

Minutes of the City of Chetek Common Council Meeting held on Tuesday, January 14, 2025 in the council room, 220 Stout Street, Chetek, WI. Also posted live on the City Facebook page

The meeting was called to order by Mayor Martin at 6:00 p.m.

Members in attendance: Mayor Martin, Scott Bachowski, Earl Grover, Thea Hempel Absent: Terry Hight

Public comments: Marge Jost wanted to let Dan know how impressed she was with the roads in the city and she appreciates the work. Cathi Ellingson wanted to give a report from the park and beach committee. They received a \$ 10,000.00 donation from the Lions Club. There are 10 potential naming rights at the park, 9 have been spoken for and there is 1 remaining. The fundraising committee and the parks and beach committee and all the volunteers who have done many hours of work have raised \$195,339.00.

Bachowski made a motion to approve the agenda with carving out consent agenda item C making it a new business item. 2nd by Grover. Carried.

Grover made a motion to approve the consent agenda. 2nd by Hempel Carried.

Council minutes and city claims: December Council, December Special Council Meeting

Department/Board reports as submitted - Library- December, EDC- December

Resignations and/or appointments from boards/committees:
General license/permits:

Old Business:

Water main on Kleve Laura gave an update as to what the financial portion could be she spoke with Ehlers. She asked 2 questions: do we have it in our capacity without having to raise it in our water rates. The answer was yes we have plenty of room. The next question was could this be worked into the TID. Dan says that this does give us some options for now and the future and this is something that needs to be done. With this flexibility we would not have to increase water rates. Bachowski did ask if we had someone in line for this project and Dan said that it will need to go out to bid. This has been ready to go to bid for 3 years now because we have tried for grants in the past. Grover did ask if there would be a benefit from one or the other and currently there is no benefit right now other then we can choose where the payment can come from now. Hempel made a motion to proceed with the Kleve st water main project using water funds. 2nd by Bachowski with knowing that we have the flexibility to change this in the future because water rates can not go up any more. Hempel would like it on the record. Carried.

Badger State Recovery This was spoken about last month in regards to the raze order. The city attorney would like to use a date of March 31 and not a year out because then it will show the urgency to get the building fixed or razed. Bachowski agrees with the attorney and the approach of a shorter deadline. Joe also agrees with the city attorney and his recommendation. Joe also thought of a shorter timeline when we first started with this. The mayor wanted to know what happens if March 31 comes and goes and what happens at that time then. There is still a process. Hempel said that going forward we will commit to an agreed upon level of urgency and she understands that it is a process. Hempel would like to amend the motion from the January meeting regarding the time frame on the raze order to BSR to be updated from a year of time frame to March 31, 2025 from the date of letter sent which Hempel's understanding would be tomorrow. 2nd Grover. Carried.

New Business:

Consent agenda Item C Grover said that he really appreciated the last 5 years that he has been on council and the support he had in ward 2. Grover enjoyed being on council for ward 2 but he has decided to move to a new ward in the city over in ward 1. He wanted to thank the constituents. Trevor Dysland grew up outside of Chetek he now lives in Chetek and has been for 13 years has no intentions to move. He agrees with some of the tax things and also agrees with some of the things that are happening is a necessary change. He believes that the way the council has been going is a good thing. Hempel welcomed him and thanked him for being at the council meeting as that was an important step. Hempel did ask the mayor what committees he would be on at this time the mayor said that he would for sure probably be on fire. Hempel also asked if he would stay on till the next election or if the mayor would have a special election. Hempel said he was going to interview him and that Ward 2 and the citizens of ward 2 deserve to hear who he is. She asked 3 things that he thinks Chetek is great about. Dysland said tourism is important to the City. Downtown is important and also the parks. Those are things that are important to him. She also asked 3 things that could be improved. He said that it is a tough one. He has been happy with the way things have been and understands about the increase in taxes and water bills. Growth is something that needs to happen. Grover asked about his position on budgeting and how you feel or what you think the city should do when it comes to budgeting and handling expenses. Dysland responded by saying that you have to weigh everything out cant just have a spend thrift. He says the 1% should not be that of a big concern. He also says you don't want to budget people out of the City. Grover just wanted to get his perspective on budgeting. Bachowski made a motion that the Mayor appoint Trevor Dysland to Ward 2 alderman. Hempel 2nd. Carried.

RFP for City Attorney Hempel said she does not know if anything would be done at the meeting tonight or not. Hempel was pretty underwhelmed with the timing with the attorney and it is taking an inordinate amount of time to get them to respond back. Hempel agreed wholeheartedly to hire them. Hempel said that we hired a firm and feels that we are locked into 1 attorney not getting the firm behind us for the amount of money that we are paying. Hempel would like to hear from the other entities that are also working with them. Dan said that he would agree the Verizon lease has not been attended to like it should have been and needs to be done sooner than later. Grover said that he has not had any issues with them. Laura did address the 3 things Verizon lease she said that it is up to draft 4 which has been going between our attorney and Verizon attorneys. The Development hold up was with the developer and a signed waiver to allow them to work on it because it would have been a conflict of interest. The BSR project he did not respond right away or know what was going on that week. Hempel asked if it would hurt if we did an RFP. Her concern is where the firm is. The mayor said his concern is that it has only been 6 months or so. Bachowski would like to get some more information as to the lag in response time. Bachowski thinks that the mayor should chat with them to see what they say. Bachowski feels the responses that we are getting from the firm are solid. Hempel would like a plan as to who are we gonna contact and what is the schedule and she would like the mayor to contact them. Hempel is willing to table this for 3 months and have it re looked at then. Hempel made a motion to table letter G RFP for city attorney with a communication plan that is in place to review in 3 months. Grover 2nd. Carried.

Logging of Public Works Hours for Ice Rink Hempel said that December that's when Josh presented an absolutely beautiful amazing plan. I love the idea of it having super positive feedback online. It seems to have flopped a little bit for me. I happened to be driving around and saw two public works trucks at the ice rink helping Josh put the liner down. I remember clearly what I said and the only reason I voted for this was to be a volunteer lead activity. I am aware of at least two or three times where volunteers signed up. Nobody showed up Josh has been out there on his own doing everything except for when public works has gone out. I find that completely unacceptable for how it was positioned and how it was marketed and the money that's been spent. I still think it's a really really great idea but to me it's turning into a flop already. I spent two hours on Sunday shoveling snow. Nobody's out there it's very difficult to access there's no

lights at night there's no signage. I kinda wanna know where the volunteers are and if public works is going to be involved I don't want them to be at all unless honestly there's an emergency happening either it gets booked back to the parks department or we take another look at whether or not this was a good idea and the other thing too here's my problem I happened upon this is like I was very clear like I feel like sometimes what happens here is being circumvented by private interests and I don't think it's OK. I also would like to remind this room that the city of citizens voted no on hiring more public works people so just to say hey come help us put in our ice rink is unacceptable to me. So I mean I volunteered. I've been out there shoveling. I have a lot of great ideas you can't access the rink. Grover mentioned that in the budget that there was no extra money in the budget to have people from public works helping. The Mayor wanted Dan's take and he said that he knew very little about it and that he does know that Joe was there Brandon showed up and then Matt showed up and that if they have time it is not a big deal for him to have them there. In regards to tax payers paying wage for that Dan said that they are being paid by taxpayers if they are doing that or sitting and doing nothing. Dan said if they have time he does not have a problem with it. If they don't have time that is when Dan would have an issue. Bachowski did say that at any time the council does not have authority to direct any municipal employee to direct their day to day work. Bachowski said that we as the city are not managing the ice rink. The Mayor did talk with Josh, Dan and Joe in regards to the 45 min that the 3 guys were there that day.

