

The meeting was called to order at 7:00 p.m. by Mayor St. Marie-Carls. Following the Pledge of Allegiance and a moment of silence for the community, roll call was taken.

Present: Mayor St. Marie-Carls, Alderpersons Wattawa, Schandel, McSweeney, Klug, and Tutaj

Also Present: City Attorney Alexy, Deputy City Clerk/Treasurer DeMores, Fire Chief Lockwood, Police Chief Dietrich, City Engineer Dejewski, Building Inspector Vretenar, County Supervisor Sartori, and interested citizens

Excused: Council President Brickner, City Clerk/Treasurer Uecker

Statement of Open Meeting Compliance:

Deputy City Clerk/Treasurer DeMores stated that the meeting has been properly noticed and posted.

Resolutions and Ordinances:

Moved by Alderperson McSweeney, seconded by Alderperson Wattawa to introduce and adopt an Ordinance to Conditionally Rezone Certain Lands in the City of St. Francis as B-2 General Business District with a Special Use Under § 455-28(C) of the City of St. Francis Zoning Code as amended . Motion carried. **Ordinance No. 1395**

Moved by Alderperson Schandel, seconded by Alderperson Wattawa to introduce and adopt resolution as submitted subject to the inclusion of exhibit C-1 and further subject to the question as stated being restated to read: "Shall 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", as enacted by the Common Council be placed into effect? Motion carried.

Resolution No. 2709

Moved by Alderperson McSweeney, seconded by Alderperson Wattawa to introduce and adopt a Resolution for Authorized Representative to File Applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund. Motion carried. **Resolution No. 2710**

Minute Approval:

Moved by Alderperson Klug, seconded by Alderperson Tutaj to place on file the minutes of the Common Council meeting held June 21, 2016 and Special Common Council meeting held June 27, 2016. Motion carried.

Reports from Committees/Commissions/Boards:

Moved by Alderperson Wattawa, seconded by Alderperson Klug to place on file the minutes as listed under Reports from Committees/Commissions/Boards as listed on the July 19, 2016 Common Council Agenda. Motion carried.

Action Items from Committees/Commissions/Boards:

Moved by Alderperson Wattawa, seconded by Alderperson Klug to approve a Beverage Operator's License – New for Caitlin Cronin, Kristina Fung, and Molly Stanek. Motion carried.

Moved by Alderperson Wattawa, seconded by Alderperson Klug to approve a Temporary Beverage Operator's License for Jennifer A. Martin. Motion Carried.

Moved by Alderperson Wattawa, seconded by Alderperson Klug to approve a Beverage Operator's License – Renewals as listed on the July 19, 2016 License Committee Agenda. Motion carried.

Moved by Alderperson McSweeney, seconded by Alderperson Tutaj to reduce the CCF units from 62 to 14 and issue a modified sewer bill for 3267 South Koenig Avenue to reflect this reduction as recommended by the Finance Committee. Motion carried with Alderperson Wattawa voting no.

Moved by Alderperson McSweeney, seconded by Alderperson Tutaj to reduce the CCF units from 151 to 36 and issue a modified sewer bill for 3916 South Pennsylvania Avenue to reflect this reduction as recommended by the Finance Committee. Motion carried with Alderperson Wattawa voting no.

Moved by Alderperson McSweeney, seconded by Alderperson Tutaj to reduce the CCF units from 25 to 10 and issue a modified sewer bill for 2924 East Armour Avenue to reflect this reduction as recommended by the Finance Committee. Motion carried with Alderperson Wattawa voting no.

Appointments to Committees/Commissions/Boards:

Moved by Alderperson Klug, seconded by Alderperson Tutaj to concur with Mayor's appointment of Rick Hackl as Liaison to the Arts Council. Motion carried.

Correspondence with Possible Action or Referral to Committees/Commissions/Boards:

Moved by Alderperson McSweeney, seconded by Alderperson Wattawa to place on file with reference in the minutes the Mayor's Update #88. Motion carried.

Moved by Alderperson Tutaj, seconded by Alderperson McSweeney to place on file the correspondence dated July 5, 2016 from Building Inspector Vretenar regarding Application for Special Use permit at 3849 South Packard Avenue and to forward to Planning Commission. Motion carried.

Moved by Alderperson McSweeney, seconded by Alderperson Klug to place on file the correspondence dated June 29, 2016 from Parkway Square requesting parking be allowed on South Arctic Avenue and to refer to the Board of Public Works. Motion carried.

