



Bargaining Committee
Legislative Committee
Joint Agenda
February 9, 2016
5:00 p.m.

JOINT COMMITTEE AGENDA

1. Call to Order
2. Discussion and Action Items:
 - Charter Ordinance to Define the Role of Mayor as Chief Executive Officer and to Establish the Office of City Administrator - [Administrator Charter Ord 020516](#)
 - ✓ Letter from City Attorney Paul Alexy - [Council Charter Ord ltr 020516](#)
 - ✓ Chapter 105 – current - [Chapter 105 - Existing](#)
 - ✓ Resolution to Begin an Annual 4 Year Organizational review of the Assignments, Duties and Authorities of the City Administrator for the Purpose of Timely and Necessary Updates to be Adopted in Chapter 105 of the City of St. Francis Code of General Ordinances – submitted by Mayor St. Marie-Carls - [Resolution to Begin Annual 4 Year Organizational Review](#)
3. Adjourn

PUBLIC NOTICE

Upon reasonable notice, a good faith effort will be made to accommodate the needs of individuals to participate in public hearings, which have a qualifying disability under the Americans with Disabilities Act. Requests should be made as far advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the St. Francis City Clerk at 481-2300 Extension #4305. The meeting room is wheelchair accessible from the east and west entrances.

NOTE: There is a potential that a quorum of the Common Council may be present.

CHARTER ORDINANCE NO. C-14

A CHARTER ORDINANCE TO DEFINE THE ROLE OF MAYOR AS CHIEF EXECUTIVE OFFICER AND TO ESTABLISH THE OFFICE OF CITY ADMINISTRATOR

WHEREAS, Section 66.0101 of the Wisconsin Statutes provides for the enactment of charter ordinances by the Common Council to enact, amend or repeal the charter, or any part of the charter, of the City and elect under that Section that any law relating to the local affairs and government of the City, other than those enactments of the legislature of statewide concern as shall with uniformity affect every city or every village, shall not apply to the City; and

WHEREAS, Section 105-11 of the City of St. Francis Code of Ordinances currently provides that the duties and responsibilities of Mayor shall be as set forth in Wis. Stat. sec. 62.09(8); and

WHEREAS, Wis. Stat. sec. 62.09(8)(a) provides, in part, that the mayor shall “be the chief executive officer” and that the mayor “shall take care that city ordinances and state laws are observed and enforced and that all city officers and employees discharge their duties”; and

WHEREAS, Section 105-12 of the City of St. Francis Code of Ordinances currently provides for the establishment of the position of City Administrator; and

WHEREAS, questions have arisen as to the extent of authority to be exercised by the City Administrator as “Chief Administrative Officer” of the City and the Mayor as “Chief Executive Officer” of the City; and

WHEREAS, the Common Council finds that use of the authority granted under Section 66.0101 of the Wisconsin Statutes to amend the charter of the City of St. Francis for purposes of establishing the office and determining the authority of the City Administrator and to amend the City’s charter to define and establish the limits of the authority granted to a mayor as chief executive officer of the City will promote the governance and good order of the City, its commercial benefit, and the health, safety, and welfare of the public;

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF ST. FRANCIS DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 105, Section 11, entitled “Mayor and Aldermen”, Subsection B, entitled “Duties and powers”, subparagraph 1, entitled “Mayor”, is hereby repealed and

recreated as Charter Ordinance 14 and codified as Section 105-11(B)(1) to read as follows:

§ 105-11. Mayor and Aldermen.

...

B. Duties and powers.

(1) Mayor. See § 62.09(8), Wis. Stats. The Mayor shall have such duties and powers as are enumerated in Ch. 62, Wis. Stats., and elsewhere in the statutes and this Code from time to time provided, however, that the City of St. Francis hereby elects not to be governed by those portions of sections 62.09(8)(a) of the Wisconsin Statutes, relating to the office of Mayor that are in conflict with the provisions of this Charter ordinance enacted under Section 66.0101 of the Wisconsin Statutes. Such duties and powers shall be construed to include a duty for the Mayor to:

(a) Serve as presiding officer at Council meetings as set forth in § **32-3** of this Code;

(b) Serve as a representative of the City at intergovernmental (e.g., Milwaukee County Intergovernmental Cooperative Council) and other meetings from time to time;

(c) Make all required appointments/reappointments to boards, commissions, and committees and all standing committees within the time periods set forth in the Wisconsin Statutes or this Code and, where no such time period is otherwise provided, within 60 days of the expiration of a term or the occurrence of a vacancy;

(d) Ensure timely communication of appointments, reappointments, and nonrenewal of appointments of citizens to boards, commissions, and committees;

(e) Pursue removal of citizens from boards, commissions, and committees in accordance with applicable provisions of the Wisconsin Statutes; and

(f) Obtain approval of the Council prior to the discipline or dismissal of any appointed official or employee of the City.

(g) The Mayor's exercise of the power granted under Wis. Stat. sec. 62.09(8)(a) to act as "chief executive officer" shall be limited to monitoring the activities of the City Administrator provided under Section 105-12 of this Code.

(h) The Mayor's exercise of the power granted under Wis. Stat. sec. 62.09(8)(a) to "take care that city ordinances and state laws are observed and enforced and that all city officers and employees discharge their duties" shall be limited to bringing any and all questions, comments, concerns, and recommendations concerning the officers and employees and/or the various departments of city government to the attention of the City Administrator; it being the express intention of this Ordinance that the City Administrator be solely responsible for day-to-day operations of the City subject only to the control and management of the Council as a body and not any individual member of

the Council including, but not limited to, the Mayor.

SECTION 2: Section 105-12 of the City of St. Francis Code of Ordinances is hereby repealed and recreated as Charter Ordinance No. C-14 of the City of St. Francis Code and codified as Section 105-12 to read as follows:

§ 105-12. Administrator.

A. Office created. In order to provide the City of St. Francis with a more efficient, effective and responsible government under a system of a part-time mayor and part-time Common Council at a time when city government is becoming increasingly complex, there is hereby created the office of City Administrator for the City of St. Francis ("Administrator") to better ensure the competent, expeditious, efficient, and harmonious administration and action of the City and the uniform application of policies established by the Common Council.

B. Appointment and term. The Administrator shall be appointed on the basis of merit with due regard to training, experience, administrative ability and general fitness for the office by a majority vote of the Common Council. The Administrator shall hold office for an indefinite term, subject to removal by a three-fourths (¾) vote of the entire Common Council. This section shall not preclude the Common Council from establishing other employment terms and conditions, not inconsistent with the provisions of this Chapter or this Code.