Alley door replacement for Community Center The pictures that were in the packet are of the alley door in the community center. The door does not close properly and is rotted. Joe has nursed that door along for 10 years; it has been the original door. Stars and stripes did give 3 estimates on doors. Stars and stripes have been doing our doors for many years. The first one would be a little over 1,000.00. The 2nd option is steel frame door with handicap opener could be as high as 3,000.00 and the 3rd option could be up to 5,000.00 Laura recommendation is the steel hinge door with the handicap opener. \$3000.00 is for the door and the frame. We can reuse the handicap opener that is already there. Hempel made a motion to replace the alley door at the Community Center with the steel door estimated around \$3000.00. 2nd Grover. Carried.

City donation of gravel for Gotham Park Sports Complex Dan got a cost estimate from Peak Excavation of what it would cost for the gravel. One question Dan asked is because covid money is involved is does this have to be put out to bid or not? Dan put together the cost 3,320 tons as the estimate. At our city cost it is \$16,600.00. \$36,520.00 is what we would sell it for. Dan said that if this went out to bid they would have to get a quantity from an engineering firm. It would have to be included and the numbers could change if this did go out to bid. Laura did say that she talked to Cassandra today and the auditors do make the correct journal entry for us as to what was revenue and offset to make sure it goes in the correct accounts for making such a donation. Bachowski said that the gravel is needed for this project. Bachowski made a motion that the city donate the gravel for the Gotham Park Sports Complex. There was no 2nd so the motion died. Bachowski did say that it was sad that a group of citizens came together for a great cause and we can do a donation with very little cost to ourselves to benefit the children of this community and yet we can't get by this. Hempel asked if we would donate to the Chetek Snowflyers club? Bachowski responded that this is different.

Approve Ordinance 799A Attached Private Garages Joe said this is part of the administrative code it does not require a public hearing. Sec 26-155 attached private garages the verbiage added has a minimum 20 min fire rating. Bachowski made a motion to approve ordinance 799A as written. 2nd Grover. Carried.

Approve Ordinance 800A Permit Requirement Joe said this is an administrative code Sec 26-249 permit required at the planning commission meeting Joe came up with what all needed a permit. Grover made a motion to approve ordinance 800A. 2nd by Hempel. Carried.

Approve hiring of Deputy Treas/Deputy Clerk Laura Said that the personnel committee selected Kim Burns. She would be starting on Monday February 17,2025. Bachowski made a motion to approve Kim Burns as the new Deputy Treasurer/Deputy Clerk 2nd by Hempel. Carried

Closed Session: Bachowski made a motion to go into closed session. Hempel 2nd. roll call vote Bachowski-yes, Grover-yes, Hight-yes, Hempel-yes

Bachowski made a motion to go into open session. Hempel 2nd. Roll call vote Bachowski-yes, Grover-yes, Hight-yes, Hempel-yes

Hempel motioned to adjourn the meeting, 2nd by Grover. Carried.

Mark Eby, City Clerk

City of Chetek Parks & Beach Committee

Minutes for February 17th 2025

At The Center, 711 First St.

Meeting called to order at 5:33pm

Present: Austin Chamberlain, Pual Poppe, Jeff Martin, Jim Ellingson, Scott Bachowski, Jen Blatz, Mark Etten

Minutes reviewed from last meeting.

Old/Continuing Business

Gotham Park Sports Complex

- Current total \$195,899
- Kettle corn sales until April 4th
- Fundraiser to be held at Lakeside Cantina on April 26th 4-7pm
- Brick promotion – Continues, talk about setting up a table at other events to promote
- Grants: waiting to hear back on most grants
- In kind donations – still in the works, details probably won't get worked out until closer to construction.
- Townships – Prairie Lake committed \$1,000. Chetek Township meeting coming up, multiple people will attend
- Decision was made to wait a month before putting GPSC back on the city agenda. Allow things to cool down after the last meeting.

Skating Rink

- Rink is up and running, people have been out there using it.
- Talked about next year have a “schedule” for hockey times vs free skate

New Business

City Council meeting.

- A lengthy discussion was had about needing to get everyone (city council, parks committee, public) on the same page. There seems to be a lot of misinformation out there. Mutual respect needs to be a priority as well, as we continue to work with the City. The City has approved the project, the committee has raised the funds, so this is happening. We need to all work together and avoid any more public conflicts. Also talked about getting more information out the public, newspaper, Facebook, flyers, etc. (This is a broad summary of the discussion; I will not try to detail any more than this.)
- Next meeting March 17th 5:30pm at The Center

- Meeting adjourned 7:00

City of Chetek/Township of Chetek Fire District Meeting Minutes
Tuesday, January 28, 2025
Fire Hall Training Room

Meeting was called to order at 5:00 P.M.

Present: Ronnie Latcham (Chair), Dave Lentz, Mark Carlson, Earl Grover, Ryan Olson (Chief), Randy Books (Assistant Chief), Book Keeper Michele Loesel

Absent:

Approve Agenda: Earl Grover made a motion to approve the agenda, seconded by Dave Lentz; motion passed.

Approve Minutes: Earl Grover made a motion to approve the minutes from the November 28, 2024 meetings. Seconded by Dave Lentz; motion passed.

Treasurers Report: Michele Loesel presented the following updates on accounts: Checking - \$397.52; Savings - \$107,089.01; Total Time Deposit - \$212,000.00; Pension - \$12,961.49 and Equipment \$493.46; Accounts Receivable -1,086.02 for a total of \$331,855.46. Earl Grover made a motion to approve, Mark Carlson seconded; motion passed.

Review/Approve Claims and Payment: Payroll is now done by direct deposit will be under Quick Books Payroll. Dave Lentz made a motion to approve the claims and payments, Earl Grover seconded; motion passed.

Bookkeeper Report: Check still outstanding from the Township of Dovre for \$1860.02. Need to contact Mitch Hansen to see whether the check should be returned and sent to state for their state dues or does the Township of Dovre want the check applied to their portion of the district funding for 2025.

1. Final Audit 2023 reviewed; end of the year 2024 budget money not spent is a total of \$52,027.06 could be reallocated to the future equipment fund. Dave Lentz made a motion to approve the audit and to move the excess of money of 52,027.06 into the future equipment saving account 7735, Earl Grover seconded; motion passed.

2. Approve the Financials for 2023, Dave Lentz made a motion to approve the December 2023 balance sheet and income expenses prepared as budgeted as presented, Earl Grover seconded; motion passed.
3. Sterling Bank Saving Account, close pension account ending in 9844 and move money to the operating account to the Sterling Bank holding account 050. Earl Grover made a motion to approve to close the pension 9844 account and move to the Sterling Bank holding account 050. Dave Lentz seconded; motion passed.
4. Online Bill Pay, pay monthly ACH fee and would like use the ACH to pay bill.
5. Converting to digital from paper, scanning documents and saving into the cloud and can be accessed by Quick books, use a USB take monthly backups and another USB to store annually.
6. Vendors-correction Tax-Exempt Status, would like to work with vendors to eliminate sales tax 2025 which adds up during the year.

Public Comments: None

Township Comments: None

Chief's Report: Chief Olson presented the following comments:

- a. Last years Basic Incident Number (FD1) report broke out by City and Townships.
- b. Ice Fishing Contest had a very good year.
- c. Attended at Reds for the Polar Plunge.
- d. One water rescue on Christmas Day.
- e. Put on the agenda for next month to talk about the skid for the brush truck.
- f. January classes for confined spaces, February Hazmat Ops refresher, March ice rescue and in April live burn.

New Business:

- a. Truck replacement, one bid from Rosenbauer the chase which would be a twin to tanker one the price was \$689,733.00 and the chase cost is \$198,670.00.
- b. Credit Card limit increase from \$2,500.00 to \$5,000.00. Earl Grover made a motion to increase the credit card limit used by Ryan Olson to \$5,000.00. Dave Lentz seconded; motion passed.

Other Business for Discussion Only:

Next Meeting: March 25, 2025 at 5:00 pm at the Fire Hall Training Room.

Motion to adjourn was made by Earl Grover, seconded by Dave Lentz; motion carried.

