



Legislative Committee Agenda

July 19, 2016
5:45 P.M.

AGENDA

1. Call to Order
2. Public Comment
3. Approval of the minutes of the Legislative Committee meeting held May 17, 2016
4. Discussion and Action Items:
 - Changing the City Code to allow for more than 2 dogs per residence
5. Correspondence:
 - Alderwoman Schandel and Mayor St. Marie-Carls request for creation of an Ethics Committee
6. Unfinished Business:
 - Development of an Organizational Chart
7. 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 in 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. 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.

**MINUTES OF THE LEGISLATIVE COMMITTEE MEETING HELD
MAY 17, 2016**

Present: Alderperson Wattawa, Brickner and Klug

Also Present: City Clerk/Treasurer Uecker, City Engineer Dejewski, Chief Dietrich, Chief Lockwood, Alderwoman Schandel, Alderman Tutaj, Alderman McSweeney, Mayor St. Marie-Carls and interested citizens

The meeting was called to order at 6:03 p.m.

Moved by Alderman Brickner, seconded by Alderman Klug to nominate Alderman Wattawa as Chair. Motion carried.

Moved by Alderman Brickner, seconded by Alderman Klug to place on file the minutes of the Legislative Committee meeting held March 15, 2016. Motion carried.

No Parking Zone:

City Engineer Dejewski gave an explanation for the request for no parking on the east side of Kinnickinnic Avenue. She stated that this will help move the traffic through the stop lights and is needed for the left turn lane. It will not impact the bus stop and the cost is nominal as the City has No Parking signs in their inventory as well as the paint, so it would be labor costs for the Highway Department to perform the work.

Moved by Alderman Brickner, seconded by Alderman Klug to approve the No Parking Zone on the east side of Kinnickinnic Avenue from East Denton Avenue to a point approximately 340 feet south of the centerline of East Denton Avenue and to direct the City Attorney to prepare the appropriate ordinance. Motion carried.

Development of an Organizational Chart:

Mayor St. Marie-Carls asked the Committee to develop an Organizational Chart as it would be a good guideline to follow for citizens. She would bring more examples to the Committee for their review, but stated that the one from Middleton shows all management positions, including middle-management with authority. This is something that once developed and approved could go on the website, in the newsletter and other City publications.

This will be placed on upcoming agendas and the Department Heads will need to have input on their respective department structure.

Moved by Alderman Klug, seconded by Alderman Brickner to adjourn. Motion carried.

Time: 6:16 p.m.

Current municipal code in St. Francis states that no household shall be allowed to have more than 2 dogs and 2 cats of licensable age. I would like to see this code changed to allow a household to have 3 dogs or cats or any combination thereof.

I believe this change is necessary to help the city be more comparable to what our neighbors allow. Our neighbors to the north and south, Cudahy and Milwaukee, allow up to 3 dogs and or cats. This change would also limit the number of allowable animals to 3 instead of the current 4.

In doing some research and talking to my fellow neighbors, I realize that not everyone wants 3 dogs. Some citizens would like to have 3 cats. By changing the code, this would give these citizens that option as well.

There are a lot of dogs and cats without homes. Sometimes there are life events that would bring about a need to take on an additional pet. For example, death, illness, divorce, or having to move to a place that doesn't allow animals. These are just a few examples. By changing the code, citizens would be allowed to save these animals. Rescue groups and shelters are reaching out to people to either adopt or foster. I, for one, would like to foster, but cannot even be considered because I already have 2 dogs. These groups know the laws of our city and all other cities. Nowadays, if you want to adopt an animal from a shelter or a rescue group, you have to go through a pretty lengthy background check to even be considered. This process helps weed out irresponsible pet owners.

I'm a lifelong citizen of St. Francis. I was born and raised here. I respect the government of the city and the laws that are imposed on us. I could have easily added to my animal family, but I understand laws need to be followed. I have seen this city grow and change in the 40 years I have been here, but we are still lagging behind our neighbors.

It's my understanding that this issue has come before the committee in the past. I know the health department had some concerns. I have spoken to Kathy regarding some of these. I look forward to having the opportunity to discuss these concerns and any other concerns with you at the committee meeting on July 19th, 2016.

Thank You

Laura Martin

CoryAnn St. Marie-Carls, Mayor, City of St. Francis
3400 E. Howard Ave. St. Francis, WI 53235 • (414) 399-0797 • Mayor@stfranwi.org



5/12/2016

Memo:

To: Honorable Common Council, Staff & Citizens

From: Mayor St. Marie-Carls

Re: Ethics Committee – Request and Exploration

At the request of Alderwoman Schandel I will be bringing forward information that requests the formation of an Ethics Committee for the City of St. Francis.

