



Community Development Authority  
August 28, 2018  
6:00 p.m.

Civic Center West Committee Room

1. Call to order
  - Alderman Brickner, Alderman Damon, PJ Early, Richard Grubanowitch, Jay Iverson, Laura Martin, Ralph Voltner
2. Election of Chairperson
3. Review of Code of Ethics - [Code of Ethics](#)
4. Minute Approval:
  - May 23, 2017 - [draft minutes of cda held may 23 2017](#)
5. Public Hearings:
  - None
6. Discussion and Action Items:
  - Update 1306 East Bolivar Avenue – Former King Kase property
  - Update Wixon Spice Development Agreement
  - Update 2517 East Norwich Avenue – Former DF Building
  - Update 4235 South Nicholson Avenue – Former City Hall Site
  - Future Redevelopment Planning under §66.1201 and 66.1333
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 entrances.

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

the grievance with five (5) calendar days in writing. The Department Head's written response to the employee's written grievance must contain;

- a) A statement of the date the meeting between the employee and the supervisor was held.
  - b) A decision as to whether the grievance is sustained or denied.
4. If the grievance has not been satisfactorily resolved as a result of the meeting between the Department Head and the employee, the grievance shall be reviewed by the City Administrator. Within five (5) calendar days after being notified that the grievance has not been resolved, the City Administrator shall answer the grievance in writing. The City Administrator's written decision must contain:
    - a) A statement of pertinent facts surrounding the nature of the grievance.
    - b) A decision as to whether the grievance is sustained or denied, with the rationale for the decision.
    - c) A statement outlining the timeline to appeal the decision.
  5. The employee's immediate supervisor and/or the hearing officer may consolidate grievances where a reasonable basis for the consolidation exists.
  6. All timelines may be extended by mutual agreement of the City and employee. Without such agreement, a failure of the employee to adhere to any of the specified timelines shall preclude any further consideration of the grievance.
  7. If the last day on which an event is to occur is a Saturday, Sunday or a legal holiday, the time limit is extended to the next day which is not a Saturday, Sunday or legal holiday. A grievance or request for an appeal is considered timely if received by the City Clerk during normal business hours or if postmarked by 11:59 p.m. on the due date.
  8. If the grievance is not answered with the time limits, at any stage, the employee may proceed to the next available step within seven (7) days.
  9. Granting the requested or agreed upon remedy resolves the grievance.

#### **Procedure before the Hearing Officer**

1. The employee may request an appeal to the hearing officer by filing a written request with the City Clerk within ten (10) days of receiving the written response of the City Administrator. The City Clerk shall notify the City Administrator about the filing of the request for a hearing as soon as practicable. The hearing officer shall be selected by the City. The City will work with the hearing officer and grievant to schedule a mutually agreeable hearing date.
2. Both the employee and the City may be assisted by a representative of their own choosing in person or by teleconference.
3. The hearing officer shall provide the employee and the City Administrator with a written decision no later than thirty (30) days after the hearing date. The written decision shall contain findings of fact, analysis and recommendation. The hearing officer shall also provide the City Clerk with a copy of the decision for filing in the Clerk's office.

4. The hearing officer shall define the issues, identifying areas of agreement and identifying the issues in dispute and hear evidence and arguments. The hearing officer shall have no power to issue any remedy. The hearing officer will determine whether the City acted in an arbitrary or capricious manner.

### **Review by the Governing Body**

1. The non-prevailing party may within ten (10) days of receipt of the hearing officer's decision, file a written request with the City Clerk for a written review by the Governing Body. For Library employees the appeal shall be filed with the Library Board. For all other employees, the appeal shall be filed with the Common Council.

The City Clerk shall notify the presiding officer of the Governing Body about the written request as soon as possible. The Governing Body shall decide the matter and issue a written decision within thirty (30) day of the filing of the appeal. The Governing Body may not accept additional written or oral testimony or arguments, and shall base its decision on the record, including findings of fact compiled and presented by the hearing officer. The Governing Body may sustain, deny or modify the recommendation of the impartial hearing officer. The decision of the Governing Body shall be final and binding. The decision of the Governing Body shall be provided to the employee and filed in the City Clerk's office.

