



## Legislative Committee Agenda February 21, 2018 6:00 p.m.

Civic Center Committee Room

### Roll Call:

Alderspersons Wattawa, Brickner and Klug

1. Call to Order
2. Approval of the minutes of the Legislative Committee meeting held January 17, 2017 - [Legislative Minutes 01-17-2017](#)
3. Discussion and Action Items:
  - Ordinance to Repeal Chapter 26 of the City of St. Francis Code of Ordinances Concerning the Civic Service - [Chap 26 Repeal 021818](#)
  - Ordinance to Repeal and Recreate Section 455-55 of the City of St. Francis Code of Ordinances Establishing a Zoning Administrator for the City of St. Francis - [Sec. 455-55 Zoning Administrator 021818](#)
  - Ordinance to Repeal and Recreate Section 63-1 of the City of St. Francis Code of Ordinances Concerning the Organization of the Fire Department - [SFFD\\_Ordinance\\_Request01042018](#) - [63-1 Organization 021818](#)
  - Ordinance to Repeal Section 105-15(B)(5) and to Create Section 105-12(B)(15) of the City of St. Francis Code of Ordinances to Designate the City Administrator as Zoning Administrator - [Chapter 105 - Zoning Administrator 021818](#)
4. 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 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.

**MINUTES OF THE LEGISLATIVE COMMITTEE MEETING HELD  
JANUARY 17, 2017**

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Present: Alderpersons Wattawa, Brickner and Klug

Also Present: City Clerk/Treasurer Uecker, City Attorney Alexy, Public Health Administrator Scott, City Administrator Johnsrud, Alderman McSweeney, Alderwoman Schandel and interested citizens

Chairman Wattawa called the meeting to order at 5:51 p.m.

Moved by Alderman Wattawa, seconded by Alderman Klug to place on file the minutes of the Legislative Committee meeting held July 19, 2016. Motion carried.

Discussion and Action Items:

The Committee discussed the proposed Ordinance to Repeal and Recreate Section 180-4(H) of the City of St. Francis Code of Ordinances "Limitation of Animals". Chairman Wattawa gave a brief history on the ordinance. There have been a couple of different versions. The Committee had some concerns on how the multi-family units would be controlled. Discussion was also held on what would happen to people who currently have two animals per unit and how that would work with the differential for multi-family units. Would the city be creating a remedy without a problem? City Attorney Alexy's proposed ordinance would create a Fancier's Permit which is consistent with what several of the surrounding communities. City Clerk/Treasurer Uecker discussed the potential cost to applicants if the Fancier Permit was approved. Costs would have to cover the cost of a Class I publication as well as mailing the hearing notice to all properties within a 200 foot radius of the subject property. Public Health Administrator Scott felt it was ok to leave the ordinance with 3 animals maximum in any combination and that there would be a grandfather clause for residents who currently have the 2 dog/2 cat combination.

Chairman Wattawa stated that the simple solution would be to allow 2 dogs and/or 2 cats or a 3 dogs or 3 cats with no other restrictions. City Attorney Alexy will prepare the ordinance for the next meeting.

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

Time: 6:13 p.m.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO REPEAL CHAPTER 26  
OF THE CITY OF ST. FRANCIS CODE OF ORDINANCES  
CONCERNING THE CIVIL SERVICE**

WHEREAS, Chapter 26 of the City of St. Francis Code of Ordinances established a civil service system for the City of St. Francis; and

WHEREAS, Section 66.0509 of the Wisconsin Statutes now permits the City to establish a grievance procedure as described under Wis. Stat. § 66.0509(1)(d) as an alternative to maintaining a civil service system; and

WHEREAS, the City Administrator in conjunction with Labor Counsel for the City has established a grievance procedure to comply with the grievance procedure requirements set forth in Wis. Stat. § 66.0509(1)(d); and

WHEREAS, the Common Council finds that repealing the existing civil service provisions in Chapter 26 of the Code of Ordinances and utilization of the grievance procedure now permitted under Wisconsin law will promote efficiency in the City’s personnel matters;

NOW, THEREFORE, the Common Council of the City of St. Francis, Milwaukee County, Wisconsin DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 26, entitled “Civil Service”, of the City of St. Francis Code of Ordinances is hereby repealed in its entirety.

SECTION 2: 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 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication as provided by law.