Moved by Alderperson McSweeney, seconded by Alderperson Tutaj to place on file the Block Party/Street Closing Application from Russ Rutkowski for August 20, 2016 in Trestle Creek Subdivision and approve request. Motion carried.

Moved by Alderperson McSweeney, seconded by Alderperson Wattawa to place on file and approve the Satisfaction of Mortgage and permit the termination of the UCC filing executed by Freda Investments LLC. Motion carried.

Moved by Alderperson Wattawa, seconded by Alderperson Klug to place on file the Petition for Special Privilege for Shur-Line, St. Francis Facility from Hyde Environmental and to approve request subject to petitioner granting the city access to monitor data from wells in City right of way. Motion carried.

Discussion Items with Possible Action:

Moved by Alderperson McSweeney, seconded by Alderperson Tutaj to place on file and approve all vouchers on the Voucher List dated June 22, 2016 through July 19, 2016 in the amount of \$455,389.87. Motion carried.

Training/Conference/Seminar Requests:

Moved by Alderperson McSweeney, seconded by Alderperson Wattawa to place on file with reference in the minutes the Training/Conference/Seminar Requests as listed on the July 19, 2016 Common Council Agenda and to approve the requests with the necessary expenses as they are a budgeted item. Motion carried.

Adjourn to Closed Session:

Moved by Alderperson McSweeney, seconded by Alderperson Wattawa to adjourn to Closed Session pursuant to Wis. Stat. sec. 19.85(1) (e) for purposes of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and Wis. Stat. sec. 19.85 (1)(c) for purposes of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Upon conclusion of the closed session, the Common Council will reconvene in Open session prior to taking any action regarding those matters that were discussed in Closed Session for which action in open session is required. Items for discussion: St. Francis Brewery/WisDOT land acquisition/transfer; preliminary consideration of offer to purchase City lands; contract for City Administrator. Roll Call Vote: Alderpersons Wattawa, Schandel, McSweeney, Klug, and Tutaj voting "aye". Motion carried.

Moved by Alderperson Schandel, seconded by Alderperson Wattawa to take a five-minute recess. Motion carried.

Time: 8:38 p.m.

At the conclusion of the recess, Council President Brickner joined closed session telephonically and City Attorney Alexy served as recording secretary for the remainder of the meeting.

Moved by Alderperson Klug, seconded by Alderperson Wattawa to reconvene into open session. Motion carried.

Time: 10:28 p.m.

Moved by Alderperson Tutaj, seconded by Alderperson Klug to approve the terms of the proposed City Administrator agreement with Mark Johnsrud with revisions discussed in closed session and subject to completion of the pending background check. Motion carried.

Moved by Alderperson Wattawa, seconded by Alderperson McSweeney to Adjourn. Motion carried.

Time: 10:29 p.m.

STATE OF WISCONSIN

CITY OF ST. FRANCIS

MILWAUKEE COUNTY

ORDINANCE NO. 1395

AN ORDINANCE TO CONDITIONALLY REZONE CERTAIN LANDS
IN THE CITY OF ST. FRANCIS AS B-2 GENERAL BUSINESS DISTRICT
WITH A SPECIAL USE UNDER § 455-28(C) OF
THE CITY OF ST. FRANCIS ZONING CODE

WHEREAS, an Application dated March 29, 2016 has been filed by Kelly Lynn Cronin as agent for Vikramjit Dhillon, DVM d/b/a St. Francis Animal Hospital (“Applicant”), to rezone certain lands within the City of St. Francis described herein and incorporated by reference as Exhibit A (the “Subject Property”); and

WHEREAS, Applicant has entered into an agreement with the City of St. Francis concerning Applicant’s purchase of the Subject Property; and

WHEREAS, the Subject Property are currently zoned as part of the R-3 Residential Mixed Use District; and

WHEREAS, the Applicant seeks to provide veterinary services, overnight boarding facilities, and indoor daycare for domestic animals on the Subject Property; and

WHEREAS, veterinary services and animal boarding facilities may only be conducted in the B-2 General Business District if a Special Use is approved by the Common Council under §§ 455-28(C) and 455-48 of the City of St. Francis Zoning Code following a public hearing and receipt of Planning Commission recommendations; and

WHEREAS, the Applicant has supplied all required data pursuant to § 455-48(D) of the City of St. Francis Zoning Code including, but not limited to all information required under § 455-47 of the City of St. Francis Zoning Code, in sufficient detail to permit the evaluation of the approval criteria set forth in § 455-48 of the City of St. Francis Zoning Code; and

WHEREAS, the Application and related information provided by Applicant has been available for public inspection in the office of the City Clerk since March 29, 2016; and