C. Powers.

~~A. Appointment and term. See § 105-3.~~

~~(1) B. Duties and powers. The Administrator shall have the combined positions of Administrator, Finance Director, Budget Director, Labor Negotiator, Human Resources Director, Purchasing Agent, and Legislative Representative. Subject to the limitations defined in resolutions and ordinances of the City and, except as otherwise modified by this Charter Ordinance the Wisconsin State Statutes, s/he shall be the chief administrative officer of the City and shall have complete authority and responsibility, responsible only to direct and control all City departments; except the Mayor and the Common Council for proper administrator of the fire, police business and library departments to affairs of the extent employees in those departments are regulated by City under the Police & Fire Commission or the Library Board. ordinances of the City and the resolutions and directions of the Common Council, with the following duties and responsibilities. The Administrator shall:~~

~~(2) In granting the Administrator the powers set forth herein, it is expressly intended that the Administrator have sole responsibility for the day-to-day operations of the City subject only to the control and management of the Council as a body and not any individual member including, but not limited~~

to, the Mayor.

D. Responsibilities to Mayor and Common Council. The responsibilities of the City Administrator to the Common Council shall include:

~~(1) Be responsible for effectuating all actions of the Common Council which require administrative implementation or where the Mayor and Council have directed him/her to act.~~

~~(2) Be responsible for coordinating the administrative activities of all City departments. This shall include making or directing studies as necessary to ensure the most economical, efficient operation of such departments and may require reports from them when deemed necessary.~~

(1) ~~(3)~~ Attend all meetings of the Common Council, Finance Committee, and Bargaining Committee and all meetings of such other committees and commissions as the Mayor and Council shall direct unless excused by the Mayor and Council President, or by a majority of the Common Council.

(2) ~~(4)~~ Keep the Mayor and Common Council regularly informed about matters pertaining to the City and the activities of the Administrator's office through written and/or oral reports.

(3) ~~(5)~~ Supervise the preparation of the agenda and approve the content of the agenda and the order of business for all Council meetings. Nothing contained in this section shall be so construed as to give the Administrator authority to limit or in any way prevent matters from being considered following direction by the Common Council.

(4) ~~(6)~~ Assist the Mayor and Common Council in setting goals and objectives and implementation of programs to achieve them.

(5) ~~(7)~~ Submit, as deemed necessary, recommendations or suggestions for improving the health, safety, or welfare of the City and institute and operate a system so that City Departments and persons having business with the Mayor or Council or any City Department may properly and efficiently conduct such business.

(6) ~~(8)~~ Effectuate, or cause to be effectuated, all actions of the Common Council which require administrative implementation or where the Council has directed him/her to act.

(7) ~~(9)~~ Investigate and inform the Mayor and Common Council of the availability of state and federal funds and grants, and assist department heads in procuring such funds.

(8) ~~(10)~~ Act as the City's public information officer, to keep the news media informed about the City's operations.

(9) ~~(11)~~ Receive directives from the Mayor and Council President in the event that

action normally requiring Common Council approval is necessary in an emergency situation and at a time when the Common Council cannot meet.

- (10) Perform such other duties and have such other responsibilities not inconsistent with law as may be prescribed by the Common Council.

E. Additional Responsibilities. The Administrator shall have the following duties and responsibilities:

- (1) Coordinate the operations of, and facilitate the cooperation of, all City departments, commissions and boards to maximize the efficiency of implementation of policies set by the Council, regardless of whether the City Administrator has direct authority over the departments, commissions or boards. This shall include, but is not limited to, making or directing studies as may be necessary to ensure the most economical, efficient operation of such departments and may require reports from them when deemed necessary.

- (2) ~~(5)~~ Act as Personnel Officer for the City, including but not limited to, recommending salary, wage scales, benefits, terms and ~~working conditions~~ of employment for those officers, officials, or employees not covered by collective bargaining agreements. Recommend to the Council the appointment, promotion, evaluation of City Employees. When necessary for the good order of the City, the City Administrator shall have authority to suspend or remove an employee under Section 26-12 of this Code or recommend the discipline or termination of any Department Head who is not subject to the jurisdiction of the Police & Fire Commission or Library Board. S/he shall establish and maintain a personnel file for all City departments.

- (3) ~~(6)~~ Work with the Bargaining Committee and make whatever studies or surveys as are necessary for the proper conduct of negotiations with the various bargaining units. S/he shall hold preliminary meetings with representatives of bargaining units and with department heads and make recommendations to the Bargaining Committee.

- (4) ~~Receive, coordinate, and authorize requests to the City Attorney and labor counsel for the City for legal opinions except as otherwise directed by the Common Council.~~

- (5) ~~(7)~~ Work in cooperation with the department heads to resolve any personnel problems or grievances submitted.

- (6) ~~(8)~~ Prepare in coordination with other department heads the annual City budget for submission to the Finance Committee and, once approved, administer the annual City budget.

- (7) ~~(9)~~ Make such reports as the Finance Committee or Mayor and Common

Council may require as to the current status of budgeted items and review and report to the Mayor and Council any variations in the operation of the City Budget.

~~(8)~~ ~~(10)~~ As purchasing agent, handle the administration of all purchasing of materials, supplies, equipment, and services for all departments of the City in accordance with the budget and policies established by the Common Council.

~~(9)~~ Work in conjunction with appropriate commercial, industrial, and citizen representatives to define the role of the City in promoting the economic well-being and growth of the City.

~~(10)~~ Supervise the accounting function of the City and ensure that the system employs methods in accordance with current professional accounting practices.

~~(11) Investigate and inform the Mayor and Common Council of the availability of state and federal funds and grants, and assist department heads in procuring such funds.~~

~~(11)~~ ~~(12)~~ Serve as the City's legislative representative and appear on its behalf at hearings and meetings as directed by the Mayor and Council and coordinate services with other municipalities as authorized and directed by the Council.

~~(12)~~ ~~(13)~~ Submit, as deemed necessary, recommendations or suggestions for improving the health, safety, or welfare of the City and institute and operate a system so that City Departments and persons having business with the Mayor or Council or any City Department may properly and efficiently conduct such business.

~~(13)~~ Establish and maintain procedures to facilitate communications between citizens and the City Departments, Mayor or Council to assure that complaints, concerns, recommendations, and other matters receive prompt attention by a responsible official and to assure that all such matters are expeditiously resolved.

~~(14) Perform such other duties and have such other responsibilities not inconsistent with law as may be prescribed by the Mayor and Council.~~

F. C. Cooperation. All officers and employees of the City shall cooperate with coordinate with, and assist the City Administrator so that the affairs of the City shall be most economically and harmoniously administered.

SECTION 3: All ordinances or parts of ordinances contravening the terms and provisions of this ordinance are hereby repealed provided, however, that such repeal shall not be construed to create any lapse or vacancy in the position of City Administrator.

SECTION 4: This Charter Ordinance shall be included in the Code of Ordinances as Charter Ordinance No. C-14 and shall be entitled, "A Charter Ordinance to Define the Role of Mayor as Chief Executive Officer and to Create the Office of City Administrator".

SECTION 5: SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: This is a Charter Ordinance and shall take effect sixty (60) days after its passage and publication, subject to the provisions of Wis. Stat. § 66.0101.

Passed and approved by a 2/3 vote of the Common Council this ____ day of _____, 2016.