Affidavit of Publication

STATE OF WISCONSIN

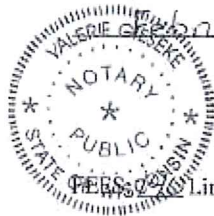
SS

BARRON COUNTY

Mark C. Bell, being first duly sworn, says: That he is the publisher of the Barron News-Shield, which is a weekly newspaper of a general circulation, printed and published in the City of Barron, in said County and State; that a notice of which the annexed is a printed copy taken from said newspaper, was printed and published in the full regular edition once in each week for one successive week(s), commencing and the first such publication being on the 19th day of February A.D., 2025 and ending and the last publication being on the 19th day of February A.D., 2025, being one such publication(s).

Mark C. Bell

Subscribed and sworn to before me this 19th day of



February A.D., 2025.
Valerie Reske
Notary Public, Barron County, Wis.
Commission expires 02/05/2029

Lines 1 Col. 1 Time(s) \$105.63

First Insertion at .7545 per 140 lines \$ 105.63

Succeeding Insertion(s) at ___ per ___ lines \$ _____

Affidavit _____ 1.00

Total \$ 106.63

RAZE ORDER

STATE OF WISCONSIN)
)
COUNTY OF BARRON) SS

To: CCC Real Estate Holding Co LLC
Attn: Jose Morales
1981 Marcus Avenue, Suite 130
Lake Success, NY 11042

Recording Area
Name and Return Address
Atty. Timothy J. Proue
City Attorney
310 Pinnacle Way, Ste. 201
Eau Claire, WI 54701

Parcel Identification No.
211-1067-52-000

This is NOT homestead property

City of Chetek Building and Zoning, the designated building inspection official for the City of Chetek, has found that the following described building is old, dilapidated, or out of repair, and consequently dangerous, unsafe, unsanitary or otherwise unfit for human habitation and that repair of the building is unreasonable, and has specifically determined that the cost of repairs to the building would exceed 50% of the assessed value of the building divided by the ratio of the assessed value to the recommended value as last published by the State of Wisconsin, Department of Revenue for the town.

Upon the above findings, CCC Real Estate Holding Co LLC, property owner, is ordered to raze, no later than March 31, 2025, the building located upon the real property commonly known as 625 4th Street, Chetek, Wisconsin 54728, and legally described as follows.

Parcel D of Certified Survey Map No. 527, Volume 5, Page 136, as Document No. 384876, consisting of: a) Outlot One (1) and all of Block Eight (8), Banks Addition; b) That part of the Southeast One-quarter (1/4) of the Northwest One-quarter (1/4) of Section Thirty (30), Township Thirty-three (33) North, Range Ten (10) West, being part of the vacated Fifth Street and part of the railroad right-of-way; all in the City of Chetek, Barron County, Wisconsin.

The building inspector shall post a placard on the premises containing the following notice:

"THIS BUILDING MAY NOT BE USED FOR HUMAN HABITATION, OCCUPANCY OR USE."

The building inspector shall prohibit use of the building for human habitation, occupancy, or use until necessary repairs have been made.

If the owner of the above-described real property fails or refuses to comply with this order within the time period prescribed above, the building

inspector shall, subject to Wis. Stat. § 66.0413 (1) (h) relating to restraining order and (j) relating to salvage and personal property, proceed to raze the building through any available public agency or by contract or arrangement with private persons, or to secure the building and, if necessary) the property on which the building is located if unfit for human habitation. The cost of razing or securing the building may be charged in full or in part against the real estate upon which the building is located, and if that cost is so charged, it is a lien upon the real estate and may be assessed and collected as a special tax.

Notice of this Raze Order shall be served as follows:

1. On the owners of record of the building that is subject to the Order, or on the owner's agent if the agent is in charge of the building, in the same manner as a Summons is served in Circuit Court.
2. On the holder of each encumbrance of record, by first class mail, at the holder's last known address and by publication as a Class I Notice pursuant to Wis. Stat. ch. 985.

If the owner, and the owner's agent, if any, cannot be found, or if the owner is deceased and an estate has not been opened, the Order may be served by posting it on the main entrance of the building and by publishing it as a Class I Notice pursuant to Wis. Stat. ch. 985 before the time limited in the Order begins to run.

The City of Chetek Building and Zoning Department may record a Lis Pendens in the office of Barron County Register of Deeds against the tract of the above-described real property to provide notice of this Raze Order.

Dated this 12 day of February, 2025
City of Chetek and Zoning Department
Joe Atwood
Building and Zoning Administrator

STATE OF WISCONSIN)
)
COUNTY OF BARRON) SS

Personally came before me Joe Atwood, known to me to be the person who signed the foregoing document and acknowledged the same, this 12th day of February, 2025.

Laura Stelzner
Notary Public, State of Wisconsin
My Commission expires: 01/08/2028

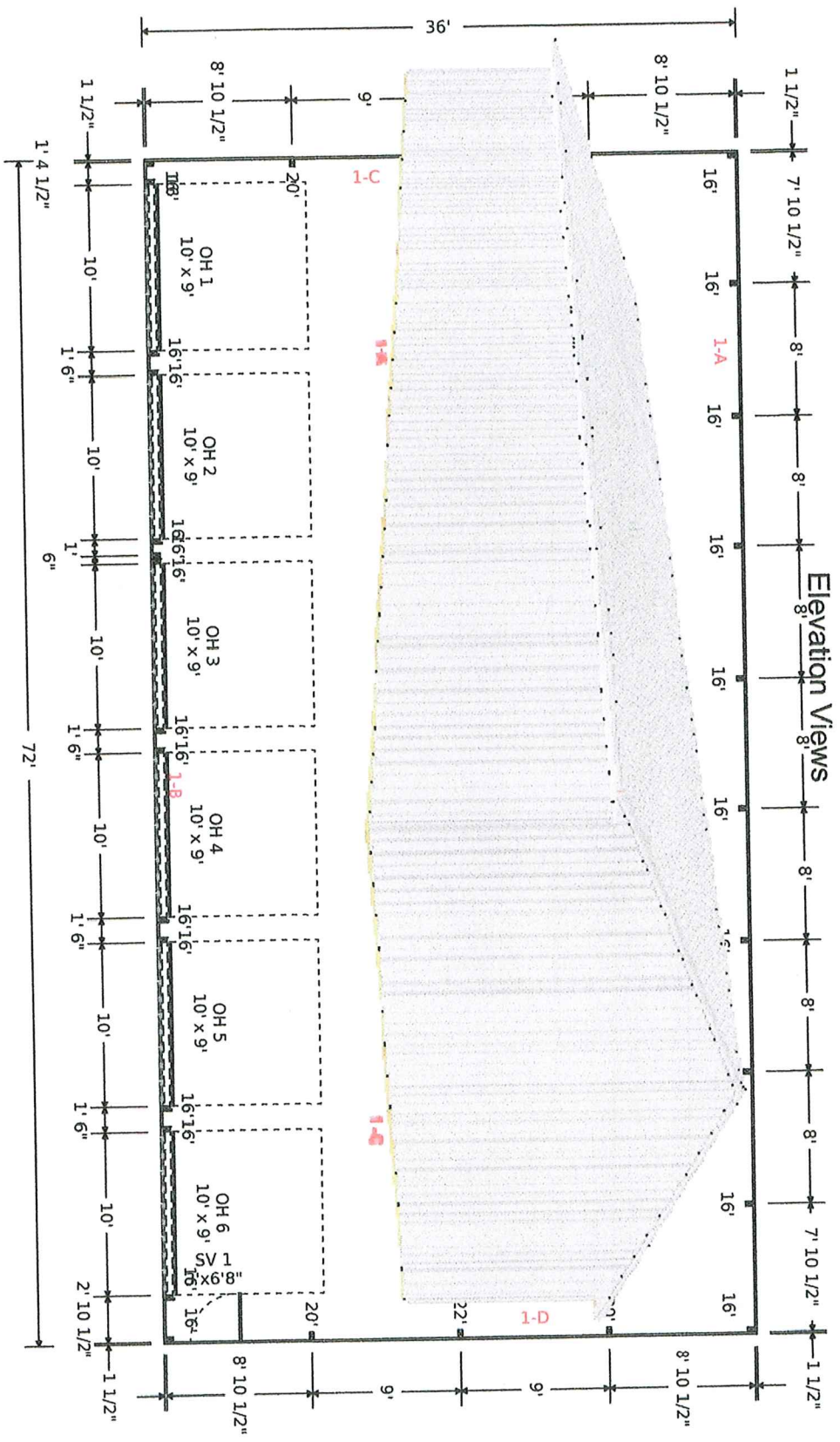
This document was drafted by:
Attorney Timothy J. Proue,
SBN 1070841
von Briesen & Roper, s.c.
310 Pinnacle Way, Ste. 201
Eau Claire, WI 54701
715-214-1809