WHEREAS, the Application was considered by the City of St. Francis Planning Commission at a regular meeting held on April 27, 2016 upon due notice to the public; and

WHEREAS, pursuant to § 455-48(E), entitled “Review”, prior to making any recommendation to the Common Council regarding the requested Special Use approval, the Planning Commission reviewed the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, street access, traffic generation and circulation, drainage, sanitary and storm sewer, water

systems, landscaping, park requirements and proposed plan of operation in relation to the standards and considerations detailed in § 455-48 of the City of St. Francis Code of Ordinances; and

WHEREAS, § 455-48(F) of the City of St. Francis Code of Ordinances provides that no special use permit shall be recommended or granted pursuant to Chapter 455 of the City Code of Ordinances unless the applicant shall establish the following:

- (1) Chapter and Comprehensive Smart Growth Plan purposes and intent. The proposed use and development will be in harmony with the general and specific purposes for which Chapter 455 was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of St. Francis Comprehensive Smart Growth Plan or element thereof.
- (2) No undue adverse impact. The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and will not substantially diminish and impair property values within the community or neighborhood.
- (3) No interference with surrounding development. The proposed use and development will be constructed, arranged, and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.
- (4) Adequate public facilities. The proposed use and development will be served adequately by essential public facilities and services, such as streets, public utilities, including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities, or the applicant will provide adequately for such facilities.
- (5) No traffic congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (6) No destruction of significant features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.
- (7) Compliance with standards. The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Planning Commission.

WHEREAS, the Planning Commission has recommended to the Common Council for the City of St. Francis ("Common Council") that the requested zoning be made and that the General Development/Site Plan be approved upon satisfaction of certain conditions that are incorporated herein; and

WHEREAS, the Planning Commission in making its recommendation, and the Common Council, having carefully reviewed the recommendation of the Planning Commission in making its determination

as to the approval of the zoning requested, have given consideration to the following “considerations” as required by § 455-48(H) of the City of St. Francis Code of Ordinances:

- (1) Public benefit. Whether and to what extent the proposed use and development at the particular location requested are necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.
- (2) Alternative locations. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.
- (3) Mitigation of adverse impacts. Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.
- (4) Establishment of precedent of incompatible uses in the surrounding area. Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.

WHEREAS, notice having been properly given, a public hearing was held before the Common Council on June 27, 2016 as required by said Section 455-48(C); and

WHEREAS, having determined that all procedural and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such rezoning on the health, safety, and welfare of the community and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved as well as the impact on the community as to noise, dust, smoke, odor, and others, hereby determines that the rezoning will not violate the spirit or intent of the Zoning Code for the City of St. Francis, will not be contrary to the public health, safety, or general welfare of the City of St. Francis, will not be hazardous, harmful, noxious, offensive, or a nuisance by reason of noise, dust, smoke, odor, or other similar factors and will not, for any other reason, cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the operation is conducted pursuant to the following conditions and in strict compliance with the same and is consistent with the recommendations found in the City of St. Francis comprehensive plan;

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

SECTION 1: Commencing upon the date hereof, the Zoning Map of the City of St. Francis is hereby conditionally amended to rezone the Subject Property B-2 General Business District – Special Use, subject to the conditions stated in Section 2 of this Ordinance being fully met.

SECTION 2: CONDITIONS IMPOSED.

The special use permit granted herein shall apply only to the specific use of the Subject Property by the Applicant for the operation of a veterinary clinic, overnight boarding facilities, and indoor daycare

for domestic animals as set forth in the Application dated March 29, 2016 and related plans and materials submitted by the Applicant and on file in the office of the City Engineer is hereby granted subject to initial and continued compliance with each and every one of the following conditions:

1. The Subject Property shall be used in compliance with all applicable provisions of the City Code including, but not limited to fire safety, noise, parking, public health, sign regulations, and zoning regulations.
2. The Applicant is required and must have all plans current, approved by the Planning Commission for the City of St. Francis, and on file with the Planning Commission for the City of St. Francis. The Applicant shall be entitled to amend or change any plan contemplated herein subject to the aforementioned conditions and subject to the Planning Commission for the City of St. Francis approval and without a public hearing, if such amendments and/or change is not a substantial change from the original plan as approved and as allowed herein.
3. Signage identifying the name and type of business shall be in compliance with the City of St. Francis Code of Ordinances.
4. Applicants use of the Subject Property, including but not limited to the lot layout, shall be in substantial conformity with the Application, site plan, plan of operation, and related plans considered by the Planning Commission at its meeting on April 27, 2016.
5. Prior to the commencement of any work on the Subject Property, the Applicant shall submit a signage plan to the Planning Commission and Building Inspector for their approval.
6. Maximum Number of Dogs on the Subject Property.
 - A. No more than a total of twenty (20) dogs shall be on the Subject Property at any one time, including dogs boarded/kenneled overnight.
 - B. Not more than a total of ten (10) dogs shall be boarded/kenneled overnight at the same time.
7. All fecal waste shall be collected and disposed of in a dumpster, which shall be emptied no less than once per week. Urine waste shall be mitigated in accordance with applicable DNR rules. Waste shall not be allowed to accumulate on the Subject Property and shall be adequately disposed of so that it does not have any offensive or hazardous effects on people, surface water, or ground water.
8. All animals shall be adequately restrained to prevent their escape onto neighboring property or streets.
9. No animal breeding shall be conducted on the Subject Property.
10. Applicant shall be responsible for ensuring that all animals on the Subject Property have received all required vaccinations.

11. Hours of Operation. Hours of operation on the Subject Property shall be limited to 8 a.m. through 6 p.m. Monday through Friday and 8:30 a.m. to 2 p.m. on Saturdays provided, however, that:
 - A. No dogs shall be allowed outside before 6 a.m. or after 8 p.m. on any day; and
 - B. The Planning Commission may, from time to time, upon request, extend the hours of operation without amendment of this Ordinance, subject to the provisions of Section 11(a), above.

12. The Applicant shall be required to obtain any and all required licenses and permits from the City, County, State, and Federal Government. If any license or permit is issued, any and all conditions of the same are incorporated herein and made a part of this Ordinance.

13. Traffic and Access Plans. This special use permit is subject to a specific traffic plan approved for the Subject Property by the Plan Commission. Said traffic plan is hereby incorporated as a condition of the special use permit. The Applicant shall also follow any requirements for the traffic plan made by the City Engineer to allow access to the site. Once approved, the traffic plan and study shall be attached hereto and incorporated herein as Exhibit B.
 - A. Parking, Loading and Unloading, Ingress and Egress Plans. The Applicant shall submit to, and receive approval from, the Planning Commission a specific parking, loading and unloading, ingress and egress plan for the Subject Property. The Applicant shall provide adequate parking for all uses and activities. All parking areas and driveways shall be of a dust-free surface of asphalt or Portland cement pavement in accordance with the City of St. Francis standards and specifications so as to provide a durable and dust-free surface, and shall be so graded and drained as to dispose of all surface water accumulated within the area.

 - B. There shall be no overnight parking on the Subject Property.

 - C. Once approved the parking, loading and unloading, ingress and egress plan shall be attached hereto and incorporated as Exhibit C.

 - D. Noise Attenuation. The Planning Commission reserves the right to require additional landscaping and/or screening for noise control, including, but not limited to, berms, vegetation, fencing, or walls, at any time in the event the Planning Commission makes a determination, either at its own initiative or in response to inquiries, that the outdoor noise emanating from the Subject Property is unreasonable and that landscaping and/or screening for noise control will help to resolve the unreasonable condition. If landscaping and/or screening for noise control, is required, it shall be shown on a revised site plan provided to the Zoning Administrator for review and approval prior to a deadline established by the Plan Commission. The revised site plan shall include a reasonable timetable with a completion deadline for installation of the landscaping and/or screening. If the work is not completed by the deadline, the Planning Commission may consider revocation of the Special Use Permit. The applicant acknowledges and agrees, however, that in the event all efforts listed above fail to control noise as reasonably determined by the City, the City reserves the right to reduce the total number of dogs after public hearing if noise or other complaints are received and determined to be legitimate and, if such reduction fails to reasonably control the noise, the Special Use Permit may be revoked by the City after a public hearing is held.