City of St. Francis

By: _____
CoryAnn St. Marie-Carls, Mayor

ATTEST:

Anne B. Uecker, City Clerk/Treasurer

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February 4, 2016

COMMON COUNCIL
CITY OF ST. FRANCIS
3400 E. HOWARD AVE.
ST. FRANCIS, WI 53235

**Re: City of St. Francis
Code of Ordinances
City Administrator**

Ladies and Gentlemen:

You have requested that I provide a draft ordinance for the initial consideration by the Bargaining Committee that clarifies the authority of the City Administrator to manage and control the day-to-day operations of the City. I have had an opportunity to carefully consider this matter.

Based upon our review, I have the following comments and recommendations in this regard:

1. By adopting the "mayor-alderman" plan of city government, the City has elected to operate under Chapter 62 of the Wisconsin Statutes. Section 66.0101 of the Wisconsin Statutes, however, grants the City the ability to enact a "charter ordinance" to enact, amend or repeal any part of its charter (i.e. how it operates under Wis. Stat. Chapter 62) related to its local affairs and government except, however, with respect to matters that have been deemed matters of "state-wide concern". The provisions of Wis. Stat. sec. 62.13 regarding police and fire departments is an example of an area that has been deemed a matter of "state-wide concern" and the text of that section reflects that fact.
2. The office of Mayor is provided for in Section 62.09 of the Wisconsin Statutes and, therefore, the office is part of the City's "charter". The parameters of the "office" of Mayor in St. Francis were revised in 2002 by Charter Ordinance No. 10 to change the term of office from two to four years. Another example of where the City has used its authority to modify its "charter" was the combination of the offices of City Clerk and City Treasurer into a single, full-time office by Charter Ordinance No. 4. To date, a total of 13 charter ordinances have been enacted for the City.
3. The position of City Administrator for the City of St. Francis is currently provided for in Section 105-12 of the City of St. Francis Code of Ordinances. The position

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was created, not by charter ordinance, but by virtue of the Council's authority under Wis. Stat. sec. 62.11(5), which provides:

(5) Powers. Except as elsewhere in the statutes specifically provided, the council shall have the management and control of the city property, finances, highways, navigable waters, and the public service, and shall have power to act for the government and good order of the city, for its commercial benefit, and for the health, safety, and welfare of the public, and may carry out its powers by license, regulation, suppression, borrowing of money, tax levy, appropriation, fine, imprisonment, confiscation, and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants, and shall be limited only by express language.

Wis. Stat. § 62.11(5).

4. Section 105-12 of the City Code was amended in 2008, 2011, and 2012. The most recent amendments in 2012 revised the Administrator's responsibilities under Section 105-12(4) and granted authority to supervise the preparation of the Council's agenda and to approve content. At the same time, a revision was made to Section 105-12(5) to clarify that the City Administrator's authority as personnel officer for the City is not limited to only those specific items listed in the text of that section.
5. We understand that questions have continued to arise from time-to-time since the 2012 Code revisions with respect to authority over the City's day-to-day operations. It appears that, at least in part, some such questions may be attributed to the current lack of clarity as to how the authority granted to the City Administrator to act as "Chief Administrative Officer" relates to the the authority granted to a mayor to act as "chief executive officer".
6. In reviewing the enclosed draft, please note our understanding is that the Council is *not* requesting a charter ordinance that would result in the outright elimination of the authority of a mayor to act as "chief executive officer" for the City. Instead, the enclosed draft reflects our understanding that the Council is seeking to clarify that the existing authority of the City Administrator to act as "chief administrative officer" for the City is intended to mean that the City Administrator, not the Mayor, has authority and responsibility to direct the day-to-day operations of the City. Since the statutes do not currently define what is entailed in the authority to act as "chief executive officer" for the City, the enclosed draft is intended to provide clarity that such authority will be exercised in the City by means of monitoring and interacting with the City Administrator.
7. Please note that, consistent with our understanding of the Council's intentions, the enclosed draft does not elevate the City Administrator above the Mayor and/or the Council, or make a City Administrator co-equal to any elected City

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official. The enclosed draft also does not grant the City Administrator authority to make policy decisions on behalf of the City. Instead, as mentioned above, the enclosed draft seeks to clarify and to modify the City's charter to provide that, within the limitations established by the Council from time-to-time, the City's Administrator has the sole authority to direct day-to-day operations. We understand that requiring that the Mayor, and any other Council member, exercise their authority *through* the "office" of the City Administrator is intended to provide a clear, specific "chain of command" in the City, thereby avoiding potential conflicting instructions going to Department Heads and/or their subordinates on any day-to-day matter. The Common Council still retains all authority granted to it under the Wisconsin Constitution or the Wisconsin Statutes.

8. In reviewing the redlined revisions to the City Administrator section, please note that, in some instances, items that may initially appear to have been deleted have been relocated within the section itself. Although I believe the majority of the changes will be self-explanatory, please note that, in addition to changes that we believe will help:
 - a. To avoid potential ambiguity as to whether the City Administrator has been given the authority for purposes of the City's Civil Service Code, we have recommended stating that the City Administrator has authority to impose discipline and/or removal from positions other than those controlled by the Police and Fire Commission or Library Board.
 - b. To bring the office of the City Administrator in line with existing provisions of the City's Civil Service Code concerning removal of a "department head" from office, the enclosed draft adds a requirement for a $\frac{3}{4}$ vote of the entire Common Council (i.e. 5 votes). This will avoid any future issue as to whether a simple majority (i.e. 4 votes) is needed or whether the Civil Service Code regarding "department heads" would apply.
 - c. To further implement the Council's resolution concerning use of contracted legal services, we have proposed including language to clarify that the City Administrator will "receive, coordinate, and authorize" such requests, except as otherwise directed by the Council.
 - d. To further what we understand to be an intention of the "Cooperation" provisions of the City Administrator section, we have proposed including a requirement for officers and employees to "coordinate" with the City Administrator, thereby helping to ensure that everyone is working together to further the goals and directives established by the Common Council from time to time.

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9. As noted in the enclosed draft, approval of a charter ordinance requires a 2/3 vote of the entire Common Council. Upon passage it must be published as a Class 1 notice and, by statute, it does not become effective for 60 days. If, during such 60 days, a petition signed by a number of electors of the City equal to not less than 7% of the votes cast in the City for governor at the last general election is filed in the office of City Clerk demanding that the ordinance be submitted to a vote of the electors, the charter ordinance may not take effect until it is submitted to a referendum and approved by a majority of the electors voting in the referendum. Although this has been the procedure followed for all but one of the City's charter ordinances, Wis. Stat. sec. 66.0101 also permits the Council to adopt a charter ordinance that requires its submission to a referendum and, in that case, the charter ordinance only becomes effective upon receipt of a majority of the votes.

Please contact me with any questions you may have.

Thank you for the opportunity to be of assistance to the City of St. Francis.

Yours very truly,

ARENZ, MOLTER, MACY,
RIFFLE & LARSON, S.C.