Attached is her letter of request and I will do my best to look into the matter and gather details on this request.

Please keep me informed if any Council members have comments or details on this subject for review. I will definitely consult with some other Mayor's in the area also on the topic. I remember actually making mention of this topic some years ago, as some Council members may remember at a Development Session we held over 3 years ago; but new research is needed at this point so I will find more information.

Sincerely,

Mayor CoryAnn St. Marie-Carls

Memo:

To: Mayor Cory Ann St. Marie Carls

From: Alderwomen Janis Schandel

Date: 5/10/2016

Subject: Consideration for Ethics Committee

Honorable Mayor,

I suggest for your consideration the formation of an Ethics Committee for the City of Saint Francis. I acknowledge that there are many committees on the agenda at this time and do not wish to overburden our City and people serving on such with yet another. I suggest waiting until after the new City Administrator is in place and the related search committee assigned is no longer needed and can be resolved.

Although other Municipalities have an Ethics Committee, this is one area I see our City may want to consider in the near future. I would be willing commit additional time to serve on the committee if it created.

Thank you in advance for your time and consideration of my request.

Best Regards,

Janis Schandel
Aldersperson 1st District

From Mayon Cory Ann
7-14-16



INSTITUTE FOR GLOBAL ETHICS®

Institute for Global Ethics

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Why Ethics Matter

Ethics are the heart of any strong organization. Whether you're a Fortune 500 company or a small-town school district, studies have consistently found that **ethical decision-making fosters employee morale, boosts brand reputation, encourages loyalty in customers and employees, and improves your bottom line.** Ethics is more than the right thing to do: it's the smart thing to do.

An organization formed without ethics is like a cabin built without nails: no matter how solid it may appear, it will slowly crumble. A culture of ethics is what links people to those above, below, and beside them, connections which, although invisible, make the whole organization immeasurably stronger.

And in this day and age of eroded public trust, ethics are more important than ever. After the mortgage-loan debacle, after Enron, after decades of botched recalls and profit-driven decisions and environmental tragedies, people often assume organizations don't care about them. Trust is no longer given freely. Once an organization has earned the public's trust, however, that connection becomes its most valuable asset. **Ethical organizations are popular, and that translates to unwavering, long-term consumer loyalty.**

Shared Values

IGE's approach to ethical training relies on one simple, proven principle: **ethical values transcend background or nationality.** In over twenty years of worldwide training and rigorous research, IGE has discovered five foundational values that ground ethical decision-making the world over. From New York to New Delhi, Tallahassee to Tokyo, participants in IGE's Ethical Fitness® Seminars have for two decades agreed about what it means for an organization, a person, or a decision to be ethical. These values provide a critical underpinning for constructive dialogue, consensus building, and leadership.

Ethical Decision Making

The IGE approach to decisionmaking presents ethics as a process, one we break down and apply to real-world dilemmas faced by participants. These dilemmas form the heart of IGE's Ethical Fitness® Seminars: by teaching participants to apply a step-by-step decisionmaking

framework, **we provide the tools necessary to resolve the challenging dilemmas that fill today's high-stakes, high-speed world.**

By dissecting decisionmaking in a real-world context, our process leaves participants able to identify true dilemmas: **hard choices between two right answers, not between right and wrong.** In the process of learning to identify these "right vs. right" situations, participants learn that no matter how difficult a choice may seem in the moment, it always fits into one of several broad categories, each of which can be solved by applying simple, time-honored ethical formulas.

The process is simple, but not simplistic. IGE harnesses some of the oldest, most successful ideas in ethical thought to reduce overwhelming situations to a series of manageable steps. Hard choices, after all, often call for complex solutions, and the IGE approach is flexible enough to accommodate whatever diverse considerations an individual dilemma presents. **This translation of abstract ethical concepts to concrete, pragmatic, everyday utility lies at the core of IGE's philosophy.**

Moral Courage

As the world becomes faster, accelerated by technology and competitive pressure, decisionmakers at all levels have to act more quickly. **They lack the luxuries of time and perspective, which means that decisions often have to be made immediately, sometimes before all the relevant information is available.** Compounding these issues is the tragic reality that even when one chooses to behave ethically, the choice may not be immediately supported by those above and around them. In this environment, doing the right thing often calls for great moral courage.