14. The Applicant shall comply with all Federal, State, County, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the Subject Property. In the event any applicable law(s), regulation(s), condition(s), restriction(s), and/or ordinance(s) conflict, the more restrictive shall control.
15. The Applicant is required to properly maintain the Subject Property at all times and in full compliance with the property maintenance ordinance provisions of the City of St. Francis, as amended from time-to-time, to the satisfaction of the Building Inspector.
16. No junk shall be accumulated or stored on the Subject Property.
17. Any amendment to any of the plans submitted by the Applicant in conjunction with the Application must be submitted to, and approved by the individuals, body, and/or bodies that originally approved said plan(s).
18. The Applicant must pay all fees, costs, and assessments due and owing to the City of St. Francis and all costs and expenses incurred by the City of St. Francis, including legal and engineering fees and costs, arising out of or related to the Application, the review thereof, this Ordinance, and subsequent development of the Subject Property.
19. Any application for use of, or construction on, the lands described on Exhibit A, is an acknowledgement by Applicant that the Subject Property are subject to these conditions of approval. Applicant waives any claim(s) that it may have against the City of St. Francis, including, but not limited to, claims for damages, costs, and expenses, and claims of vested rights to the proposed development of the Subject Property, in the event any owner(s) of the Subject Property do not agree to the required terms.
20. Applicant shall satisfy all comments and concerns of the Building Inspector, City Engineer, Fire Chief, and Health Department pertaining to the Application and subsequent development and operation on the Subject Property under this Ordinance.
21. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In the case of a question as to the classification of use, the question shall be submitted to the Planning Commission for determination.
22. No use is hereby authorized unless that use is conducted in a lawful, orderly, and peaceful manner. Nothing in this Ordinance shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption, or exception to any law, ordinance, order, or rule of either the City of St. Francis, the County of Milwaukee, the State of Wisconsin, the United States of America, or other duly constituted authority except only to the extent that it authorizes a nonconforming use of the Subject Property in specific respects expressly described herein. This Ordinance shall not be deemed to constitute a building permit, nor shall this Ordinance constitute any other license or permit required by City Ordinance or other law or regulation.
23. The special use hereby granted shall be subject to all limitations set forth in § 455-48(L) of the City of St. Francis Zoning Code, as amended from time to time.
24. The special use granted under this Ordinance may be amended, varied, altered, or revoked only pursuant to the procedures and subject to the standards and limitations provided in Chapter 455 of the City of St. Francis Zoning Code for its original approval.

25. Any violation of this Ordinance shall constitute a violation of the Zoning Ordinance for the City of St. Francis and shall be subject to the enforcement procedures contained in the City of St. Francis Zoning Code, as amended from time-to-time, and such other remedies as may be available to the City of St. Francis under Wisconsin law.
26. This Ordinance and the Special Use permit granted hereunder shall be contingent upon the Applicant purchasing the Subject Property from the City of St. Francis on or before November 30, 2016.

SECTION 3: SEVERABILITY.

The several sections of this Ordinance are declared to be severable. If any section or provision thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such declaration shall apply only to the specific section(s) or portion(s) thereof directly specified in said declaration, and shall not affect the validity of any other provisions, sections, or portions of the Ordinance, which 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.

This Ordinance shall take effect upon its passage and posting/publication as provided by law.

Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this 19th day of July 2016.

/s/CoryAnn St. Marie-Carls, Mayor

ATTEST:

/s/Anne Uecker, City Clerk/Treasurer

Exhibit A

Legal Description of Subject Property

3876 South Kinnickinnic Avenue

Part of Tax Key Number 544-003-010

Known as 3876 South Kinnickinnic Avenue, in the City of St. Francis, Milwaukee County, Wisconsin.

Part of the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Town 6 North, Range 22 East, in the City of St. Francis, Milwaukee County, Wisconsin

Commencing at the Southeast corner of said 1/4 Section; thence North01°01'12"West along the East line of said 1/4 Section 56.00 feet to a point in the North line of East Howard Avenue; thence South88°24'41"West along said North line 1045.46 feet to the point of beginning of lands to be described; thence continuing South88° 24' 41"West along said North line 85.95 feet to a point; thence North85° 52' 41"West along said North line 201.00 feet to a point in the Easterly line of South Kinnickinnic Avenue ; thence North58° 58' 23"West along said Easterly line 88.61 feet to a point: thence North63° 44' 58"East 160.15 feet to a point; thence North26° 15' 02"West 35.00 feet to a point; thence North63° 44' 58"East 139.27 feet to a point; thence South26° 15' 02"East 247.04 feet to the point of beginning.

Said land contains 43,560 square feet or 1.000 acres.