Paul E. Alexy

Paul E. Alexy

PA/
Enclosure

cc: CoryAnn St. Marie-Carls, Mayor
Tim Rhode, City Administrator
Anne B. Uecker, City Clerk

City of St. Francis, WI
Friday, February 5, 2016

Chapter 105. Officers and Employees

[HISTORY: Adopted by the Common Council of the City of St. Francis as §§ 1.01 to 1.19, 1.21 to 1.27 and 11.02 of the 1981 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Boards, commissions and committees — See Ch. 17.
Civil service — See Ch. 26.
Common Council — See Ch. 32.
Elections — See Ch. 52.
Emergency government — See Ch. 57.
Fire Department — See Ch. 63.
Police Department — See Ch. 129.

§ 105-1. Mayor — Alderman Plan.

The City of St. Francis shall be organized and governed under Ch. 62, Wis. Stats., known as the “Mayor — Alderman Plan.”

§ 105-2. Elected officials.

A. Enumerated. The elected officials of the City shall be the following:

[Amended 9-17-2002 by Charter Ord. No. C-9; 11-19-2002 by Charter Ord. No. C-10^[1]]

| Official | When Elected | Term (years) |
|-----------------|---------------------------|------------------------|
| Mayor | Even-numbered years | 4 (effective 4-1-2004) |
| Aldermen | 3 each even-numbered year | 4 |
| Municipal Judge | Even-numbered years | 2 |

[1] *Editor's Note: Charter Ordinance Nos. C-9 and C-10 are also included in Ch. A500, Charter Ordinances, of the Code.*

B. Term. Officials enumerated in Subsection **A** shall continue in office until their successors have been elected and qualified.

C. Primary election.

- (1) When required. Whenever three or more candidates file nomination papers for a City office, a primary election shall be held for the nomination of candidates for such office.
- (2) Applicable statute. See § 8.11(1), Wis. Stats.

§ 105-3. Appointed officials.

[Amended 9-17-2002 by Charter Ord. No. C-9^[1]]

The appointed officials of the City shall be the following:

| Official | How Appointed | Term |
|--------------------------------------------|-----------------------------------------------|---------------------------|
| City Administrator | Mayor, subject to confirmation by the Council | Indefinite |
| City Attorney | Mayor, subject to confirmation by the Council | Indefinite |
| Assessor | Mayor, subject to confirmation by the Council | Indefinite or by contract |
| Building Inspector | Mayor, subject to confirmation by the Council | Indefinite or by contract |
| Electrical Inspector | Mayor, subject to confirmation by the Council | Indefinite |
| City Engineer | Mayor, subject to confirmation by the Council | Indefinite |
| Executive Secretary | Mayor, subject to confirmation by the Council | Indefinite |
| Fire Chief | Police and Fire Commission | Indefinite |
| Medical Advisor | Mayor, subject to confirmation by the Council | Indefinite |
| Plumbing Inspector | Mayor, subject to confirmation by the Council | Indefinite |
| Police Chief | Police and Fire Commission | Indefinite |
| Highway Superintendent | Mayor, subject to confirmation by the Council | 2 years |
| Health Officer/Public Health Administrator | Mayor, subject to confirmation by the Council | Indefinite |
| City Clerk | Mayor, subject to confirmation by the Council | Indefinite |
| City Treasurer | Mayor, subject to confirmation by the Council | Indefinite |
| Weed Commissioner | Mayor, subject to confirmation by the Council | 1 year |

[1] *Editor's Note: A copy of Charter Ordinance No. C-9 is included in Ch. A500, Charter Ordinances, of the Code.*

§ 105-4. Oaths.

Elected and appointed officials shall take and file the official oath within 10 days after notice of their election or appointment.

§ 105-5. Bonds.

- A. Pursuant to certain Wisconsin Statutes, the City of St. Francis hereby requires bonds for the following officers, and the amount of each bond is as follows:
 - (1) City Treasurer [§ 62.09(4)(b), Wis. Stats.] in the amount of \$75,000.
 - (2) City Comptroller [§ 62.09(4)(b), Wis. Stats.] in the amount of \$2,000.
 - (3) Chief of Police [§ 62.09(4)(b), Wis. Stats.] in the amount of \$2,000.
 - (4) Municipal Judge [§ 755.03(1), Wis. Stats.] in the amount of \$2,000.
- B. In addition to those required by statute, the City of St. Francis hereby specifically requires the following specific bond: City Administrator, in the amount of \$2,000.
- C. All of the above bonds shall be approved by the Mayor.
- D. Pursuant to § 70.67, Wis. Stats., and as previously ordained by the City of St. Francis in Ordinance No. 40, passed December 15, 1953,^[1] the Common Council of the City of St. Francis agrees and binds the City of St. Francis to pay, in case the City Treasurer or his successor in office shall fail so

to do, all taxes of any kind required by law to be paid by said City Treasurer or his successor in office to the County Treasurer or his successor in office.

[1] *Editor's Note: See now Ch. 61, Finance and Taxation, § 61-7.*

- E. Pursuant to the authority granted in §§ 19.01(8) and 62.09(4)(d), Wis. Stats., the City of St. Francis shall pay the cost of all of the above bonds and charge to the fund appropriated in the budget for each such department or officer.

§ 105-6. Removals.

- A. Elected officials. Elected officials may be removed by the Common Council as provided in §§ 17.12(1)(a) and 17.16, Wis. Stats.
- B. Appointed officials. Appointed officials may be removed as provided in §§ 17.12(1)(c) and 17.16, Wis. Stats.

§ 105-7. Vacancies.

- A. How occurring. Except as provided in Subsection **C** below, vacancies in elective and appointive positions are caused as provided in §§ 17.03 and 17.035, Wis. Stats.
- B. How filled. Vacancies in elective and appointive offices shall be filled as provided in § 17.23, Wis. Stats., except vacancies in the office of Alderman shall be filled as provided in Subsection **C** below.
- C. Special election for office of Alderman.
- (1) If any Alderman shall resign, die or move from the district represented by him or engage or continue in any service, business or employment causing a continuous absence from the City for more than four months, his office shall become vacant and a special election shall be held to elect a successor to fill such aldermanic vacancy for the remainder of the term.
 - (2) The special election for Alderman shall be ordered by the Mayor or, in his absence or inability, by the President of the Council. The order issued shall be filed in the office of the City Clerk.
 - (3) Upon filing of the order, the Clerk shall give notice of such special election by publication in the official newspaper of a Class 2 notice, under Ch. 985, Wis. Stats.
 - (4) The order and notice shall specify the office to be filled, the name of the officer before the vacancy, how the vacancy occurred, the expiration date of the remaining term of office, the date of the election, the earliest date for circulating and date for filing nomination papers and the area involved in the election.
 - (5) The date for the special election shall be not less than 62 days nor more than 77 days from the date of the order, except when the special election is held on the day of the general election or spring election.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
 - (6) The primary shall be held on the day four weeks before the special election, except that when the special election is held on the same day as the general election, the special primary shall be held on the same day as the general primary. The special election may take place on the day of the general primary.
 - (7)

Nomination papers shall be circulated no sooner than the day the order for special election is filed and shall be filed with the City Clerk at least 28 days before the day of the special primary.

[Amended 7-1-2008 by Ord. No. 1259]

§ 105-8. Salaries.

