



City of St. Francis  
Aesthetic Control Board Meeting

3400 East Howard Avenue

East Conference Room

September 12, 2018

5:30 p.m.

1. Call Meeting to Order  
Charles Buechel, Joshua Christensen, Darin Frerich, Jay Inverson, Karen Lynn and City Administrator Mark Johnsrud
2. Statement of Open Meetings Compliance
3. Code of Ethics - [Code of Ethics](#)
4. Approval of Minutes
  - Meeting Minutes of July 12, 2018 - [ACB Minutes 07-12-2018](#)
5. Discussion and Recommendation
  - a) 3254 E. Koenig Avenue (Lot 7 Trestle Creek) – Single Family – Site Plan
6. Adjourn

PUBLIC NOTICE

Upon reasonable notice, a good faith effort will be made to accommodate the needs of individuals to participate in public meetings, who 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 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

**MINUTES OF THE AESTHETIC CONTROL BOARD MEETING HELD  
JULY 12, 2018**

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Present: Darin Frerichs and Karen Lynn

Also Present: City Administrator Johnsrud

Administrator Johnsrud called the meeting to order at 6:00 p.m.

Moved by Lynn, Seconded by Frerichs to nominate Darin Frerichs Chair of the Board. Motion carried.

**Review Code of Ethics**

Moved by Lynn, Seconded by Frerichs to refer to next meeting because the code of ethics was not included in packet. Motion carried.

**Approval of Minutes of December 13, 2017 Meeting**

Moved by Lynn, Seconded by Frerichs to approve the minutes of December 13, 2017. Motion carried.

**Discussion and Recommendation 3792 S. Kinnickinnic Avenue**

Owner Dave Knight provided requested revisions to the design at the meeting to include arched windows, flush mounted front door and stone look vinyl siding on the south half of the street view of the house. Knight also indicated that he would like to change the front door to an eight (8') foot stained Alder wood door without a window and eliminate the precast concrete steps to the front door and place layers stones for stairs.

Frerichs indicated that with the changes requested the street view of the house appeared out of balance. Lynn agreed and suggested a change to permit the stone vinyl siding on the south half only to the upper freeze board with cedar shake to the peak of the gable. Frerichs suggested an inset of the front door opening and wrapping the installation of the siding into the inset.

Moved by Lynn, seconded by Frerichs to permit a change to the street view of the house design to permit window changes within revised plan, replace clapboard siding on south half to laid stone (grey/brown) vinyl siding to upper freeze board with cedar shake vinyl to gable peak and door will be inset with siding wrapped into inset. Frerichs indicated that he will provide drawing of the approved changes. Motion carried.

Moved by Lynn, seconded by Frerichs to require approval of the Board for further changes to design as approved. Motion carried.

**Discussion and Recommendation 3325 E. Denton Avenue**

Reviewed custom ranch design of 1362 Sq. ft. with 400 sq. ft. attached two car garage.

Board discussed that all windows must provide 5/4 6" molding around each window the same as street view. All double hung windows must have mutton bars placed in the upper window the same as the street view. Front door with privacy glass must be reversed with the privacy glass toward the garage and the outside porch reduced to three (3') feet from six (6') feet within the design thereby increasing the interior foyer to the front door.

Moved by Lynn, seconded by Frerichs to amend the design to include the discussed items above and approve as amended. Motion carried.

Moved by Lynn, seconded by Frerichs to require approval of the Board for further changes to design as approved.

Moved by Lynn, seconded by Frerichs to adjourn. Motion carried.

Time: 7:48 p.m.