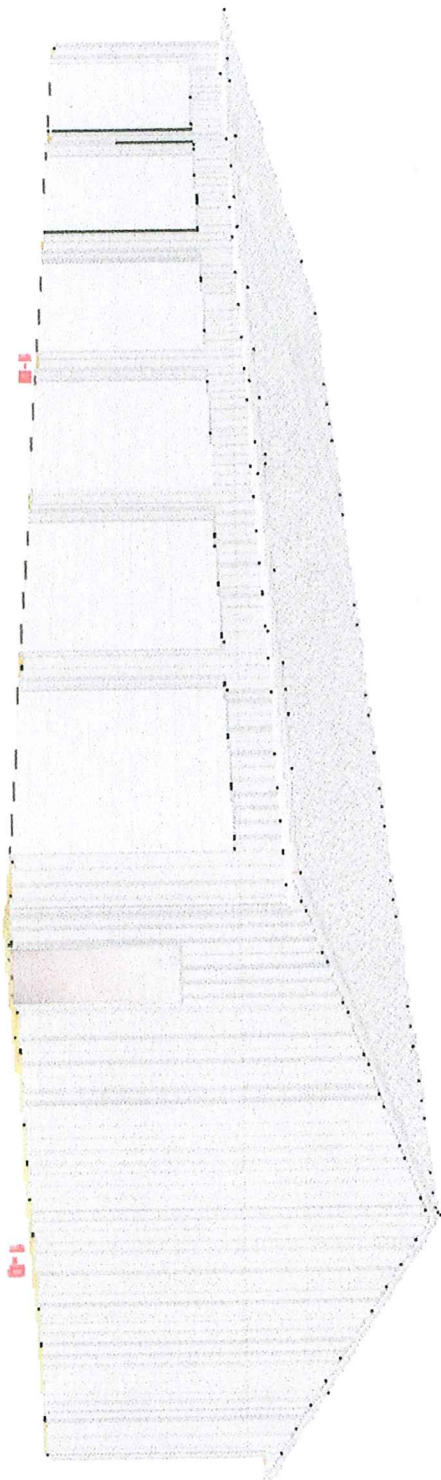
WNAXLP



Land Lease Proposal

- The Chetek Hydroflites would like to request leasing the land next to the Chetek Chamber of Commerce Building.
- The Chetek Hydroflites would build a building to house their water ski boats and trailer. (see drawings)
- The building would be a six stall stick built building.
- Anticipate starting the project by 2026.





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- Railroads
- Road Right of Way
- Lakes and Rivers

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Date created: 2/28/2025

Last Data Uploaded: 2/28/2025 8:29:17 AM

Developed by



DR Louis Construction, LLC

1143 W Leonard St
Chetek, WI 54728

Estimate

Date	Estimate #
1/27/2025	100

Name / Address
City of Chetek Police Dept 101 Moore St. Chetek, WI 54728

Project

Description	Qty	Rate	Total
Replacing siding on Police dept garage			
Siding- Removal, disposal and installation of new D-4 vinyl siding with trims	15	850.00	12,750.00
Gutter Replacement with 6" gutters with leaf screen and 2 down spouts	88	21.00	1,848.00
Optional additions: Wrap doors and windows with aluminum Overhead door wrap \$550 per door Exterior doors wrap \$350 per door Window wrap \$350 Per window			
Total			\$14,598.00



DAVIS CONSTRUCTION

2202 3 1/2 Avenue

Chetek WI 54728



Masonry & Building

(715) 237-3209

Snowplowing

STATEMENT

For:

Date: 2-11-25

Chetek Police garage
101 more st
Chetek WI 54728

Location of work performed: 101 more st Chetek

Description of work completed:

Remove old siding, soffit, and trim
Reinstall with new siding, soffit, and trim
Washer and Basket lift

Project Total \$ 12,000.00

Less Advance \$ - 0 -

Balance Due \$ 12,000.00

Thank you, I appreciate your business!

Nathan L. Davis

Memo: _____

Nathan L. Davis



The Gutter Guy

1601 18 1/2 Street | Barron, WI 54812
(715) 790-5539

RECIPIENT:

Chetek Police
101 Moore Street
Chetek, Wisconsin 54728

Quote #24226

Sent on 02/27/2025

Total \$2,793.80

Product/Service	Description	Qty.	Unit Price	Total
6" Gutter	6" Seamless aluminum Gutter	92	\$12.50	\$1,150.00*
Gutter removal / disposal	Remove existing gutter and downspout materials from house, haul away, disposal	92	\$3.25	\$299.00
3x4 Downspout		2	\$125.00	\$250.00
Premium stainless steel leaf covers		92	\$11.90	\$1,094.80

* Non-taxable

Total \$2,793.80

This quote is valid for the next 30 days, after which values may be subject to change.

ARTICLE IX. - ETHICS

Footnotes:

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Editor's note— Ord. No. 18-22, § 1, adopted March 7, 2023, amended the Code by repealing former art. IX, §§ 2-321—2-330, and adding a new art. IX. Former art. IX pertained to similar subject matter, and derived from the Code of 1984, §§ 1.90(1)—(10); Ord. No. 80-93; Ord. No. 81-93; Ord. No. 38-94; Ord. No. 23-99; Ord. No. 39-02; Ord. No. 7-06; Ord. No. 20-15; and Ord. No. 9-16.

Sec. 2-321. - Declaration of policy.

The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. To assist in attaining these goals, there is established a Code of Ethics for all City officials, including members of boards, committees, and commissions, and employees, whether elected or appointed, paid or unpaid. The purpose of this code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions which are incompatible with the best interests of the City and by requiring such officials and employees to disclose personal interests, financial or otherwise, in matters affecting the City. The purpose of this code and the rules and regulations established hereby are declared to be in the public interest. This article may be called the "Code of Ethics."

(Ord. No. 18-22, § 1, 3-7-2023)

Sec. 2-322. - Responsibility of public office.

Public officials and employees hold office for the benefit of the public. They are bound to uphold the state and federal constitutions; to observe the highest standards of law in the exercise of the powers and duties of their office; to impartially carry out the laws of the nation, state, and City; to discharge faithfully the duties of their office regardless of personal considerations; and to recognize that the public interest must be their prime concern.

(Ord. No. 18-22, § 1, 3-7-2023)

Sec. 2-323. - Definitions.

As used in this section:

Anything of value means 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 City, money or items which are permitted and reported under subsection 2-324(i), political contributions which are reported under Wis. Stats. ch. 11, or hospitality extended for a purpose unrelated to City business by a person other than an organization.

Associated, when used with reference to an organization, includes any organization of which an individual or a member of their immediate family is a director or officer or owns or controls, directly or indirectly, and severally or in the aggregate, at least five percent of the outstanding equity. Notwithstanding the foregoing, an elected official or employee who is appointed by the Mayor or approved by the Council to serve as an officer or board member of a private non-profit organization, or a public committee or board, does so in their official capacity as a representative of the City and, as such, is not "associated" with the private or public organization.