The salaries of all elected and appointed officials, including members of boards and commissions, shall be as determined by the Common Council from time to time, provided that the salary of the Mayor and members of the Council shall not be increased during their terms of office. (See § 66.0505, Wis. Stats.)

§ 105-9. Code of Ethics.

- A. Section 19.59 adopted by reference. Section 19.59, Wis. Stats., as it may be amended from time to time, is hereby incorporated by reference as though fully set forth herein.
- B. No person covered under this section shall engage in any activity nor have an interest in any activity that conflicts with the person's position with the City.
- C. It shall not be a violation of this section if a person covered hereunder receives meals, goods and services in connection with the performance of his official duties, provided that the total of such items for a calendar year does not exceed:
 - (1) For a part-time elected official, 5% of his gross salary.
 - (2) For a full-time appointed official, 2 1/2% of his gross salary.
- D. Application. This section shall only apply to all elected officials, candidates for elected office from the time they have filed nomination papers or declaration of candidacy (whichever occurs first) with the City Clerk, and appointed officials designated in § **105-3** of this chapter from the time of their actual appointment.

§ 105-10. Residency.

[Amended 7-1-2008 by Ord. No. 1259; 12-4-2012 by Ord. No. 1329; 9-17-2013 by Ord. No. 1351]

- A. Required for Fire and Police employees and appointees. Pursuant to § 66.0502, Wis. Stats., all full-time regular employees, all part-time or temporary employees, and all paid-on-call personnel of the City of St. Francis Fire and Police Departments shall reside within 15 miles of the jurisdictional limits of the City of St. Francis.
- B. The residency requirements under § **105-10A** shall not be deemed to apply to any volunteer law enforcement, fire, or emergency personnel who are employees of the City of St. Francis. Volunteer law enforcement, fire, or emergency personnel, as with other employees of the City are encouraged to reside within the City of St. Francis, but are not required to do so as a condition of employment.
- C. Residency map.
 - (1) The City Engineer shall prepare and maintain on file a map that accurately depicts a fifteen-mile radius of the jurisdictional limits of the City of St. Francis. Said residency map shall be available for inspection during normal business hours for the Engineering Department.

- (2) Any employee subject to the requirements of § **105-10A** may request a determination by the City Administrator as to whether residency at a particular parcel will constitute compliance with this section. A determination issued by the City Administrator under this section shall be prima facie evidence of compliance with this section.
 - (3) For purposes of this section, if any part of a particular lot or parcel of land is within 15 miles of the jurisdictional limits of the City of St. Francis, residency on any part of such particular lot shall be deemed to be permissible for purposes of this section.
- D. Compliance within one year. Any person who is subject to the requirements of § **105-10A** who is not a resident of the City of St. Francis when employed or appointed, or if already employed or appointed at the time this section becomes effective, shall establish residency within the City within one year from the date of such employment or appointment.
- E. Failure to comply.
- (1) Establishment and maintenance of residency required under § 105-10(A) of this Code shall be deemed a condition of continued employment by the City of St. Francis.
 - (2) Failure of any probationary fire or police employee or appointee who is subject to § **105-10A** to establish residency is not established within the time limit set forth above shall be deemed to be a violation of any probationary appointment and shall result in the dismissal of such employee without recourse.
 - (3) Any non-probationary employee subject to § **105-10A** shall, in the event of noncompliance with this § **105-10**, be subject to removal by the Council or, where applicable under § 62.13(5), Wis. Stats., by the Police and Fire Commission. Initiation of charges and hearings before the Police and Fire Commission shall be as provided in § 62.13(5), Wis. Stats.

§ 105-11. Mayor and Aldermen.

[Amended 5-17-2005 by Ord. No. 1185; 12-18-2012 by Ord. No. 1330]

- A. Election and term. See § **105-2**.
- B. Duties and powers.
 - (1) Mayor. See § 62.09(8), Wis. Stats. The Mayor shall have such duties and powers as are enumerated in Ch. 62, Wis. Stats., and elsewhere in the statutes and this Code from time to time. Such duties and powers shall be construed to include a duty for the Mayor to:
 - (a) Serve as presiding officer at Council meetings as set forth in § **32-3** of this Code;
 - (b) Serve as a representative of the City at intergovernmental (e.g., Milwaukee County Intergovernmental Cooperative Council) and other meetings from time to time;
 - (c) Make all required appointments/reappointments to boards, commissions, and committees and all standing committees within the time periods set forth in the Wisconsin Statutes or this Code and, where no such time period is otherwise provided, within 60 days of the expiration of a term or the occurrence of a vacancy;
 - (d) Ensure timely communication of appointments, reappointments, and nonrenewal of appointments of citizens to boards, commissions, and committees;
 - (e) Pursue removal of citizens from boards, commissions, and committees in accordance with applicable provisions of the Wisconsin Statutes; and

- (f) Obtain approval of the Council prior to the discipline or dismissal of any appointed official or employee of the City.
- (2) Common Council. See § 62.11, Wis. Stats.
 - (a) The Mayor and Aldermen shall constitute the Common Council.
 - (b) The Mayor shall not be counted in determining whether a quorum is present at a meeting, but may vote in case of a tie. When the Mayor does vote in case of a tie, the Mayor's vote shall be counted in determining whether a sufficient number of the Council has voted favorably or unfavorably on any measure.
 - (c) Except as otherwise expressly provided by statute or within this Code, no individual member of the Council shall have the authority to direct day-to-day operations of any City department.
 - (3) Aldermen. Aldermen shall have such duties and powers as are enumerated in Ch. 62, Wis. Stats., and elsewhere in the statutes and this Code from time to time. Such duties and powers shall be construed to include a duty for Aldermen to:
 - (a) Be responsible to taxpayers for all fiduciary decisions;
 - (b) Be responsive to constituents in a timely manner;
 - (c) Attend City Council meetings and committee meetings as appointed by the Mayor and confirmed by the Council;
 - (d) Communicate with department heads as needed; and
 - (e) Represent the City from time to time at events and functions associated with the City.
 - C. Council shall have all powers of the City not specifically given to some other body or officer. Except as otherwise provided by law, the Common Council shall have the management and control of the City property, finances, highways, streets, utilities, and the public service and may act for the government and good order of the City, for its commercial benefit and for the health, safety, welfare, and convenience of the public and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, imposition of forfeiture, and other necessary or convenient means. The Common Council may appoint such officers from time to time as may be deemed necessary for the benefit of the community. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.
 - D. Other provisions. See also Chapter **32**, Common Council, of this Code.

§ 105-12. Administrator.

[Amended 7-1-2008 by Ord. No. 1259; 3-15-2011 by Ord. No. 1298]

- A. Appointment and term. See § **105-3**.
- B. Duties and powers. The Administrator shall have the combined positions of Administrator, Finance Director, Budget Director, Labor Negotiator, Purchasing Agent, and Legislative Representative. Subject to limitations defined in resolutions and ordinances of the City, s/he shall be the chief administrative officer of the City, responsible only to the Mayor and the Common Council for proper administration of the business and affairs of the City under the state statutes, the ordinances of the City and the resolutions and directions of the Common Council, with the following duties and responsibilities. The Administrator shall:
 - (a) Obtain approval of the Council prior to the discipline or dismissal of any appointed official or employee of the City.