Passed and adopted at a regular meeting of the Common Council of the City of St. Francis  
this \_\_\_ day of February 2018.

CITY OF ST. FRANCIS

BY: \_\_\_\_\_  
CoryAnn St. Marie-Carls, Mayor

ATTEST:

\_\_\_\_\_  
Anne Uecker, City Clerk/Treasurer

## ORDINANCE NO.

**AN ORDINANCE TO REPEAL AND RECREATE SECTION 455-55  
OF THE CITY OF ST. FRANCIS CODE OF ORDINANCES  
ESTABLISHING A ZONING ADMINISTRATOR FOR THE CITY OF ST. FRANCIS**

WHEREAS, § 455-55 of the City of St. Francis Code of Ordinances establishes the position of Zoning Administrator for the City of St. Francis; and

WHEREAS, § 455-55 currently provides that the Building Inspector shall serve as Zoning Administrator; and

WHEREAS, due to retirement of the existing Building Inspector, the Common Council finds it appropriate to designate the City Administrator as Zoning Administrator; and

WHEREAS, upon the request of the Common Council, the Planning Commission duly considered the proposed revision at a meeting held on \_\_\_\_\_, 2018 following notice and provided its recommendation to the Common Council; and

WHEREAS, at a duly noticed public hearing was conducted concerning the recommendation of the Planning Commission on \_\_\_\_\_, 2018;

NOW, THEREFORE, the Common Council of the City of St. Francis, Wisconsin do ordain as follows:

SECTION 1. Section 455-55, "Zoning Administrator", of the Municipal Code of the City of St. Francis, Wisconsin, is hereby repealed and recreated to read as follows:

§ 455-55. Zoning Administrator.

The Building Inspector shall serve as the Zoning Administrator and shall enforce all of the provisions of this chapter; and, for such purposes, ~~he~~ shall have all of the powers of a police officer. ~~His~~ The duties of the Zoning Administrator shall include inspecting premises, ~~and~~ issuing building permits and certificates of occupancy for buildings and uses of land that meet the requirements of this chapter. In addition, the Zoning Administrator shall serve as an advisor to the Planning Commission, Aesthetic Control Committee, and Common Council concerning zoning matters pertaining to the City and shall perform such other duties and responsibilities as set forth in this Code.

SECTION 2: 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 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication as provided by law.

Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this \_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
CoryAnn St. Marie-Carls, Mayor

ATTEST:

\_\_\_\_\_  
Anne Uecker, City Clerk/Treasurer



City of Saint Francis  
3400 E. Howard Ave.  
St. Francis, Wisconsin 53235

Fire Department  
Nicholas J. Poplar  
Interim Fire Chief



04 January 2017

Mayor CoryAnn St. Marie-Carls  
City of St. Francis Common Council  
3400 East Howard Avenue  
St. Francis, Wisconsin 53235

Re: St. Francis City Ordinance – Fire Department Organization

Honorable Mayor and Council Members:

I would like to initiate the amendment process of Chapter 63 of the City of St. Francis Municipal Code; specifically § 63-1 concerning fire department organization. My recommendations are based off several factors.

Most significantly, the recently adopted contract language between the City of St. Francis and IAFF Local 2717. Secondly, the addition of a tenth full-time firefighter position (flex-shift firefighter) which was approved for 2018 and subsequently eliminated the part-time firefighter operational budget. Lastly, the imminent and future scope and roles of fire department management/command positions; and the utilization of a standardized rank structure between shared service and mutual aid departments.

This change will align the ordinance with the 2018 budget and firefighter's labor contract, along with current and future operational practices and has a **\$0** cost factor. I have included my recommendations with this letter. Please feel free to contact me with any comments, questions, or concerns. Thank you.

Respectfully Submitted,

Nicholas J. Poplar  
Interim Fire Chief & Training Officer – St. Francis Fire Department  
President – Milwaukee County Fire Training Officer's Association

Attachments: City of St. Francis Municipal Ordinance § 63-1 Draft Suggestion

[nicholas.poplar@stfranwi.org](mailto:nicholas.poplar@stfranwi.org)

Fire Department Business Telephone (414) 483-4424



## Chapter 63

### FIRE DEPARTMENT

§ 63-1. Organization.

§ 63-2. Fire Chief.

§ 63-3. Duties of firefighters.

§ 63-4. Operating outside City.

§ 63-5. Bureau of Fire Prevention.