STATE OF WISCONSIN

CITY OF ST. FRANCIS

MILWAUKEE COUNTY

RESOLUTION NO. 2709

RESOLUTION PROVIDING FOR A REFERENDUM ELECTION
ON THE QUESTION OF THE APPROVAL
OF 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, on March 1, 2016, the Common Council for the City of St. Francis, Milwaukee County, Wisconsin (the "City"), duly adopted 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" (the "Charter Ordinance") under the provisions of Wis. Stat. sec. 66.0101; and

WHEREAS, in accordance with Wis. Stat. sec. 66.0101(5), the Charter Ordinance provides that it does not take effect until 60 days after its passage and publication subject to the provisions of Wis. Stat. sec. 66.0101; and

WHEREAS, the City Clerk/Treasurer has certified that, within the aforementioned 60-day period, a petition conforming to the requirements of Wis. Stat. sec. 8.40 and 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 was filed in the office of the City Clerk demanding that the Charter Ordinance be submitted to a vote of the electors; and

WHEREAS, pursuant to Wis. Stat. sec. 66.0101(5), based upon the filing of the aforementioned petition, 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;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of St. Francis as follows:

Section 1. Referendum Election Date. The City Clerk/Treasurer is hereby directed to call a referendum election to be held in the City at the regularly scheduled election to be held on November 8, 2016 for the purpose of submitting to the qualified electors of the City the proposition of whether the Charter Ordinance shall be approved.

Section 2. Notice to Electors. The City Clerk/Treasurer is directed to give notice by:

(a) Causing a Notice to Electors in substantially the form attached hereto as Exhibit A to be published in the South shore NOW within ten days after the date hereof.

(b) Causing a Notice of Election in substantially the form attached hereto as Exhibit B to be published in the Southshore NOW in the issue published immediately prior to the fourth Tuesday before the referendum election.

(c) Causing a Notice of Referendum (which includes the facsimile of the sample ballot) in substantially the form attached hereto as Exhibit C to be published in the Southshore NOW in the issue published immediately preceding the referendum election. This Notice shall also be posted in each polling place on election day.

The Notice of Referendum set forth in Exhibit C shall also include a true, actual-size copy of the ballot label and ballot card in the form in which they will appear on election day.

Section 3. Polling Places and Hours. The City electors must vote at the referendum election at the times and polling places at which they cast their ballots in regularly scheduled elections.

Section 4. Referendum Election Officials. The election officials appointed for the City shall conduct the election.

Section 5. Official Referendum Ballot Form. The ballot to be used at the referendum election shall be prepared in accordance with the provisions of Sections 5.64(2) and 7.08(1)(a), Wisconsin Statutes. The ballot shall be substantially in the form attached hereto as Exhibit D.

The City Clerk/Treasurer shall cause to be printed sufficient ballots for use at said referendum election, both as actual ballots in those polling places which do not use voting machines and as absentee ballots where voting machines are used and as specimen ballots (the latter to be of a different and easily identifiable color from the actual ballot). The form of the ballot shall be filed with the official responsible for providing the ballots for the election, and the City Clerk/Treasurer shall file a copy of the ballot with the clerk of each county having territory within the City, as soon as possible after the date hereof but in no event later than 70 days prior to the election, as provided in Section 8.37, Wisconsin Statutes. Ballots should be delivered to the City Clerk/Treasurer at least 52 days prior to the election, to allow the municipal clerks to comply with their obligation to provide absentee ballots under Section 7.15, Wisconsin Statutes.

The City Clerk/Treasurer shall receive applications for absentee ballots and initial the same when issued to qualified absentee voters.

Section 6. Canvass. The returns of the referendum election shall be canvassed by the Board of Canvassers of the City of St. Francis. The Board of Canvassers shall certify the returns of the referendum election to the Common Council. Board of Canvassers shall meet in open session no later than 9:00 a.m. on the Tuesday after the election to

determine the result of the referendum election. The canvass shall be open to the public and the City Clerk/Treasurer is directed to give due notice of said meeting.

Section 7. Secretary of State Notice. Pursuant to the provisions of Section 66.1001(3), Wisconsin Statutes, the City Clerk/Treasurer shall file a certified copy of the Charter Ordinance with the Secretary of State.

Adopted and recorded this 19th day of July 2016.

CITY OF ST. FRANCIS

/s/CoryAnn St. Marie-Carls, Mayor

Attest: /s/ Anne B. Uecker, City Clerk/Treasurer

EXHIBIT A

NOTICE TO THE ELECTORS

OF

CITY OF ST. FRANCIS

MILWAUKEE COUNTY, WISCONSIN

NOTICE IS HEREBY GIVEN that the Common Council of the City of St. Francis, at a meeting duly called, noticed, held and conducted on March 1, 2016, adopted Charter Ordinance No. C-14, entitled:

“A CHARTER ORDINANCE TO DEFINE THE ROLE OF MAYOR AS CHIEF EXECUTIVE OFFICER

AND TO

ESTABLISH THE OFFICE OF CITY ADMINISTRATOR”

Said Charter Ordinance provides that it was adopted pursuant to the provisions of Chapter 66 of the Wisconsin Statutes to amend the City’s charter under Chapter 62 of the Wisconsin Statutes to define and establish the limits of the authority granted to a mayor as chief executive officer of the City of St. Francis, and to establish and determine the authority of a city administrator.

