

The meeting was called to order at 7:00 PM by Mayor Tutaj. Following the Pledge of Allegiance and a moment of silence for the community, roll call was taken.

Present: Mayor Tutaj, Alderpersons Wattawa, Calderon, Brickner, Feirer, Damon and Fliss

Also Present: City Administrator Johnsrud, City Attorney Alexy, City Clerk/Treasurer Uecker, City Engineer Dejewski, Police Chief Hunter, Fire Chief Poplar, and interested citizens

Statement of Open Meetings Compliance:

City Clerk/Treasurer Uecker stated that the meeting had been properly posted and noticed.

Public Hearing:

- Change of Zoning – 2320 East Layton Avenue B2 to B2-SU – Loan Agency
City Clerk/Treasurer Uecker read the “Notice of Public Hearing” as published.

Mayor Tutaj called the hearing three times.

The Public Hearing was declared closed at 7:02 p.m.

Consent Agenda:

Moved by Alderman Wattawa, seconded by Alderwoman Fliss to place on file with reference in the minutes and approve all items listed under Consent Agenda on the August 16, 2022 Common Council agenda. Motion carried.

Recommendation of Action from Committees/Commissions/Boards:

Moved by Alderman Brickner, seconded by Alderman Damon to approve a Beverage Operator’s Licenses – New for Ryan Murray and Kathleen Young. Motion carried.

Moved by Alderman Wattawa, seconded by Alderman Damon to accept the offer as presented by Attorney Dannecker representing Polmax Power Sport – Tax Key 102217 to pay delinquent Personal Property Taxes in the amount of \$1,839.76 with penalties and interest waived. Motion carried.

Moved by Alderman Wattawa, seconded by Alderman Damon to approve the City of St. Francis Premium Renewal for Property/Liability/Worker’s Compensation Insurances for 2022-2023. Motion carried.

Moved by Alderwoman Fliss, seconded by Alderman Feirer to approve the contract with “The Now” for the 2023 4th of July celebration in the amount of \$3,000. Motion carried.

Moved by Alderman Wattawa, seconded by Alderman Brickner to adopt the recommendation by the Planning Commission and deny the request to rezone 2320 East Layton Avenue to B-2 General Business District with a Special Use because:

- the applicant has not met the requirements in Section 455-48(f)(1) that it establish that the proposed use will be in harmony with the general and specific purposes of Chapter 455, the regulations for the M-2 District, and the general purpose and intent of the City's comprehensive plan; and
- because the applicant has not established that the proposed use meets the existing standards of the M-2 District as required under Section 455-48(f)(7) since there is currently no special use category in the B-2 District for a Payday or title loan operation; and
- because, in applying the considerations in Section 455-48(h), the granting of a special use that is not provided for in the underlying zoning district would establish a precedent of or encourage incompatible uses in the surrounding area.

Motion carried.

Resolutions and Ordinances:

Moved by Alderman Brickner, seconded by Alderman Damon to introduce and adopt an Ordinance to Repeal and Recreate Chapter 105 of the City of St. Francis Code of Ordinances, "Officers and Employees." Motion carried. **Ordinance No. 1493**

Discussion Items with Possible Action:

Moved by Alderman Brickner, seconded by Alderman Wattawa to notify Dickman Company, Inc. that the City will not be renewing the Vacant Land Listings contracts for all City properties. Motion carried.

Appointments to Committees/Commissions/Boards:

- None

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

- None

Unfinished Business:

- None

Presentation:

- Wendi Unger, Partner with Baker Tilly, LLP – 2021 Financial Statements

Moved by Alderwoman Fliss, seconded by Alderman Feirer to introduce and adopt a Resolution to Accept and File the 2021 Financial Statements as presented by Baker Tilly, LLP. Motion carried.

Resolution No. 2836

Adjourn:

Moved by Alderman Damon, seconded by Alderman Feirer to adjourn. Motion carried.

Time: 7:41 p.m.

STATE OF WISCONSIN

CITY OF ST. FRANCIS

MILWAUKEE COUNTY

ORDINANCE NO. 1493

**AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 105
OF THE CITY OF ST. FRANCIS CODE OF ORDINANCES,
“OFFICERS AND EMPLOYEES”**

WHEREAS, Chapter 105-6 of the City of St. Francis Code of Ordinances provides for the appointment, powers and duties of officers and employees of the City of St. Francis; and

WHEREAS, the Common Council finds that the public health, safety, and welfare will be promoted by revision of Chapter 105 to reflect current positions within the City of St. Francis, reflect the duties and responsibilities of such positions, remove gender-specific references, and harmonize the duties and responsibilities of individual City officers and employees with the Common Council’s intention to, to the extent permitted under applicable Wisconsin Statutes, vest the City Administrator with the authority to provide day to day operational control and direction to City Departments and employees subject to the oversight of the Mayor and Common Council and subject to the specific authority granted by statute to the Police and Fire Commission and Board of Public Works.