### **9.6 CODE OF ETHICS**

The proper operation of democratic government requires:

- 1) Public officials and employees to be independent, impartial and responsible to the people; and
- 2) Government decisions and policy be made in proper channels of the governmental structure; and
- 3) Public office not be used for personal gain; and
- 4) Public 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, elected or appointed, paid or unpaid, including members of boards, committees and commissions of the City as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the City. The purpose of this Code of Ethics 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 disclosure by such officials and employees of private financial or other interests in matters affecting the City. The provisions and purpose of this Code of Ethics and such rules and regulations as may be established under §105-9 of the City Code of Ordinances are hereby declared to be in the best interests of the City, and one promulgated under the authority granted to the City pursuant to §19.59(1m) of the Wisconsin State Stats.

All employees shall abide by Chapter §105-9 Code of Ethics within the City Code of Ordinances. In addition, provisions of the Wisconsin Statutes should, while not set forth herein, be considered an integral part of the Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes are adopted as part of the Code of Ethics and shall apply to public officials and employees of the City:

1. Section 946.10 Bribery of Public Officers and Employees
2. Section 946.11 Special Privileges from Public Utilities
3. Section 946.12 Misconduct in Public Office

**DRAFT MINUTES OF THE COMMUNITY DEVELOPMENT AUTHORITY  
MEETING HELD MAY 23, 2017; 6:00PM**

Members Present: Alderman Steve Wattawa, Alderman Ray Klug, Chairman Ralph Voltner, Committee Members PJ Early, Laura Martin, Jay Iverson, and Tom Cottreau.

Excused: None.

Also present: Mayor CoryAnn St. Marie-Carls, Alderwoman Janis Schandel, City Administrator Mark Johnsrud, City Engineer Melinda Dejewski, City Attorney Paul Alexy, representing Zimmer Landscaping were John Zimmer and Eric Heine of Zimmer Landscaping; and Bob Zingera.

**1. Call to Order:**

The meeting was called to order at 6:01pm. City Engineer Dejewski did the roll call. All members were present. Chairman Voltner welcomed new members.

**2. Minute Approval:**

**March 28, 2017**

A motion was made by Alderman Wattawa, seconded by Alderman Klug to approve the minutes. Motion carried.

**3. Public Hearings:**

None.

**4. Discussion and Action Items:**

**Redevelopment Proposal Zimmers Landscaping – 2517 E. Norwich Avenue (DF Building)**

City Administrator Johnsrud gave a review of the project for the new members. Mr. Zimmer and Mr. Heine were in attendance and reviewed their plans and the proposal to acquire the property. They want to rehabilitate the building to house their landscape operation along with a coffee shop, gym, carpet store and maybe one other tenant. The estimated cost of the project is \$1,600,000. They have funds available and can provide proof of funds. There was general discussion regarding Zimmers existing operation and the proposal for the Norwich site. An issue regarding parking by others on the site was brought forward. A motion was made by Alderman Klug, seconded by Alderman Wattawa to have the City Administrator write a friendly letter to the businesses in the area regarding parking on the City property and informing the businesses in the area that in 30 days of the date of the letter, the City will be posting the property as “No Parking”. Motion carried.

**TIF Agreement – Bear Development (Referred from Common Council)**

There was no discussion on this item.

A motion was made by Alderman Klug, seconded by Alderman Wattawa to adjourn into closed session. Roll call vote: Chairman Voltner – aye; Alderman Wattawa;- aye; Alderman Klug – aye; Committee Member Early – aye; Committee Member Martin – aye; Committee Member Iverson – aye; Committee Member Cottreau – aye. Motion carried. Committee adjourned into closed session at 6:28pm.

A motion was made by Committee Member Early seconded by Alderman Klug to convene into open session. Roll call vote: Chairman Voltner – aye; Alderman Wattawa;- aye; Alderman Klug – aye; Committee Member Early – aye; Committee Member Martin – aye; Committee Member Iverson – aye; Committee Member Cottreau – aye. Motion carried. Committee convened into open session at 7:51pm.

Chairman Voltner stated that the Committee was in open session.

A motion was made by Committee Member Early, seconded by Alderman Klug to recommend to the Common Council to pursue the transaction with Zimmers Landscaping consistent with the terms discussed by City Administrator Johnsrud in closed session. Motion carried.

A motion was made by Alderman Wattawa, seconded by Committee Member Cottreau to recommend to the Common Council to pursue negotiation with Bear Development consistent with the terms presented by the City Administrator in closed session. Motion carried.

A motion was made by Alderman Wattawa, seconded by Committee Member Iverson to adjourn. Motion carried. Meeting adjourned at 7:57pm.

DRAFT