Board means the Ethics Board.

City-related purpose means those purposes authorized by the Common Council of the City, its boards, commissions, or committees.

Covered person means and includes all persons who are covered by and subject to this code. "Covered person" includes:

- (1) All elected officials of the City.
- (2) All City employees.
- (3) All members of City boards, authorities, committees, or commissions, including subcommittees and ad hoc committees.

When a part of this article only covers some covered persons, the article will so state.

Economic interest or financial interest means a business or cause in which a person or their immediate family member has a concern, responsibility, share, right, or title in the ownership of property in a commercial or financial undertaking which relates to the source, production, distribution, or use of the person's or immediate family member's income, wealth, or goods, including debts, or which affects or is likely to affect the welfare or the material resources of the person or immediate family member.

Immediate family means:

- (1) An individual's spouse or designated family or domestic partner, or
- (2) An individual's relative by marriage, lineal descent, or adoption, or any similar step relations of any of the above.

Organization means any public or private, profit or non-profit, religious, educational, charitable, or political organization or entity but does not include governmental bodies.

Personal interest means any interest greater than nominal, direct or indirect, arising from blood, marriage, adoption, guardianship, or designated family or domestic partner relations or from close business, political, or other associations.

(Ord. No. 18-22, § 1, 3-7-2023)

Sec. 2-324. - Standards of conduct.

- (a) *Financial gain.* No covered person may use their public position or office to obtain financial gain or anything of value for the covered person's private benefit or that of their immediate family, or for an organization with which they are associated. This subsection does not prohibit an elected official from using the title or prestige of their office to obtain contributions permitted and reported under Wis. Stats. ch. 11.
- (b) *Offer, solicitation, or acceptance of anything of value.* No person may offer or give to any covered person, directly or indirectly, and no covered person may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the covered person's vote, official actions, or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the covered person. This subsection does not prohibit a covered person from engaging in outside employment, except as may be prohibited elsewhere in this chapter.
- (c) *Conflict of interest.*
 - (1) No covered person may:
 - a. Take any official action affecting, directly or indirectly, a matter in which they, a member of their immediate family, or an organization with which they are associated has a financial or personal interest.
 - b. Use their office or position in a way that produces or assists in the production of a benefit, direct or indirect, for them, a member of their immediate family either separately or together, or an organization with which the covered person or an immediate family member is associated.
 - (2) This subsection does not prohibit a covered person from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses or prohibit a covered person from taking official action with respect to any proposal to create, modify, or repeal a City ordinance, resolution, or matter benefiting the public.
- (d) *Outside employment.*
 - (1) No covered person shall engage in or accept private employment, or render service for a private interest, compensated or uncompensated, when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair such covered person's independence of judgment or action in the performance of such duties.

- (2) No City employee shall engage in non-City related activities for which compensation is received for so many hours or to such an extent as to interfere with the proper performance of the duties and responsibilities of their official position.
- (3) On an annual basis on or before January 1, all covered persons shall disclose to their supervisor or, in the case of a covered person without a recognized supervisor (such as elected officials or committee members), to the City Clerk, any outside employment by a third party other than the City.
- (e) *Contracts or leases.* No covered person, member of a covered person's immediate family, nor any organization in which the covered person or a member of their immediate family owns or controls at least five percent of the outstanding equity, indebtedness, or voting rights may enter into any contract or lease involving a payment or payments of more than \$3,000.00 within a 12-month period, in whole or in part derived from funds administered by the City, unless the covered person has first made written disclosure of the nature and extent of such relationship or interest to the Common Council, the Board, Commission, or Authority, and to the department acting for the City in regard to such contract or lease. In addition to such disclosure, the covered person shall recuse themselves from taking any actions in their official capacity with respect to the contract. In addition to any other remedy under this article, any contract or lease entered into in violation of this provision may be voided by the City in an action commenced within three years of the date on which the City or any agent of the City discovered that a violation of this subsection had occurred. Nothing in this provision affects the application of Wis. Stats. § 946.13, as amended from time to time, relating to a covered person's activity concerning a direct or indirect financial interest in a proposed City contract.
- (f) *Misuse of information.* No covered person shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the City. This includes information protected by attorney-client privilege or discussed in a closed session. No covered person may use or disclose information gained in the course of or by reason of their official position or activities in any way that could result in the receipt of anything of value for themselves, for a member of their immediate family, or for any other person or entity if the information has not been communicated to the public or is not a public record. It is not a defense that the information disclosed in violation of this section was subsequently released to the public or became public record.
- (g) *Appearance before City bodies and in other proceedings.*
- (1) a. No elected official shall appear on behalf of private interests with or without compensation before any City entity nor represent private interests in any action or proceeding against the City.
- b.

No member of any board, committee, commission, or authority of the City shall appear on behalf of private interests with or without compensation before any board, committee, or commission of which they are a member nor represent private interests in any action or proceeding against the City which involves, is related to, or arises out of the work or jurisdiction of the board, committee, commission, or authority of which they are a member or negotiate with any covered person in connection with any such matter.

- c. No employee of the City shall appear on behalf of private interests with or without compensation before any entity for or with which they work nor appear on behalf of private interests, with or without compensation, in any action or proceeding against the City.
- (2) These provisions shall not apply to the appearance of any covered person when subpoenaed as a witness by a party involved in litigation which may also involve the City nor to employee representatives of a certified labor organization representing any group of City employees.
- (3) An elected official may appear before any City entity and confer with any covered person on any matter in the course of their duties as a representative of the electorate or in the performance of public or civic obligations; however, they shall not accept any compensation therefore.
- (4) A covered person may appear without compensation before any City entity on any matter involving their own property or interests.
- (h) *Solicitation of funds.*
 - (1) Unless exempt under, no covered person shall solicit private donations or funds for any City-related purpose unless authorized to do so in their official capacity by ordinance, resolution, or rule of the City. Any covered person who receives funds for any City-related purpose shall file a report of the receipt and expenditure of such funds with the City Clerk within 30 days thereof. Nothing contained herein shall limit the statutory powers and authority of any public official, nor shall the provisions of this subsection prohibit the private solicitation of funds by any person or public official for any charitable, campaign, or other private purpose.
 - (2) City employees may solicit private donations if all the following apply:
 - a. The funds are to be used for a City project, event, or conference to be held within the City.
 - b. The Department Director has approved the City employee to solicit.
- (i) *Honoraria and gifts.*
 - (1) No covered person shall accept any honoraria, gifts, or anything of value except as allowed by this section.
 - (2) A covered person may accept gifts unrelated to a covered person's relationship to the City (e.g., birthday presents from family members).
 - (3)

A covered person may not accept, and no person shall offer, a gift of more than de minimus value if the gift could be perceived by a reasonable person as likely to affect the judgment or actions of the covered person or be perceived by a reasonable person as a reward for official action taken or an inducement to take official action by the covered person.

- (4) A covered person may accept reimbursement from a third party for the costs of attending a conference or other event approved by the City, provided that the reimbursement of costs does not exceed the reimbursement that the covered person would receive from the City. A covered person invoking this provision shall obtain approval of the City Finance Director and file a report of reimbursement with the City Clerk. The covered person may only seek reimbursement from the City or a third party when they are attending a conference or engaged in other activities that are primarily for the benefit of the City and not for their private benefit.
- (5) In the event a covered person receives a gift that is not allowed under this article, the covered person shall, within 30 days of receipt, either (a) pay to the City Treasurer the value of the gift, (b) give the gift back to the person who made the gift, or (c) give the gift to a non-profit organization such as a homeless shelter.
- (j) *Use of City property.* No covered person shall use or permit the use of City-owned vehicles, equipment, materials, or property by or for the benefit of any private person or entity, or for personal or financial gain, unless authorized to do so by City ordinance, resolution, or rule.
- (k) *Communication with City employees.* Unless otherwise provided in this code, no elected official or member of any City body shall attempt to supersede the administrative powers and duties of a Department Director or appointed official, or deputy thereof, either publicly or privately, including by giving any order(s) to any subordinate thereof. Elected officials and members of City bodies shall not attempt to unduly influence or coerce City employees concerning their actions or recommendations to any City body about personnel, purchasing, awarding contracts, selection of consultants, processing of development applications, inspection matters, or the granting of City licenses and permits.