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

SECTION 1: Chapter 105, entitled “Officers and Employees”, is hereby repealed and recreated to read as follows:

Chapter 105. Officers and Employees

§ 105-1. Mayor — Alderman Plan.

The City of St. Francis shall be organized and governed under Ch. 62, Wis. Stats., known as the "Mayor — Alderman Plan."

§ 105-2. Elected officials.

A. Enumerated. The elected officials of the City shall be the following:

[Amended 9-17-2002 by Charter Ord. No. C-9; 11-19-2002 by Charter Ord. No. C-10^[1]]

Official	When Elected
Mayor	Even-numbered years
Aldermen	3 each even-numbered year
Municipal Judge	Even-numbered years

[1] *Editor's Note: Charter Ordinance Nos. C-9 and C-10 are also included in Ch. A500, Charter Ordinances, of the Code.*

- B. Term. Officials enumerated in Subsection **A** shall continue in office until their successors have been elected and qualified.
- C. Primary election.
 - (1) When required. Whenever three or more candidates file nomination papers for a City office, a primary election shall be held for the nomination of candidates for such office.
 - (2) Applicable statute. See § 8.11(1), Wis. Stats.

§ 105-3. Appointed officials.

[Amended 9-17-2002 by Charter Ord. No. C-9^[1]; 6-5-2018 by Ord. No. 1429]

The appointed officials of the City shall be the following:

Official	How Appointed	Term
City Administrator	Mayor, subject to confirmation by the Council	Indefinite
City Attorney	Mayor, subject to confirmation by the Council	Indefinite
Assessor	Mayor, subject to confirmation by the Council	Indefinite or by contract
Building Inspector	Mayor, subject to confirmation by the Council	Indefinite or by contract
Electrical Inspector	Mayor, subject to confirmation by the Council	Indefinite
City Engineer	Mayor, subject to confirmation by the Council	Indefinite
Fire Chief	Police and Fire Commission	Indefinite
Plumbing Inspector	Mayor, subject to confirmation by the Council	Indefinite
Librarian	Library Board	Indefinite.
Police Chief	Police and Fire Commission	Indefinite
Highway Superintendent	Mayor, subject to confirmation by the Council	Indefinite
Health Officer/Public	Mayor, subject to confirmation by the	Indefinite

Official	How Appointed	Term
Health Administrator	Council	or by contract
City Clerk/Treasurer	Mayor, subject to confirmation by the Council	Indefinite
Weed Commissioner	Mayor	1 year
Zoning Administrator	Council	Indefinite or by contract

[1] *Editor's Note: A copy of Charter Ordinance No. C-9 is included in Ch. A500, Charter Ordinances, of the Code.*

§ 105-4. Oaths.

Elected and appointed officials shall take and file the official oath within 10 days after notice of their election or appointment.

§ 105-5. Bonds.

A. Pursuant to certain Wisconsin Statutes, the City of St. Francis hereby requires bonds for the following officers, and the amount of each bond is as follows:

- (1) City Clerk/Treasurer [§ 62.09(4)(b), Wis. Stats.] in the amount of \$75,000.
- (2) City Comptroller [§ 62.09(4)(b), Wis. Stats.] in the amount of \$2,000.
- (3) Chief of Police [§ 62.09(4)(b), Wis. Stats.] in the amount of \$2,000.
- (4) Municipal Judge [§ 755.03(1), Wis. Stats.] in the amount of \$2,000.

B. In addition to those required by statute, the City of St. Francis hereby specifically requires the following specific bond: City Administrator, in the amount of \$2,000.

C. All of the above bonds shall be approved by the Mayor.

D. Pursuant to § 70.67, Wis. Stats., and as previously ordained by the City of St. Francis in Ordinance No. 40, passed December 15, 1953,^[1] the Common Council of the City of St. Francis agrees and binds the City of St. Francis to pay, in case the City Clerk/Treasurer or his or her successor in office shall fail so to do, all taxes of any kind required by law to be paid by said City Clerk/Treasurer or his successor in office to the County Treasurer or his successor in office.

[1] *Editor's Note: See now Ch. 61, Finance and Taxation, § 61-7.*

E. Pursuant to the authority granted in §§ 19.01(8) and 62.09(4)(d), Wis. Stats., the City of St. Francis shall pay the cost of all of the above bonds and charge to the fund appropriated in the budget for each such department or officer.