The IGE framework aims to simplify the situation. On an individual level, we reduce difficult, stressful choices to a discrete series of steps, streamlining the dilemma and allowing the decisionmaker to keep a clear head. On an organizational level, however, following our process results in a culture of ethics: an environment in which doing the right thing is never punished, because doing the right thing is what the organization expects.

Culture Work

All services provided by IGE, from seminars to consulting to speakers to research, have as their end the creation of a culture of ethics within your organization . **Our goal is not to solve any single dilemma, but to foster an atmosphere in which future dilemmas can be solved honestly, openly, and ethically.**

Moreover, we've spent over two decades observing how ethical cultures foster successful organizations. Regardless of whether a governmental body, a school, or a publicly traded corporation, a culture of ethics transforms a group of individuals into a team, creating a sense of shared enterprise that invariably improves satisfaction, performance, and loyalty. **Everyone wants to be part of something meaningful. At IGE, we help people realize that they already are.**

SAMPLE - From Mayor Bryan
7-14-16

City of New Berlin

City of New Berlin, WI

Thursday, July 14, 2016

Chapter 28. Ethics, Code of

[HISTORY: Adopted by the Common Council of the City of New Berlin 10-10-2000 by Ord. No. 2124 as Sec. 1.15 of the Municipal Code. Amendments noted where applicable.]

§ 28-1. Declaration of policy.

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

§ 28-2. Standards of conduct; incorporation of statute.

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

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

§ 28-3. Responsibility of public office.

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

§ 28-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANYTHING OF VALUE or THING OF VALUE

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

EMPLOYEE

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

FINANCIAL INTEREST

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

IMMEDIATE FAMILY

Spouse and children living at home.

PERSONS

Any person, corporation, partnership or joint venture.

PUBLIC OFFICIAL

Includes all of those officers set forth at § 62.09(1), Wis. Stats., as well as all department heads, but shall not include the Municipal Judge and City Attorney, who are already subject to stringent codes of professional responsibility and ethics. If the Weed Commissioner is a full-time City employee, the Ethics Code shall not apply to such City employee only to the extent of his serving as the Weed Commissioner, but shall apply to such employee in all other respects. Public official shall not include any individual,

his company, firm or business or any of its employees or members whose relationship with the City is created by contract.

SEASONAL EMPLOYEE

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

§ 28-5. Conflicts of interest.

- A. Asking for or receiving anything of value. No official or employee shall ask for or accept anything from any source which may tend to impair his independence of judgment or action in the performance of his official duties. If an official or an employee receives anything from an unknown or anonymous source and has a question as to its appropriateness, the official or employee shall request an advisory opinion from the Ethics Board pursuant to § 28-7B of this chapter so as to avoid the appearance of impropriety. It is not a conflict of interest for any public employee or public official to receive from an individual person a gift or gratuity that is an unsolicited item or items.
- B. Engaging in certain business or transaction when incompatible with discharge of duties. No public official or employee shall engage in any business or transaction or shall act in regard to any financial interest, direct or indirect, which is incompatible with the proper discharge of his official duties for the benefit of the public, contrary to the provisions of this chapter or which tend to impair his independence of judgment or action in the performance of his official duties. This subsection is not intended to interfere with public officials or employees having duties or employment in addition to those related to the city, provided those duties or employment do not cause violations of this chapter.
- C. Engaging in or accepting private employment when incompatible with discharge of duties. No public official employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties unless otherwise permitted by law, unless disclosure is made as hereinafter provided.
- D. Entering into contract with the city. No public official or employee and no business in which a City official or employee holds a 10% or greater interest may enter into a contract with the city. Unpaid members of City boards and commissions may enter into a contract or contracts with the City involving a payment or payments of not more than \$3,000 within a twelve-month period if such board or commission member has first made a written disclosure of the nature and extent of such proposed contract to the board and the department acting for the City in regard to such proposed contract or contracts. This section does not affect the application of § 946.13, Wis. Stats.
- E. Disclosing confidential information. No official or employee shall disclose confidential information concerning the property, government or affairs of this City nor shall he use such information to advance the financial or other private interest of himself or any other person.
- F. Disclosure of interest.
 - (1) In legislation. Any member of the City Council who has a financial

interest in any proposed legislation before the City Council shall disclose on the records of the City Council the nature and extent of such interest prior to or during the initial discussion on such legislation. Mere status as a taxpayer shall not be considered a "financial interest." Any other official or employee who has a financial interest in any proposed legislative action of the City Council and who participates in discussion with or gives an official opinion or recommendation to the City Council shall disclose on the records of the City Council the nature and extent of such interest.