§ 63-6. Reimbursement for services.

[HISTORY: Adopted by the Common Council of the City of St. Francis 7-6-2004 by Ord. No. 1166 (§§ 5.01, 5.03 to 5.05 and 5.10 of the 1981 Code). Amendments noted where applicable.]

#### GENERAL REFERENCES

Fire prevention — See Ch. 245.

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§ 63-1. Organization.

The Fire Department of the City shall consist of the following:

A. One Chief.

B. Three captains. **or deputy/battalion chiefs or any combination thereof.**

C. Three lieutenants.

D. **Ten** ~~Nine~~ driver operators or firefighters or any combination thereof, if deemed necessary by the Fire Chief. [Amended 4-6-2011 by Ord. No. 1299]

~~E. Twenty-five part-time "paid on call" firefighters and such additional personnel as may be authorized by the Common Council from time to time.~~

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO REPEAL AND RECREATE SECTION 63-1 OF THE CITY OF ST. FRANCIS CODE OF ORDINANCES CONCERNING THE ORGANIZATION OF THE FIRE DEPARTMENT**

WHEREAS, Section 63-1 of the City of St. Francis Code of Ordinances establishes the organizational structure for the City of St. Francis Fire Department; and

WHEREAS, revision to Section 63-1 is necessary to reconcile the provisions of that section with currently adopted collective bargaining and budgetary provisions ;

NOW, THEREFORE, the Common Council of the City of St. Francis, Milwaukee County, Wisconsin DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 63, Section 1, entitled "Organization", of the City of St. Francis Code of Ordinances is hereby repealed and recreated to read as follows.

§ 63-1. Organization.

The Fire Department of the City shall consist of the following:

- A. One Chief.
- B. Three ~~(3) Deputy Chiefs, battalion chiefs, or captains~~ in such combination as is approved by the Police and Fire Commission from time-to-time in accordance with the budget authorized by the Common Council.
- C. Three ~~(3)~~ lieutenants.
- D. ~~Nine-Ten (10) driver operators or firefighters or any~~ in such combination thereof, ~~if deemed necessary by the Fire Chief~~ in accordance with the budget authorized by the Common Council.
- E. ~~Twenty-five part-time "paid on call" firefighters and such~~ Such additional personnel as may be authorized by the Common Council from time to time.

SECTION 2: 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 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication as provided by law.

Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this \_\_\_ day of February 2018.

CITY OF ST. FRANCIS

BY: \_\_\_\_\_  
CoryAnn St. Marie-Carls, Mayor

ATTEST:

\_\_\_\_\_  
Anne Uecker, City Clerk/Treasurer

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO REPEAL SECTION 105-15(B)(5)  
AND TO CREATE SECTION 105-12(B)(15)  
OF THE CITY OF ST. FRANCIS CODE OF ORDINANCES  
TO DESIGNATE THE CITY ADMINISTRATOR AS ZONING ADMINISTRATOR**

WHEREAS, Section 105-15(B)(5) of the City of St. Francis Code of Ordinances currently designates the Building Inspector as Zoning Administrator for the City; and

WHEREAS, the Legislative Committee has recommended designating the City Administrator as Zoning Administrator in light of the retirement of the existing Building Administrator; and

WHEREAS, Section 105-12(B) establishes the roles of City Administrator;

NOW, THEREFORE, the Common Council of the City of St. Francis, Wisconsin do ordain as follows:

SECTION 1. Chapter 105, entitled “Officers and Employees”, Section 105-15, entitled “Building Inspector”, Subsection B, entitled “Powers and Duties”, paragraph (5), entitled “Zoning Administrator”, is hereby repealed in its entirety.

SECTION 2. Chapter 105, entitled “Officers and Employees”, Section 105-12, entitled “Administrator”, Subsection B, entitled “Duties and Powers”, paragraph (15), entitled “Zoning Administrator”, is hereby created to read as follows:

(15) Zoning Administrator. The City Administrator shall be the Zoning Administrator for the City and have the powers and duties of Zoning Administrator set forth in this Code.

SECTION 3: 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 4: EFFECTIVE DATE.

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Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this \_\_\_ day of February 2018.

CITY OF ST. FRANCIS

BY: \_\_\_\_\_  
CoryAnn St. Marie-Carls, Mayor

ATTEST:

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Anne Uecker, City Clerk/Treasurer