§ 105-6. Removals.

[Amended 6-18-2019 by Ord. No. 1452]

A. Elected officials. Elected officials may be removed by the Common Council as provided in §§ 17.12(1)(a) and 17.16, Wis. Stats.

- B. Appointed officials. Appointed officials of the City enumerated in § 105-3 of this Code may be removed by the Common Council as provided in §§ 17.12(3m) and 17.16, Wis. Stats., by the affirmative vote of 3/4 of all the members of the Common Council as provided in § 17.12(1)(d), Wis. Stats. Pursuant to § 17.12(4), Wis. Stats., however, this subparagraph B shall not be deemed to apply to any appointed official who is subject to the jurisdiction of the Police and Fire Commission under Wis. Stat. § 62.13, Wis. Stats.

§ 105-7. Vacancies.

[Amended 7-1-2008 by Ord. No. 1259; 3-20-2018 by Ord. No. 1424]

- A. How occurring. Vacancies in elective and appointive positions occur as provided in §§ 17.03 and 17.035, Wis. Stats.
- B. How filled. Vacancies in elective and appointive offices shall be filled as provided in § 17.23, Wis. Stats.

§ 105-8. Salaries.

The salaries of all elected and appointed officials, including members of boards and commissions, shall be as determined by the Common Council from time to time, provided that the salary of the Mayor and members of the Council shall not be increased during their terms of office. (See § 66.0505, Wis. Stats.)

§ 105-9. Code of Ethics.

- A. Section 19.59 adopted by reference. Section 19.59, Wis. Stats., entitled “Codes of ethics for local government officials, employees and candidates”, including as it may be amended and renumbered from time to time, is hereby incorporated by reference as though fully set forth herein.
- B. [Reserved.]
- C. Since Wis. Stat. § 19.59 restricts persons covered by this section from personally profiting from holding public office (apart from receiving such salary and expenses to which the official is entitled) and from participating in decisions in which the official has a personal financial interest, no person covered by this section may:
 - (1) Accept items or services of substantial value for private benefit, or for the benefit of their immediate family or associated organizations, if offered because of public position; or
 - (2) Accept (and no one may offer or give) anything of value that could reasonably be expected to influence the person’s vote, official action or judgment; or
 - (3) Accept (and no one may offer or give) anything of value that could reasonably be considered a reward for any official action or inaction.
- D. Application. This section shall only apply to all elected officials, candidates for elected office from the time they have filed nomination papers or declaration of candidacy (whichever occurs first) with the City Clerk/Treasurer, and appointed officials designated in § 105-3 of this chapter from the time of their actual appointment.

§ 105-10. Residency.

[Amended 7-1-2008 by Ord. No. 1259; 12-4-2012 by Ord. No. 1329; 9-17-2013 by Ord. No.

1351]

- A. Required for Fire and Police employees and appointees. Except as otherwise authorized by the Common Council from time-to-time within by collective bargaining agreement(s), pursuant to § 66.0502, Wis. Stats., all full-time regular employees, all part-time or temporary employees, and all paid-on-call personnel of the City of St. Francis Fire and Police Departments shall reside within 15 miles of the jurisdictional limits of the City of St. Francis.
- B. The residency requirements under § **105-10A** shall not be deemed to apply to any volunteer law enforcement, fire, or emergency personnel who are employees of the City of St. Francis. Volunteer law enforcement, fire, or emergency personnel, as with other employees of the City are encouraged to reside within the City of St. Francis, but are not required to do so as a condition of employment.
- C. Residency map.
 - (1) The City Engineer shall prepare and maintain on file a map that accurately depicts a fifteen-mile radius of the jurisdictional limits of the City of St. Francis. Said residency map shall be available for inspection during normal business hours for the Engineering Department.
 - (2) Any employee subject to the requirements of § **105-10A** may request a determination by the City Administrator as to whether residency at a particular parcel will constitute compliance with this section. A determination issued by the City Administrator under this section shall be prima facie evidence of compliance with this section.
 - (3) For purposes of this section, if any part of a particular lot or parcel of land is within 15 miles of the jurisdictional limits of the City of St. Francis, residency on any part of such particular lot shall be deemed to be permissible for purposes of this section.
- D. Compliance within one year. Any person who is subject to the requirements of § **105-10A** who is not a resident of the City of St. Francis when employed or appointed, or if already employed or appointed at the time this section becomes effective, shall establish residency within the City within one year from the date of such employment or appointment.
- E. Failure to comply.
 - (1) Establishment and maintenance of residency required under § 105-10(A) of this Code shall be deemed a condition of continued employment by the City of St. Francis.
 - (2) Failure of any probationary fire or police employee or appointee who is subject to § **105-10A** to establish residency is not established within the time limit set forth above shall be deemed to be a violation of any probationary appointment and shall result in the dismissal of such employee without recourse.
 - (3) Any non-probationary employee subject to § **105-10A** shall, in the event of noncompliance with this § **105-10**, be subject to removal by the Council or, where applicable under § 62.13(5), Wis. Stats., by the Police and Fire Commission. Initiation of charges and hearings before the Police and Fire Commission shall be as provided in § 62.13(5), Wis. Stats.