Copies of said Charter Ordinance No. C-14 are on file in the Office of the City Clerk/Treasurer located at 3400 East Howard Avenue, St. Francis, Wisconsin and may be inspected weekdays except holidays, between the hours of 9:00 a.m. and 4:00 p.m.

In response to a petition filed under Section 66.0101(5) of the Wisconsin Statutes, a referendum election concerning approval of Charter Ordinance C-14 will be held on November 8, 2016.

Dated July 19th, 2016.

BY ORDER OF THE COMMON COUNCIL

Anne B. Uecker
City Clerk/Treasurer

EXHIBIT B

NOTICE OF ELECTION

CITY OF ST. FRANCIS

NOVEMBER 8, 2016

NOTICE IS HEREBY GIVEN, that at an election to be held in the City of St. Francis on Tuesday, November 8, 2016 the following question will be submitted to a vote of the people:

"Shall 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", as enacted by the Common Council be placed into effect?

A copy of the entire text of Charter Ordinance No. C-14 and the resolution directing submission of the question set forth above to the electorate and information concerning the City's boundaries can be obtained at the City Clerk/Treasurer's offices located at 3400 East Howard Avenue, St. Francis, Wisconsin.

Persons with questions regarding the referendum election should contact Anne B. Uecker, City Clerk/Treasurer.

Done in the City of St.
Francis on October 6, 2016
Anne B. Uecker, City
Clerk/Treasurer

EXHIBIT C

NOTICE OF REFERENDUM

CITY OF ST. FRANCIS
NOVEMBER 8, 2016

NOTICE IS HEREBY GIVEN, that at an election to be held in the City of St. Francis on November 8, 2016, 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" will be submitted to a vote of the people. A copy of Charter Ordinance No. C-14 is attached hereto and incorporated by reference as Exhibit C-1.

The question will appear on the ballot as follows:

"Shall 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", as enacted by the Common Council be placed into effect?"

EXPLANATORY STATEMENT AND EFFECT OF VOTE

The referendum election ballot will ask City electors to vote "yes" or "no" on the referendum election question as set forth above.

A "yes" vote on the question is in favor of Charter Ordinance No. C-14 taking effect as enacted by the Common Council, and is a vote to approve amending the City's charter under Chapter 62 of the Wisconsin Statutes to define and establish the limits of the authority granted to a mayor as chief executive officer and to define and establish the limits of the authority of a city administrator, all as more fully set forth in the text of Charter Ordinance No. C-14.

A "no" vote on the question is opposed to Charter Ordinance No. C-14 taking effect as enacted by the Common Council, and is a vote to not approve amending the City's charter under Chapter 62 of the Wisconsin Statutes to define and establish the limits of the authority granted to a mayor as chief executive officer and to define and establish the limits of the authority of a city administrator, all as more fully set forth in the text of Charter Ordinance No. C-14.

In the event a majority of the electors voting vote "yes" on the question set forth above, Charter Ordinance No. C-14 will be placed into effect; if a majority vote "no" on the question set forth above, Charter Ordinance No. C-14 will not be placed into effect.

LOCATION AND HOURS OF POLLING PLACES

Information as to the location of the polling places is available in the City Clerk/Treasurer's Office at 3400 East Howard Avenue, St. Francis, Wisconsin.

ALL POLLING PLACES WILL BE OPEN AT 7:00 A.M. AND WILL CLOSE AT 8:00 P.M.

If you have any questions concerning your polling place, contact the City Clerk/Treasurer: Anne B. Uecker, City Clerk/Treasurer 3400 East Howard Avenue, St. Francis, Wisconsin (414/481-2300) between the hours of 8:30 a.m. through 4:30 p.m., Monday through Friday.

All polling places are accessible to elderly and disabled voters:

Notice of Meeting of the Local and Municipal Board of Canvassers

At the close of voting on Election Day, pursuant to the provisions of Wis. Stat. § 19.84, the Election Inspectors will convene as the Local Board of Canvassers and the Municipal Board of Canvassers for the purpose of conducting the local and municipal canvasses pursuant to Wis. Stat. §§ 7.51 and 7.53. This meeting will be open to the public pursuant to Wis. Stat. §§ 19.81-89.

