10 1/2 years. Prior to moving to Pewaukee, I was a Supervisor with the Town of Brookfield and was involved with many large/complex developments and redevelopments. I believe that with my prior experience I would be a contributing member with minimal learning timeframe; for the Planning Commission. I am honored to be considered for this position - to assist in the current and future development of the Village.**

Cheryl Mantz 7/28/2016
 Applicant's Signature & Date

Village of Pewaukee Committees & Boards

Public Works & Safety Committee (2 Year Term) 1st Tuesday of month at 6 p.m. - as necessary

*Advise the board regarding matters referred to the committee by the board, including matters that relate to public works and public safety, streets, sewers, lighting, storm sewers, village work crews, curbs and gutters, sidewalks, dumps, cemeteries, building regulations, civil defense, traffic and parking regulation.

Water Utility Commission (3 Year Term) Last Monday of month at 7 p.m. - as necessary

*Have the powers prescribed in Wis. Stats. §66.068, together with such powers and duties as shall be vested in it from time to time by the Village Board.

*Have such general powers in the construction, extension, improvement and operation of the utility as shall be contained in the rules and regulations adopted by the commission and approved by the Village Board. Such rules and regulations shall be adopted in ordinance form after such approval.

Annually at any time during the 30-day period beginning 2nd Monday

Board of Review (3 Year Term) of May and may adjourned from time to time.

*A quasi-judicial (court-like) body with duties & powers defined by Wis. Stats. § 70.46 & 70.48 as follows:

- *Adjust assessments when they are proven incorrect by sworn oral testimony
- *Correct any errors or omissions in the descriptions or computations found on the assessment roll
- *Check the assessment roll for omitted property and double assessments
- *It is recommended that members attend a 2-hour training every other year

Plan Commission (3 Year Term) 2nd Thursday of month at 7 p.m.

- *Review and action on: Business Site Plans, Conditional Use Requests, and Sign Code Waiver Requests.
- *Review and Recommendation to the Village Board of Plat Maps, Certified Survey Maps, and Zoning Ordinances
- *Responsible to make and adopt a Master Plan for the physical development of the Village
- *Public Hearings for Conditional Use Requests and Rezoning Petitions

Zoning Board of Appeals (3 Year Term) 3rd Thursday of month at 7 p.m. - as necessary

*Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of the village's land development code

*Authorize upon appeal in specific cases such variances from the terms of the land development code as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the code will result in no reasonable use, practical difficulty or unnecessary hardship, so that the spirit of the code shall be observed, public safety and welfare secured and substantial justice done.

Joint Park & Recreation Board (3 Year Term) 2nd Wednesday of month at 7 p.m. @ Pewaukee City Hall

*Assist park/recreation director with the annual budget and with establishing and implementing operational policies within the joint parks & recreation department.

*Conduct applicant reviews and interviews respecting hiring of parks & recreation staff and make recommendations to the City Council and Village Board for their respective approvals.

*Recommend to City Council and Village Board on park-related matters such as land acquisition or building projects

*Hear and determine appeals in regards to cost of services and general citizen complaints

*Review and approve matters of department policy, initiate the creation, amendment, or rescinding of any such policy as a recommendation to the City Council and/or Village Board

Joint Library Board (3 Year Term) 3rd Wednesday of month at 6:30 p.m. @ Pewaukee Public Library

*Operate under the authority of Wis. Stats. § 43.58. Plan for, implement and manage all library services, programs and activities for the Village of Pewaukee and City of Pewaukee.

*Make recommendations on the purchase, lease, sale or exchange of land, facilities or equipment necessary to implement and provide services. Advise methods or opportunities for funding library services.

*Submit a proposed program and budget for the ensuing year, no later than August 1 of each year.

Police Commission (5 Year Term) Scheduled as needed

*Have the authority to appoint and remove the Police Chief in accordance with Wisconsin Statutes

*Administer examinations and prepare eligible lists for the appointment and promotion of uniformed personnel of the Police Department in accordance with Wisconsin Statutes

*Serve as an appeals board in cases of dismissals and suspensions of Police Department uniformed personnel

*Have such authority and duties as prescribed by Wisconsin Statutes



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: July 28, 2016

Re: Agenda Item 6d, Discussion and Direction on Village Board Meeting Time Limits

BACKGROUND

This matter is on the agenda at the request of President Knutson. The request is for the Village Board to consider establishing a time limit for Village Board meetings. Staff will look to President Knutson to facilitate the discussion on this matter.

ACTION REQUESTED

The action requested of the Village Board is to provide direction on this matter.