(Ord. No. 18-22, § 1, 3-7-2023; Ord. No. 08-24, § 1, 4-16-2024)

Sec. 2-325. - Post employment limitations.

- (a) No covered person shall, within 12 months of leaving their position with the City, engage in lobbying as set forth in ch. 10, art. XIII of this Code before any covered person, City entity, board, committee, or commission with which the covered person had duties or authority while with the City.
- (b)

Employment within the City. No Alderperson, during their term of office or within 12 months thereafter, is eligible for any employment with the City, whether by regular employment or contractual services.

Exceptions to this policy will be as follows:

- (1) Where an Alderperson is appointed to fill a vacancy for another elected office or is elected;
- (2) Where an Alderperson serves as a poll worker or at any other position which has a stipend of less than \$1,000.00 a year; or
- (3) Where an Alderperson is appointed to a post with an 80 percent majority consent of the Council.

(Ord. No. 18-22, § 1, 3-7-2023)

Sec. 2-326. - Political activity.

- (a) No employee while on duty or on official City business shall, for the apparent purpose of influencing the outcome of any referendum or improving the chance of election of a person seeking elective office:
 - (1) Wear or display any campaign material.
 - (2) Distribute any campaign literature.
 - (3) Solicit, receive, or give subscriptions, contributions, or service for any candidate or referendum position.
 - (4) Actively campaign for or against any candidate or referendum position.
- (b) No employee shall wear or otherwise use official uniforms, insignia, seals, etc., in political ads or for the purpose of influencing an election or referendum unless the image of such official emblem originates from a publicly available image first made public during the course of City employment and not for purposes of a campaign.
- (c) No employee shall use their employment or any indicia of such employment with the City as a means of endorsement of any candidate or referendum.
- (d) No employee shall in any way coerce or attempt to coerce subscriptions, contributions, or service from other employees in support of a political party or a candidate for elective office or for or against a referendum position, or retaliate against or reward an employee for refraining from participating in any political activity. All persons are subject to the limitations on solicitation from public employees contained in Wis. Stat. § 11.1207.
- (e) This subsection does not apply to a response by a legal custodian or subordinate of the custodian to a request to locate, reproduce, or inspect a record under Wis. Stat. § 19.35, if the request is processed in the same manner as the custodian or subordinate responds to other requests to locate, reproduce, or inspect a record under such section or to an employee providing other information within the knowledge of the employee by virtue of their City position, if such information is made equally available upon request to any other person.

- (f) Persons subject to the federal Hatch Act shall comply with all applicable provisions of the Act.
- (g) Solicitation of staff forbidden. No covered person, while acting in an official capacity, shall solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, collection of petition signatures, etc.) from any City employee. City employees may, within their constitutional rights as private citizens, support political candidates, but all such activities must be done in a private, unofficial capacity.

(Ord. No. 18-22, § 1, 3-7-2023)

Sec. 2-327. - Disclosure of interests.

- (a) *Intent.* The disclosure of interests under this section is necessary to ascertain actual or potential conflicts, and the extent thereof, between private interests and official duties. Any percentages or amounts referenced in this section represent the threshold at which a private interest may result in a conflict with a covered official's duties.
- (b) *General filing for employment or appointment.* A person elected, appointed, or hired for any office or position of employment or appointed to any City of Green Bay board, commission, or authority set forth below shall file initial and amended statements of economic interest as required by the provisions of this section.

(1) *Elected officials.*

- a. Mayor.
- b. Municipal Judge.
- c. Alderpersons.

(2) *Appointed officials.*

- a. Assessor.
- b. City Attorney.
- c. Chief Building Official.
- d. Chief of Operations.
- e. City Clerk.
- f. Comptroller.
- g. Director of Community and Economic Development.
- h. Director of Parks, Recreation, and Forestry.
- i. Director of Public Works.
- j. Fire Chief.
- k. Police Chief.
- l. Treasurer.

m. Zoning Administrator.

(3) *Employees.*

- a. Human Resources Manager.
- b. Mayor's Chief of Staff.
- c. Purchasing Manager.

(4) *Boards.*

- a. Board of Review.
- b. Ethics Board.
- c. Sex Offender Residence Board.
- d. Zoning and Planning Board of Appeals.

(5) *Commissions.*

- a. Annexation Commission.
- b. Equal Rights Commission.
- c. Landmarks Commission.
- d. Plan Commission.
- e. Police and Fire Commission.
- f. Public Arts Commission.
- g. Room Tax Commission.
- h. Traffic, Bicycle and Pedestrian Commission.
- i. Transit Commission.
- j. Water Commission.

(6) *Authorities.*

- a. Housing Authority, including Green Bay Housing Authority Properties I, Inc.
- b. Redevelopment Authority.
- c. Transit Authority.

(c) *Filing statement of economic interest with Clerk.* Within seven days after such person becomes a candidate for any elective City office enumerated in this section, or within seven days of appointment to such office, such person shall file a statement of economic interest with the City Clerk.

(d) *Form of statement.* A person filing any statement of economic interest under this section shall file the statement on a form prescribed by the Ethics Board and shall supply the following information to the Board.

(1)

Interest in land. The statement shall include a description of all parcels of real estate within the State of Wisconsin in which the person owns any interest, including an option to purchase, except for homestead property.

- (2) *Corporate interests.* The statement shall identify all of the person's corporate interests in any organization, either as an owner, part owner, member, partner, or silent partner, in which such individual owns more than two percent of the outstanding equity or more than two percent of any other ownership interest that transacts with the City in an amount in excess of \$5,000.00 annually.
- (3) *Other financial holdings.* The statement shall identify any of the person's other stock or securities or other financial holdings of any type exceeding \$10,000, but excluding personal checking and savings accounts, money market funds, and any funds held in a bona fide retirement account.
- (e) *Amended statements.* Any person required to file a statement hereunder shall not be required to file an amended statement unless that person undergoes a change in those economic interests that are required to be disclosed by this section. Such person shall file the amended statement in the manner prescribed by subsection (b) of this section within seven days of the date of any change in circumstances requiring filing thereof. In addition, all persons covered by this section shall file an annual update of the statement no later than January 31 of each year. The City Clerk shall send a notice to all person covered by this section no later than December 15 of each year, notifying them of the annual update requirement.

(Ord. No. 18-22, § 1, 3-7-2023; Ord. No. 05-24, § 3, 3-19-2024)

Sec. 2-328. - Exceptions.

- (a) Nothing in this article shall be construed to cover the actions of a covered person in the official action of approving or amending City ordinances, resolutions, or rules, unless such official action was accompanied by a violation of this article.
- (b) Nothing in this article shall be construed to limit the authority of covered persons to approve the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses.
- (c) Sections 2-321 and 2-322 are aspirational statements to be used in application and interpretation of this article. No complaint may be filed under this article solely claiming a violation of either of those two sections.

(Ord. No. 18-22, § 1, 3-7-2023)

Sec. 2-329. - Disclosure and recusal.

- (a) Any covered person who faces a situation where they may violate the standards of conduct in section 2-324, or any other provision of this article, shall determine whether such a situation requires the covered person to make a disclosure or to recuse themselves. Such disclosure or recusal shall take place before the matter comes before the covered person.
- (b) The covered person shall disclose any conflict or financial interest or other section of the Code, as well as whether they can reasonably and objectively determine that the situation presents a tangential interest that will not conflict with their official duties, and will not influence their actions, independence, or judgment.
- (c) The covered person need not make a disclosure if they recuse themselves. If the covered person determines that the situation reasonably and objectively would conflict with their official duties, or impair their independence, action, or judgment, the covered person shall recuse themselves from any action with respect to the matter. Recusal is accomplished by announcing that the covered person will take no part in the proposed action, will not discuss it with any person, will not attempt to influence any other person's action, and effectively will be absent when any aspect of the matter is considered.