INFORMATION TO ELECTORS

Upon entering the polling place, an elector shall state his or her name and address, show an acceptable form of photo identification and sign the poll book before being permitted to vote. If an elector is not registered to vote, an elector may register to vote at the polling place serving his or her residence, if the elector presents proof of residence in a form specified by law. Where paper ballots are distributed to electors, the initials of two inspectors must appear on the ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth and cast his or her ballot except that an elector who is a parent or guardian may be accompanied by the elector's minor child or minor ward. An election official may inform the elector of the proper manner for casting a vote, but the official may not in any manner advise or indicate a particular voting choice.

On referendum questions, where **optical scan** voting systems are used, the elector shall fill in the oval or connect the arrow next to "yes" if in favor of the question, or the elector shall fill in the oval or connect the arrow next to "no" if opposed to the question.

The vote should not be cast in any other manner. Not more than five minutes time shall be allowed inside a voting booth or machine. Sample ballots or other materials to assist the elector in casting his or her vote may be taken into the booth and copied. The sample ballot shall not be shown to anyone so as to reveal how the ballot is marked.

If the elector spoils a **paper** or **optical scan** ballot, he or she shall return it to an election official who shall issue another ballot in its place, but not more than three ballots shall be issued to any one elector. If the ballot has not been initialed by two inspectors or is defective in any other way, the elector shall return it to the election official, who shall issue a proper ballot in its place.

After an official **optical scan** ballot is marked, it shall be inserted in the security sleeve so the marks do not show. After casting his or her vote, the elector shall leave the booth, insert the ballot in the voting device and discard the sleeve, or deliver the ballot to an inspector for deposit. If a central count system is used, the elector shall insert the ballot in the ballot box and discard the sleeve, or deliver the ballot to an inspector for deposit. The elector shall leave the polling place promptly.

An elector may select an individual to assist in casting his or her vote if the elector declares to the presiding official that he or she is unable to read, has difficulty reading, writing or understanding English or that due to disability is unable to cast his or her ballot. The selected individual rendering assistance may not be the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector.

The following is a sample of the official ballot:

OFFICIAL REFERENDUM BALLOT

November 8, 2016

Notice to Voters: This ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee ballot, the ballot must bear the initials of the municipal clerk or deputy clerk.

Instructions to Voters

If you make a mistake or have a question, see an election inspector.

(Absentee Voters: Contact your municipal clerk.)

To vote in favor of a question, completely fill in the oval next to "Yes." To vote against a question, completely fill in the oval next to "No."

Referendum	
"Shall 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", as enacted by the Common Council be placed into effect?"	
<input type="radio"/>	YES
<input type="radio"/>	NO

Persons with questions regarding the referendum election should contact Anne B. Uecker, City Clerk/Treasurer.

Done in the City of St.
Francis on November 3, 2016
Anne B. Uecker, City
Clerk/Treasurer

EXHIBIT D

OFFICIAL REFERENDUM BALLOT

November 8, 2016

Notice to Voters: This ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee ballot, the ballot must bear the initials of the municipal clerk or deputy clerk.

Instructions to Voters

If you make a mistake or have a question, see an election inspector.

(Absentee Voters: Contact your municipal clerk.)

To vote in favor of a question, completely fill in the oval next to "Yes." To vote against a question, completely fill in the oval next to "No."

Referendum	
"Shall 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", as enacted by the Common Council be placed into effect?"	
<input type="radio"/>	YES
<input type="radio"/>	NO

STATE OF WISCONSIN

CITY OF ST. FRANCIS

MILWAUKEE COUNTY

RESOLUTION NO. 2710

AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS
FOR FINANCIAL ASSISTANCE FROM
STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND

WHEREAS, it is the desire of the **City of St. Francis**, Wisconsin, a municipal corporation, to file several applications for state financial assistance for its **Lead Water Service Lateral** facilities under the Wisconsin Environmental Improvement Fund (ss. 281.58, 281.59, 281.60, and 281.61, Wis. Stats.);

WHEREAS, it is necessary to designate a representative for filing said applications;

BE IT THEREFORE RESOLVED by the **Common Council** of the **City of St. Francis** that the **City Engineer, and/or City Clerk** are hereby appointed as the authorized representative for the **City of St. Francis** for the purpose of filing these applications, and that the representative is further authorized and empowered to do all things necessary in connection with said applications.

Adopted the 19th day of July , 2016

CITY OF ST. FRANCIS

/s/CoryAnn St. Marie-Carls, Mayor

Attest: /s/Anne Uecker, MMC/WCPC, City Clerk/Treasurer