- (1) Be responsible for effectuating all actions of the Common Council which require administrative implementation or where the Mayor and Council have directed him/her to act.
 - (2) Be responsible for coordinating the administrative activities of all City departments. This shall include making or directing studies as necessary to ensure the most economical, efficient operation of such departments and may require reports from them when deemed necessary.
 - (3) Attend all meetings of the Common Council, Finance Committee, and Bargaining Committee and all meetings of such other committees and commissions as the Mayor and Council shall direct.
 - (4) Supervise the preparation of the agenda and approve the content of the agenda and the order of business for all Council meetings. Nothing contained in this section shall be so construed as to give the Administrator authority to limit or in any way prevent matters from being considered by the Council.
[Amended 12-18-2012 by Ord. No. 1331]
 - (5) Act as Personnel Officer for the City, including but not limited to, recommending salary, wage scales, and working conditions for those officers, officials, or employees not covered by collective bargaining agreements. S/he shall establish and maintain a personnel file for all City departments.
[Amended 12-18-2012 by Ord. No. 1331]
 - (6) Work with the Bargaining Committee and make whatever studies or surveys as are necessary for the proper conduct of negotiations with the various bargaining units. S/he shall hold preliminary meetings with representatives of bargaining units and with department heads and make recommendations to the Bargaining Committee.
 - (7) Work in cooperation with the department heads to resolve any grievances submitted.
 - (8) Prepare in coordination with other department heads the annual City budget for submission to the Finance Committee.
 - (9) Make such reports as the Mayor and Common Council may require as to the current status of budgeted items and review and report to the Mayor and Council any variations in the operation of the City Budget.
 - (10) As purchasing agent, handle the administration of all purchasing of materials, supplies, equipment, and services for all departments of the City.
 - (11) Investigate and inform the Mayor and Common Council of the availability of state and federal funds and grants, and assist department heads in procuring such funds.
 - (12) Serve as the City's legislative representative and appear on its behalf at hearings and meetings as directed by the Mayor or Council.
 - (13) Submit, as deemed necessary, recommendations or suggestions for improving the health, safety, or welfare of the City and institute and operate a system so that City Departments and persons having business with the Mayor or Council or any city Department may properly and efficiently conduct such business.
 - (14) Perform such other duties and have such other responsibilities not inconsistent with law as may be prescribed by the Mayor and Council.
- C. Cooperation. All officers and employees of the City shall cooperate with and assist the City Administrator so that the affairs of the City shall be most economically and harmoniously administered.

§ 105-13. Assessor.

- A. Appointment. The Assessor shall be appointed by the Mayor subject to confirmation by the Common Council. Such Assessor may be an individual employed by the City or an outside firm contracted by the City in accordance with § 62.09(1)(c), Wis. Stats. If an individual is employed, such appointee shall serve a probationary period of six months. During such period a probationer may be discharged by the appointive power without right of appeal if during the period of probation the appointive power deems him unfit or unsatisfactory for service. After such probationary period is completed, such Assessor may be removed only for cause by the Common Council by an affirmative vote of $\frac{3}{4}$ of all the members thereof. The word "cause" as used herein means inefficiency, neglect of duty, official misconduct or misfeasance or malfeasance in office. If an outside firm is contracted, such shall be for such length as the Common Council may determine by entering into such contract.
- B. Powers and duties. The Assessor shall perform such duties as prescribed by the Wisconsin Statutes, as they may be amended from time to time, and such other duties as shall be described by the State Department of Revenue and the Common Council, including attendance at all meetings of the Board of Review.

[1] *Editor's Note: See also Ch. 129, § 129-9, Confidentiality of information provided to Assessor.*

§ 105-14. Attorney.

[Amended 4-5-2005 by Ord. No. 1182]

- A. Appointment and term. See § 105-3.
- B. Applicable statute. See § 62.09, Wis. Stats.
- C. Compensation. The City Attorney, and any Assistant City Attorney appointed by the City Attorney pursuant to § 62.09, may be compensated pursuant to terms set by the Common Council.

§ 105-15. Building Inspector.

- A. Appointment. The Building Inspector shall be appointed by the Mayor subject to confirmation by the Common Council. Such Building Inspector may be an individual employed by the City or an outside firm contracted by the City. If an individual is employed, such appointee shall serve a probationary period of six months. During such period a probationer may be discharged by the appointive power without right of appeal if during the period of probation the appointive power deems him unfit or unsatisfactory for service. After such probationary period is completed, such Building Inspector may be removed only for cause by the Common Council by an affirmative vote of $\frac{3}{4}$ of all the members thereof. The word "cause" as used herein means inefficiency, neglect of duty, official misconduct or misfeasance or malfeasance in office. If an outside firm is contracted, such shall be for such length as the Common Council may determine by entering into such contract.
- B. Powers and duties.
- (1) Enforcement. The Building Inspector shall enforce all ordinances or laws over which he has jurisdiction, which includes but is not limited to the erection, alteration, repair and removal of buildings in accordance with the provisions of Chapter 198, Building Construction, of this Code, and any lawful orders issued by the Wisconsin Department of Commerce or any other agency of the state.

- (2) Building permits. The Building Inspector shall issue all building permits to erect, construct, or reconstruct any buildings or other structure within the City and shall initiate all proceedings on unsightly premises.
- (3) Records. He shall keep record of:
 - (a) Applications for building permits in a book for such purpose and shall number each permit in the order of its issuance.
 - (b) Number, description, and size of all buildings erected, indicating the kinds of materials used and the costs of these buildings to the extent such cost information is available.
 - (c) All inspections made and all removals and condemnations of buildings and a record of all fees collected by him, showing the date of their receipt and delivery to the City Clerk.
- (4) Reports. The Building Inspector shall submit such regular reports as are required by the Common Council.
- (5) Zoning Administrator. He shall be the City Zoning Administrator and have the powers and duties set forth in Chapter **455**, Zoning, of this Code.

§ 105-16. Clerk.

The City Clerk shall be appointed as designated in § **105-3** of this chapter and have the duties and responsibilities of City Clerk as set forth in the Wisconsin Statutes, as they may be amended from time to time.

§ 105-17. Comptroller.

There is hereby established as a separate entity the position of Comptroller, pursuant to § 62.09(10), Wis. Stats. Said Comptroller shall have the powers and duties prescribed by such statute and as set forth in any pertinent resolution.

§ 105-18. Electrical Inspector.

- A. Appointment and term. See § **105-3** of this chapter.
- B. Powers and duties.
 - (1) Enforcement. The Electrical Inspector shall enforce all ordinances and laws over which he has jurisdiction, including but not limited to those relating to electrical work as defined by Chapter **237**, Electrical Standards, of this Code.
 - (2) Permits. The Electrical Inspector shall issue all permits for electrical work.
 - (3) Records. The Electrical Inspector shall keep a record of all permits issued for electrical work, all inspections made and all other official work performed, arranged to provide prompt information concerning electrical work performed within the City.
 - (4) Reports. He shall file such regular reports covering issuance of permits and inspections as are required by the Common Council or Mayor.^[1]

[1]

Editor's Note: Original § 1.16(3), Powers and duties as Sealer of Weights and Measures, which immediately followed this subsection, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See now § 105-27C.