- G. All public officials, City employees and citizen members of boards and commissions shall file with the Director of Human Resources the Code of Ethics Statement which is incorporated by reference. Public officials and citizen members will complete the form within 60 days of appointment or election, and thereafter upon reappointment or reelection. All City employees will complete the form within two weeks of their employment and thereafter every three years beginning in January 2000 with returning seasonal employees completing the form within two weeks of rehire.

§ 28-6. Creation of Ethics Board; qualifications; membership.

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

§ 28-7. Duties of Ethics Board.

- A. The Ethics Board may adopt and develop written rules which shall be submitted to the City Council for approval. A copy of such rules shall be filed with the City Clerk. The Ethics Board shall select one of its members as a Chairman and a Secretary who need not be a member.
- B. Any person to whom this chapter applies may apply to the Ethics Board for an advisory opinion and shall be guided by the opinion rendered. Such person shall have the opportunity to present his interpretation of the facts at issue and of the applicability of provisions of this chapter before the advisory

decision is rendered. The Board's deliberations and action upon such applications shall be in meetings not open to the public. Records of the Board's opinions, opinion requests and investigations of violations shall be closed to public inspection. The Board, however, may choose to make such records public, but only with the consent of the individual requesting the advisory opinion.

- C. The Board shall investigate any complaint properly filed with it.
- D. The Board shall accept from any person or make upon its own motion a verified complaint in writing which shall state the name of the official or employee alleged to have committed a violation of this chapter and which shall set forth the particulars thereof. The Board shall forward within 10 days a copy of the complaint to the official or employee who is accused. If no action on the verified complaint is taken by the Board within 60 days, the complaint shall be void.
- E. Following the receipt or motion of a verified complaint, the Board may make preliminary investigations with respect to alleged violation of this chapter. No preliminary investigation of the activities of any official or employee may be initiated, unless such official or employee is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific actions or activities to be investigated and a statement of such person's due process rights including, but not limited to, the right to appear before the Board to fairly, but concisely, respond to the results of the preliminary investigation.
- F. If after such investigation the Board finds that probable cause exists for believing the allegations of the complaint, it shall conduct a hearing on the matter which shall be held not more than 30 days after such finding. The Board shall give the accused at least 20 days' notice of the hearing date. Such hearings shall be at open session, unless the accused petitions for a hearing closed to the public. The rules of criminal evidence shall apply to such hearings. All evidence, including certified copies of records and documents which the Board considers, shall be fully offered and made part of the record in the case. Every party shall be afforded adequate opportunity to rebut or offer countervailing evidence.
- G. During all stages of any investigation or proceeding conducted under this subsection, the accused or any person whose activities are under investigation shall be entitled to be represented by counsel of his own choosing.
- H. The accused or his representative shall have an adequate opportunity to examine all documents and records to be used at the hearing under Subsection **F** at a reasonable time before the date of the hearing as well as during the hearing, to bring witnesses, establish all pertinent facts and circumstances and question or refute any testimony or evidence, including opportunity to confront and cross-examine adverse witnesses.
- I. The Board shall have the power to compel the attendance of witnesses and to issue subpoenas granted other boards and commissions under § 885.01(3), Wis. Stats.
- J. Upon conclusion of the hearing, the Board shall file its decision within five days in writing signed by all participating Board members with findings of fact, conclusions of law concerning the propriety of the conduct of the official or employee and, if appropriate, refer the matter to the City Council, Civil Service Commission or other proper authority for its consideration.

- K. The affirmative vote of the Board shall be required for any action taken by the Board, with the exception that action taken by the Board pursuant to a hearing conducted under Subsection **F** shall require a unanimous vote of all of those voting.

§ 28-8. Applicability of code.

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

- A. All employees of the City of New Berlin Police Department and the City of New Berlin Fire Department shall be governed by the Department's code of conduct as set by the Chief as well as any rules and regulations as set by the City of New Berlin Police and Fire Commission when more restrictive than the Code.
[Amended 7-22-2003 by Ord. No. 2208]
- B. When superseded by an applicable statutory provision and statutory action is mandatory, or when the application of a statutory provision is discretionary, but determined by the Ethics Board to be more appropriate or desirable.