(Ord. No. 18-22, § 1, 3-7-2023)

Sec. 2-330. - Ethics Board—Composition and duties.

- (a) There shall be an Ethics Board which shall consist of five regular members and one alternate member: one Alderperson; one City officer or employee; and four residents of the City, one of whom shall be an alternate who shall vote only in the absence or abstention of a regular member. Each member shall be appointed by the Mayor and subject to confirmation by the Common Council. The resident members shall not be City employees. Terms of office of citizens shall be three years, and shall be staggered, so that no more than two appointments are made annually. The Ethics Board shall elect its own Chairperson and Vice-Chairperson annually. If any member of the Ethics Board petitions the Board for a hearing and advice regarding their own conduct, or if a complaint is filed against a member of the Ethics Board, such member shall not be eligible to sit in their own case, and the alternate shall substitute therefor when the need arises. In the event a complaint is filed against two or more members of the Ethics Board, the Personnel Committee shall sit as the ad hoc Ethics Board for any hearing.
- (b) The City Attorney shall advise the Ethics Board and shall not represent any person requesting an advisory opinion, filing a complaint, or subject to a complaint before the Board. In the event of a conflict, the City Attorney may hire conflict counsel to represent the Board. The City Attorney may, but need not, issue advisory opinions to any City employee covered by this article who has a question as to the applicability of any portion hereof themselves. Such advisory opinions by the City Attorney are public records and disclosure of the same is subject to Wisconsin Open Records

laws. If the facts stated in the request for an advisory opinion are accurate, and the requestor follows the advice of the City Attorney, it will be prima facie evidence that no violation of this code took place. The City Attorney may refer any request for an advisory opinion to the Ethics Board.

- (c) The Ethics Board may issue advisory opinions. Any person who questions whether they may be in a position to violate the Ethics Code may make a request for an advisory opinion. The Board may issue an opinion to the person. The opinion shall be public, unless the person in the original request asked that it be a confidential inquiry. Any opinion issued in response to a request for a confidential inquiry may be made public by the person obtaining the opinion. The Board also may issue summaries of confidential opinions written to protect the identity of the person requesting the opinion. If the facts stated in the request for an advisory opinion are accurate, and the requestor follows the advice of the Ethics Board, it will be prima facie evidence that no violation of this Code took place.
- (d) Any adult resident of the City of Green Bay may file a sworn complaint alleging that a covered person has violated the Ethics Code. The complaint shall be filed with the City Attorney. Upon receipt of the complaint, the official(s) complained of shall be provided a copy and be given no less than 15 nor more than 30 days to file a written response. The complaint must allege the specific section(s) of the Ethics Code that were violated.
- (e) Jurisdictional hearing. The Board shall hold a jurisdictional hearing to determine if the allegations of the complaint merit a hearing on the substance of the allegations. The Board shall assume that allegations in the complaint are true unless contradicted by public documents of which the Board may take notice. The Board shall determine if the complaint alleges sufficient provable facts to have an evidentiary hearing. No evidentiary testimony shall be taken at a jurisdictional hearing. Any complaint filed more than 180 days after the actions alleged, or the discovery of those actions by the complainant who acted with reasonable efforts to discover the actions, shall be summarily dismissed at the jurisdictional hearing.
- (f) If the Board determines an evidentiary hearing shall be held, both the complainant and respondent may present such relevant evidence as will assist the Board in determining if a violation of the Code occurred. The City Attorney shall advise the Board in any hearing. If the Board finds no violation, it shall dismiss the complaint.
- (g) The Board may adopt rules and procedures to govern complaints, responses to complaints, the conduct of hearings, and any other matters relevant to its duties.
- (h) If the Board finds the complaint was brought in bad faith, with no reasonable basis in fact or law, or with an intent to harass the respondent, the Board may recommend that the City Attorney bring an action in the name of the City in municipal court for a forfeiture not to exceed \$200.00.
- (i) If the Board finds that a violation occurred, the Board may take any of the following actions:
 - (1) Find that any violation was *de minimis* and no further action is needed.

- (2) Issue an order censuring the respondent for the violation.
- (3) Recommend that the Common Council censure the respondent.
- (4) Recommend that the City Attorney bring an action in municipal court in the name of the City, seeking a forfeiture of not less than \$100.00 and nor more than \$500.00 per violation.
- (5) Recommend that the Common Council or other appropriate authority remove the respondent from public position for cause.
- (j) Except as provided for a confidential advisory opinion, the meetings and records of the Board are subject to the Open Meetings Law and Public Records Law.
- (k) The Ethics Board may recommend amendments of the Ethics Code to the Common Council.

(Ord. No. 18-22, § 1, 3-7-2023)

Secs. 2-331—2-365. - Reserved.

Elected and Appointed Official Code of Ethical Conduct

The City of Madison and its elected and appointed officials (alders, mayor, and City board, commission, or committee members) share a commitment to ethical conduct and service to the city and its residents. In alignment with the City of Madison vision to be inclusive, innovative, and thriving, and its mission to provide the highest quality of service for our residents and visitors, City elected and appointed officials 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 position to bully, harass, or abuse others. This Code is designed to communicate the expectation that City elected and appointed officials shall treat City staff and each other with respect and courtesy at all times. This policy is intended to promote an inclusive and positive work environment and working relationships, and prevent unlawful discrimination.

This policy applies to all elected and appointed City officials and applies to any conduct or interaction that occurs at the workplace and at any location or on any platform that can be reasonably regarded as an extension of the workplace, including but not limited to the use of a telephone, voicemail, text messages, video meeting, and/or any social media or online platforms. City staff members, including department and division heads, are governed by [APM 3-5 PDF](#) and [APM 2-33 PDF](#).

City elected and appointed officials, in the performance of their duties, shall create and maintain a welcoming, respectful, and inclusive work environment and shall not engage in abusive, violent, bullying, harassing, discriminatory or other threatening or intimidating behavior or language.

Harassment of or discrimination against any person on the basis of any [City protected class](#)* status or statuses is expressly prohibited.

- **Bullying** is repeated, unwanted, aggressive physical or verbal behavior which hurts another individual, physically, mentally, or emotionally.
- **Harassment** is repeated or egregious unwelcome, intimidating, hostile or offensive actions, words, jokes or comments based on any protected class status or statuses.
- **Discrimination** is unfair treatment of an individual or members of a group based on their protected class status.

Bullying, harassment, and discrimination are demeaning to others and undermine the integrity of relationships. In the event that these shared objectives are not met, effort shall be taken to notify the individuals of the substance of the issue so that they can resolve it. Self-correction or informal resolution between parties in a timely manner is strongly encouraged, with formal sanctions only as a rare and last option if informal communication and resolution is unsuccessful. Formal sanctions include formal censure by the Common Council or committee of one of its members, removal of a committee member from the body, or, in limited cases pursuant to [Wis. Stat. § 17.001](#), removal of a Common Council member from office. Per state statute, alders and appointees to BCCs can only be removed by a vote of the Council for cause, meaning “inefficiency, neglect of duty, official misconduct or malfeasance in office.”

Elected or appointed City officials, upon entering office or being appointed as a BCC member, shall be provided a copy of this policy and shall acknowledge receipt. Failure to acknowledge receipt does not exempt an individual from the requirements of this policy.

The City shall offer trainings and other supports to promote an inclusive and welcoming environment and provide elected and appointed officials with resources to assist them in resolving any issues that may arise.

Please refer to [MGO 3.35 Code of Ethics](#) for regulations on additional aspects of conduct, such as conflicts of interest, use of public office, political activity, and receiving gifts and favors.