§ 105-19. Engineer.

- A. Appointment and term. See § **105-3** of this chapter.
- B. Qualifications. The City Engineer shall be a registered engineer.
- C. Powers and duties. The Engineer shall also act as Director of Public Works and he shall have, among others, the following powers and duties:
 - (1) He shall have direct administrative and technical charge of the Engineering Department; he shall act as technical consultant to all departments of the City; he shall make assignments of work and supervise the preparation of plans and specifications for, and the actual construction of, storm and sanitary sewers, water mains, sewer and water laterals, pavements, buildings, streetlight systems and other public works; he shall serve as advisor to the Common Council on engineering matters by making investigations and reports of engineering problems and by assisting in assessing special benefits and damages; he shall exercise administrative control over all the ordinary business operations of the Engineering Department by approving requisitions for supplies, payrolls, vouchers, and other routine documents and preparing for work program and budget estimates for the Engineering Department and all other departments under his control; he shall carry out the duties assigned and specified in § 62.14 (7), Wis. Stats., or as required by law and such other additional duties as may be designated by the Council; and he shall do related work as required by the Council and the Board of Public Works.
 - (2) Subject to direction of the Common Council and the Board of Public Works, he shall be responsible for the administration of all public works and he shall have the general charge and supervision of all maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, street signs and house numbering, traffic control devices, signs and markings, storm sewers, culverts and drainage facilities, sanitary and storm sewers, water mains, City buildings and structures and all machinery and equipment used in any activity under his control.
 - (3) He shall have charge of such public services as garbage and refuse collection and disposal, snow and ice removal, street cleaning and flushing and such other activities as may be assigned to him from time to time by the Common Council.
 - (4) He shall appoint, subject to approval of the Council, all heads and other personnel of all departments and activities under his supervision. See also Chapter **26**, Civil Service, § **26-6**.
 - (5) He shall attend all meetings of the Board of Public Works. He shall from time to time submit to such Board or the Common Council such suggestions and recommendations as in his opinion shall contribute to more efficient operation of the various departments and activities under his supervision.

§ 105-20. Executive Secretary.

- A. Appointment and term. See § **105-3** of this chapter.
- B.

Duties and responsibilities. The Executive Secretary shall be directly responsible to the Mayor and the City Administrator and indirectly responsible to the Common Council and shall have duties and responsibilities as follows:^[1]

- (1) Serve as confidential secretary to the Mayor and City Administrator.
- (2) Perform such duties, under the direction of the City Administrator, as assigned by the Mayor or Council.
- (3) Prepare studies, reports, and analyses regarding labor negotiations and other matters and prepare confidential information and memoranda for use by the Mayor, Administrator, and Common Council or such other committees as the Mayor or Council may direct.
- (4) Perform other duties and responsibilities as directed.

^[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- C. Confidentiality. Because of the confidentiality of the position, the Executive Secretary shall not be appointed subject to civil service rules. The salary and other emoluments of such office shall be established from time to time by the Council.

§ 105-21. Fire Chief.

- A. Appointment and term. See § 105-3.
- B. Duties and powers. See Chapter 63, Fire Department, and Chapter 245, Fire Prevention, of this Code.

§ 105-22. Highway Superintendent.

- A. Appointment and term. See § 105-3.
- B. Conditions of employment. Appointment shall be subject to termination without cause at the discretion of either the Common Council or the City Engineer upon 90 days' written notice prior to termination. The Common Council may suspend with or without pay or dismiss the Highway Superintendent for cause at any time. This position is not in the civil service of the City and is not governed by civil service rules and regulations. The Highway Superintendent shall comply with the residency requirements of the City.^[1]

^[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- C. Duties; pay. Subject to the direction of the Common Council and the City Engineer, he shall be responsible for the administration of and shall have general charge and supervision of all maintenance, repair, and construction of streets, alleys, curbs and gutters, sidewalks, street signs and house numbering, and traffic control devices, signs and marking and such other duties as the Common Council or City Engineer may designate from time to time. The Highway Superintendent shall receive such remuneration and other benefits as awarded to him by the Common Council from time to time.

§ 105-23. Librarian.

There is hereby created the position of City Librarian. The Librarian shall have the powers and duties as the Library Board may direct.

§ 105-24. Plumbing Inspector.

- A. Appointment and term. See § 105-3.
- B. Powers and duties.
 - (1) Enforcement. The Plumbing Inspector shall enforce all ordinances or laws relating to the construction, installation, alteration, and repair of all plumbing within the City and shall make such inspections, perform such tests and issue such orders as may be necessary for such enforcement. See also Chapter 345, Plumbing Standards, of this Code.
 - (2) Plumbing permits. The Plumbing Inspector shall issue all plumbing permits for plumbing work to be performed within the City. See § 345-3B(3) of this Code.
 - (3) Records and reports. The Plumbing Inspector shall maintain and prepare records and reports as required under § 345-3B(4) of this Code.

§ 105-25. Police Chief.

- A. Appointment and term. See § 105-3.
- B. Duties and powers. See Chapter 115, Police Department, of this Code.

§ 105-26. Health Officer/Public Health Administrator.

- A. Appointment and term. See § 105-3 and Ch. HFS 139, Wis. Adm. Code.
- B. Powers and duties. The Health Officer/Public Health Administrator shall have such powers and duties as the Council or Mayor may direct.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 105-27. Registered Sanitarian.

- A. General duties. The Registered Sanitarian:
 - (1) Shall maintain continuous sanitary supervision over his territory.
 - (2) Shall promote the spread of information as to the cause, nature and prevention of prevalent diseases and the preservation and improvement of health.
 - (3) Shall enforce the health laws, rules and regulations of the State Department of Health and Family Services, the state and the City, including the laws relating to contagious diseases contained in Ch. 252, Wis. Stats.
 - (4) Shall take steps necessary to secure prompt and full reports by physicians of communicable diseases.^[1]
 - [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
 - (5) Shall keep and deliver to his successor a record of all his official acts.
 - (6) Shall make annual reports to the State Department of Health and Family Services and to the Common Council and such other reports as they may request.

- (7) Shall have the power and it shall be his duty to enter and examine the taverns, grocery stores, dairy and shipper farms, meat markets, bakeries, confectionery stores, restaurants, drugstores and any other places where meat, fish, poultry, game, milk, bakery goods or other foodstuffs or beverages are stored, prepared or dispensed for human consumption.
 - (8) Shall also have the power and it shall be his duty to examine or inspect any vehicle or wagon transporting meat, poultry, fish, game, milk, bakery goods, confectionery goods or other foodstuffs or beverages where either a point of origin or point of delivery is in the City of St. Francis.
 - (9) Shall perform such additional duties as the Board of Health or the Common Council may from time to time prescribe.
 - (10) May make such orders and directives as are necessary to keep or maintain all the above described premises in a neat, clean, and sanitary condition.
- B. Materials and supplies. The Registered Sanitarian may procure at the expense of the City all record books, quarantine cards and other materials needed by the Board of Health, except those furnished by the State Department of Health and Family Services.