**City protected classes: age, arrest record, citizenship status, color, conviction record, credit history, disability, domestic partners, familial status, gender identity, genetic identity, HIV status, homelessness, less than honorable discharge from military, marital status, military/veteran status, national origin/ancestry, non-religious, physical appearance, political beliefs, race, religion, sex, sexual orientation, source of income, student status, unemployment, use or non-use of lawful products off the employer's premises during non-work hours*

Sexual Harassment - Appendix A

If a person has experienced or witnessed sexual harassment by an alder or member of a City board, commission or committee while such official is on City business, whether on or off City premises, including at City-sponsored events or other events which the alder or appointed individual attends in their official capacity, the Council encourages the following steps:

- If the person feels comfortable and safe, the person can address the matter informally with the alder or appointed individual.
- The person can report the matter to another alder; the alder will connect the person with the Common Council Chief of Staff.
- The person can contact the Council Chief of Staff; the Chief of Staff will connect the person with the appropriate personnel to report their claim.

Prohibited Conduct:

Examples of actions that could constitute sexual harassment include, but are not limited to:

- Preferential treatment in return for submitting to or engaging in sexual conduct
- Making derogatory or demeaning comments about someone's sexual orientation or gender identity (including but not limited to consistently misgendering an individual)
- Name-calling or using slurs with a gender/sexual connotation

- Making sexual comments about appearance, clothing or body parts
- Rating a person's sexuality
- Asking for sex or sexual conduct
- Asking a person for dates in a coercive manner, or repeatedly asking for a date after having been turned down
- Staring in a sexually suggestive manner
- Unwelcome touching, including pinching, patting, rubbing, or purposefully brushing up against a person, making inappropriate sexual gestures
- Unwelcome sharing of sexual or lewd anecdotes or jokes
- Unwelcome sending of sexually suggestive communications in any format
- Sharing or displaying sexually inappropriate images or videos in any format not necessary for work purposes
- Attempted or actual sexual assault

Reporting:

A person who feels that they have been harassed by an alder or an appointed individual while acting in their official capacity may report the matter to the organizer of the event or relevant meeting authority or the Council Office Chief of Staff. The organizer of the event or the meeting authority will be expected to take appropriate action by its applicable policies, regulations, and rules and shall notify the Council Office Chief of Staff.

Examples of appropriate action may include, but are not limited to:

- Requesting the perpetrator to stop the offending behavior immediately
- Conveying the complaint to the Council Office Chief of Staff

The Council Office Chief of Staff will connect the individual reporting the conduct with the Department of Civil Rights, Human Resources, and the City Attorney. After talking to the complainant and, if different, the person who was the alleged subject of the sexual harassment, the Department of Civil Rights, the Human Resources Department, and the City Attorney will decide

if an investigation or referral to any other agency is needed. Any action taken as a result of an investigation shall be under the applicable Federal, State or City law or applicable City procedure.

Debriefing:

If the Department of Civil Rights, Human Resources, and the City Attorney complete an investigation upon completion of their investigation they shall debrief the complainant, the respondent, the Council President and the Council Office Chief of Staff on the findings of the investigation.

Release of Summary of Findings or Related Documents:

After consideration of safety-related concerns and confidentiality needs related to the investigation, the Common Council President may issue a public summary of findings.

The City will ensure compliance with Wisconsin's Public Records Laws in release of any required documents, redacting such information as required by law.

Retaliation:

Threats, intimidation, or any other form of retaliation against a person who has made a complaint or provided information supporting a complaint are prohibited. An alder or appointed individual or any other entity responsible for Council events will take any reasonable and appropriate action to prevent and respond to retaliation per its applicable policy, regulations, and rules.

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**Code of Conduct for Members of the Menomonie
Common Council and City Boards, Commissions and Committees
Adopted by the Menomonie Common Council**



Preamble

The citizens and businesses of the City of Menomonie are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of Menomonie commitment to excellence, the effective functioning of democratic government therefore requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public office be used for the public good, not for personal gain;
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Menomonie Common Council (Section 62.11(1), Wis. Stats. states: "The mayor and alderpersons shall be the common council".) has adopted a Code of Conduct for members of the Common Council and members of the City's boards, commissions and committees to assure public confidence in the integrity of local government and its effective and fair operation.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of The City of Menomonie and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Menomonie Common Council and City boards, commissions and committees.

2. Comply with the Law

Members shall comply with the laws of the nation, the State of Wisconsin and the City of Menomonie in the performance of their public duties. These laws include, but are not limited to: the United States and Wisconsin constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Common Council, City boards, commissions and committees, City staff or public.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the Common Council and City boards, commissions and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Common Council by City staff.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the Common Council or City boards, commissions and committees, which they may have received from sources outside of the public decision-making process.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest.

In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Gratuities

No member may solicit or accept from any person, directly or indirectly, any gift, gratuity or anything of value if it would reasonably be expected to influence the member's vote, actions or judgment, or could reasonably be considered as a reward for any action or inaction on the part of the member.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources

Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, members of the Common Council shall not appear on behalf of the private interests of third parties before the Common Council or any board, commission, committee or proceeding of the City, nor shall members of City boards, commissions or committees appear before their own bodies or before the Common Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. Advocacy

Members shall represent the official policies or positions of the Common Council, City boards, commissions or committees to the best of their ability when designated as delegates for this when presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Menomonie, nor will they allow the inference that they do.

14. Policy Role of Members

Members shall respect and adhere to the mayor-alderperson structure of Menomonie city government as outlined by the City of Menomonie ordinances. In this structure, the Common Council determines the policies of the City with the advice, information and analysis provided by the public, City boards, commissions and committees, and City staff.

Except as provided by the City ordinances, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff nor shall they impair the ability of staff to implement Common Council policy decisions.

15. Independence of Boards, Commissions and Committees

Because of the value of the independent advice of City boards, commissions and committees to the public decision-making process, members of the Common Council shall refrain from using their position to unduly influence the deliberations or outcomes of City board, commission and commission proceedings.

16. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive work place environment of City employees and for the citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to City staff.

17. Implementation

As an expression of the standards of conduct for members expected by the City, the Menomonie Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, conduct standards shall be included in the regular orientations for members of the Common Council, City boards, commissions and committees, and newly elected and appointed officials. Members entering office shall sign a statement affirming they have read, understood and will comply with the City of Menomonie Code of Conduct. In addition, the Code of Conduct shall be annually reviewed by the Common Council and City boards, commissions and committees, and the Common Council shall consider recommendations from City boards, commissions and committees and update it as necessary.

18. Compliance and Enforcement

The Menomonie Code of Conduct expresses standards of conduct expected for members of the Menomonie Common Council and City boards, commissions and committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of City boards, commissions and committees and the Mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Conduct are brought to their attention.

The Common Council may impose sanctions on members whose conduct does not comply with the City's standards, such as reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. The Common Council also may remove members of boards, commissions and committees from office.

A violation of this Code of Conduct shall not be considered a basis for challenging the validity of a Common Council, City board, commission or committee decision.

Model of Excellence
Menomonie Common Council, Boards, Commissions and Committees
MEMBER STATEMENT

As a member of the Menomonie Common Council or of a City board, or commission or committee, I agree to uphold and comply with the Code of Conduct for elected and appointed officials adopted by the Common Council and conduct myself by the following Model of Excellence.

I will:

Recognize the worth of individual members and appreciate their individual talents, prospective and contributions.

Help create an atmosphere of respect and civility where individual members, City staff and the public are free to express their ideas and work to their fullest potential.

Conduct my personal and public affairs with honesty, integrity, fairness and respect for others.

Respect the dignity and privacy of individuals and organizations.

Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit.

Avoid and discourage conduct which is divisive or harmful to the best interest of the City of Menomonie.

Treat all people with whom I come in contact in the way I wish to be treated.

I affirm that I have read, understood and will comply with the City of Menomonie Code of Conduct and Model of Excellence.

Signature _____

Date _____

Name of Office _____