§ 105-28. Sealer of Weights and Measurers.

The City Sealer shall serve as the Sealer of Weights and Measures.

- A. Enforcement. The Sealer of Weights and Measures shall have the duty and power to enforce all statutes relating to weights and measures and shall be the head of the Department of Weights and Measures, which is hereby established.
- B. Applicable statutes. See Ch. 98, Wis. Stats.

[1] *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

CITY OF ST FRANCIS, WISCONSIN

RESOLUTION NO.

Resolution to begin an annual 4 year organizational Review of the assignments, duties and authorities of the City Administrator for the purpose of timely and necessary updates to be adopted in Chapter 105 of the City of St. Francis Code of General Ordinances;

AMENDING CODE OF ORDINANCES WHEREAS, as today, January 19th, 2016, the Council is being asked by the Council President, without concurrence of the entire Council, to evaluate the City Administrator appointee in closed session.

Whereas; The City Administrator is our Chief Administrative officer of the City of St. Francis is given within our City Code of Ordinances several essential assignments and duties that have not been reviewed on a regular basis and are outdated in Chapter 105 of our Code;

Whereas; I, Mayor CoryAnn St. Marie-Carls, elected to the Statutory position tasked with appointing the City Administrator position and other management level City positions for final ratification of the City Council, proposes this resolution to review and update this important position description, to completely address efficiencies relevant to the needs of today, to include our new Civic Center, and the near future for the benefit of our Council and our citizenry;

Whereas; this resolution for annual position review will hereby defer the performance evaluation of the current City Administrator appointee, during such time during the period of the review, therefore deferring related pay increases, new goals, assignments, benchmarks or otherwise until such time the Code of General ordinances is updated appropriately;

Whereas; the Mayor and City Council immediately shall embark on an organizational position review of The City Administrator position as outlined in our Code; to include all assignments, descriptions, duties, authorities appointed position in relation to citizen and taxpayer needs, deliverables, relevance and related efficiencies. This resolution for the review of the position description includes that of the City Administrator but it is not limited to the City Administrator position and does not preclude the review of any compensated position in under the assignment and supervision of the City Administrator in the City of St. Francis. This review shall take place every 4 years in February of the calendar year on an annual basis beginning in February 2016 and completed by July 2016 or sooner;

Whereas; the Mayor and Council shall be assigned to this review as part of their duties. The description of mission and method of the review is as follows; the review process with Council members will be part of the Council agenda on City Council meeting nights and meetings of the whole will be held with no action items on some alternate Tuesday evenings. (*Exhibit A – to be updated with applicable dates every 4 years*) Alternate Tuesday meetings do not require attendance of staff involvement unless requested. All taxpaying individuals and entities will be able to observe this review as it will occur in open sessions as exhibited by the schedule below. (*Exhibit A)

RESOLUTION NO. _____ - Position Review, City Administrator – Page 2

Whereas: The Mayor and Council will ask for applicable information to assist with this review to include but not limited to any City record digital and/or written relevant to each job description and duties of every position compensated in the City of St. Francis. The Mayor and Council may also as part of this review gather new internal information and analyze data, trends and benchmarks applicable to taxpayer and citizen needs, deliverables, relevance to current general City needs and related efficiencies. This evaluation and review shall update the all duties, assignments, authorities and applicable areas that mention the role of City Administrator in our City of St. Francis Code of ordinances and applicable documents that are within the purview of the Code of ordinances.

WHEREAS: As a result of this review the Mayor and City Council will make recommendations as needed to amend the general code of ordinances in all applicable areas. This review may include all recommendations in reference to the goals of the review to and its mission of insuring efficiency for the service to citizenry and responsible use of tax dollars.

WHEREAS, the City of St. Francis currently has no provisions in its ordinance to accommodate a timely review of the organizational structure of the City Administrator or other personnel in relation to current needs of the City of St. Francis;

Whereas; new City needs have arisen due to current trends in St. Francis property value decrease and shift of burden of taxation in 2015, this further necessitates efficient update of outdated position descriptions and directives that refer to positions in Chapter 105 of our Code of Ordinances;

Whereas; as evidenced by the lack of appropriate and timely re-evaluation and re-appraisal of the City of St. Francis; Councils of the past have not have reviews scheduled to proceeded with regular and timely updates and analysis of the of essential areas in the City of St. Francis Code of General Ordinances to plan for future needs;

Therefore; I, Mayor, CoryAnn St. Marie-Carls, have prepared this resolution for Council Action immediately, for the City of St. Francis' sustainable future, efficiency and prudent planning;

NOW THEREFORE, BE IT RESOLVED by the City of St. Francis Common Council that it hereby amends the General Code of ordinances to include this resolution and act accordingly as follows:

MOTION FOR THIS RESOLUTION;

EFFECTIVE IMMEDIATELY, TO APPROVE THIS RESOLUTION NOTING NO FINANCIAL IMPACT OR SPENDING ASSOCIATED ; TO APPROVE ADOPTION OF AN AMMENDMENT TO THE CITY OF ST. FRANCIS CODE OF GENERAL ORDINANCES, TO INCLUDE "EXHIBIT A", PROVIDING FOR THE INITIATION OF AN ANNUAL 4 YEAR ORGANIZATIONAL REVIEW OF THE POSITION DESCRIPTION, DUTIES, AND AUTHORITIES OF THE CITY ADMINISTRATOR POSITION; FOR THE PURPOSE OF MAKING RECOMMENDATIONS ON RELEVANT UPDATES AND AMMENDMENTS TO THE CITY OF ST. FRANCIS, CHAPTER 105 OF THE CODE OF GENERAL ORDINANCES IN ALL APPLICABLE AREAS WHERE THE "CITY ADMINISTRATOR" IS REFERENCED;

ADOPTED this 19th day of January, 2016.

_____ Mayor ATTEST:

_____ City Clerk/Treasurer

Resolution_____ Exhibit and attachment (page 4)

DATE: January 19th 2016

Action Plan Schedule - "Exhibit A" – Resolution: _____Organizational review of the City Administrator position assignments and duties in the City of St. Francis Code of General ordinances.

February 1st – Review the code of General ordinances

February 8th – Meeting to request internal applicable records and information to assist in review.

February 15th Review of all information and needs for further details and information

March – 7th - Presentation of trends and benchmarks and external data applicable and review of organizational structure and position.

March – 21st - Review of SWOT – Strengths/ Weaknesses/Opportunities and Threats related to job position and deliverables needed

April 18th - Report generated on collection of all data

May 3rd - Phase 1 - develop recommendations

May 10th - Phase 2 - develop recommendations

May 17th Presentation of recommendations – schedule Public Hearing

June 7th Adjustments to recommendations

June 21st - Recommendation Resolution

June 28th Final meeting for adjustments

July 5th Vote on Resolution with Amendment and updates to Code of General ordinances