§ 105-11. Mayor and Aldermen.

[Amended 5-17-2005 by Ord. No. 1185; 12-18-2012 by Ord. No. 1330]

A. Election and term. See § **105-2**.

B. Duties and powers.

(1) Mayor. (See § 62.09(8), Wis. Stats.) The Mayor shall have such duties and powers as are enumerated in Ch. 62, Wis. Stats., and elsewhere in the statutes and this Code from time to time. Such duties and powers shall be construed to include a duty for the Mayor to:

- (a) Serve as presiding officer at Council meetings as set forth in § **32-3** of this Code;
- (b) Serve as a representative of the City at intergovernmental (e.g., Milwaukee County Intergovernmental Cooperative Council) and other meetings from time to time;
- (c) Make all required appointments/reappointments to boards, commissions, and committees and all standing committees within the time periods set forth in the Wisconsin Statutes or this Code and, where no such time period is otherwise provided, within 60 days of the expiration of a term or the occurrence of a vacancy;
- (d) Ensure timely communication of appointments, reappointments, and nonrenewal of appointments of citizens to boards, commissions, and committees;
- (e) Pursue removal of citizens from boards, commissions, and committees in accordance with applicable provisions of the Wisconsin Statutes; and
- (f) Obtain approval of the Council prior to the discipline or dismissal of any appointed official or employee of the City.

(2) Common Council. See § 62.11, Wis. Stats.

- (a) The Mayor and Aldermen shall constitute the Common Council.
- (b) The Mayor shall not be counted in determining whether a quorum is present at a meeting, but may vote in case of a tie. When the Mayor does vote in case of a tie, the Mayor's vote shall be counted in determining whether a sufficient number of the Council has voted favorably or unfavorably on any measure.
- (c) Except as otherwise expressly provided by statute or within this Code, no individual member of the Council shall have the authority to direct day-to-day operations of any City department.

(3) Aldermen. Aldermen shall have such duties and powers as are enumerated in Ch. 62, Wis. Stats., and elsewhere in the statutes and this Code from time to time. Such duties and powers shall be construed to include a duty for Aldermen to:

- (a) Be responsible to taxpayers for all fiduciary decisions;
- (b) Be responsive to constituents in a timely manner;
- (c) Attend City Council meetings and meetings of such committees that he or she has been appointed to by the Mayor and confirmed by the Council;
- (d) Communicate with department heads as needed; and
- (e) (Represent the City from time to time at events and functions associated with

the City.

- C. The Common Council shall be deemed to have all powers of the City not specifically given to some other body or officer. Except as otherwise provided by law, the Common Council shall have the management and control of the City property, finances, highways, streets, utilities, and the public service and may act for the government and good order of the City, for its commercial benefit and for the health, safety, welfare, and convenience of the public and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, imposition of forfeiture, and other necessary or convenient means. The Common Council may appoint such officers from time to time as may be deemed necessary for the benefit of the community. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.
- D. Other provisions. See also Chapter **32**, Common Council, of this Code.

§ 105-12. Administrator.

[Amended 7-1-2008 by Ord. No. 1259; 3-15-2011 by Ord. No. 1298]

- A. Appointment and term. See § **105-3**.
- B. Duties and powers. The Administrator shall have the combined positions of Administrator, Finance Director, Budget Director, Labor Negotiator, Purchasing Agent, and Legislative Representative. Subject to limitations defined in resolutions and ordinances of the City, s/he shall be the chief administrative officer of the City, being vested by the Common Council with the authority to supervise all City departments, responsible only to the Mayor and the Common Council for proper administration of the business and affairs of the City under the state statutes, the ordinances of the City and the resolutions and directions of the Common Council, with the following duties and responsibilities. The Administrator shall:
 - (1) Have charge and oversight of City functions consistent with the provisions of this Code and for effectuating all actions and policies of the Common Council. Each Department Head shall be responsible for the general day-to-day administration of personnel under their authority. The overall authority and responsibility for the general day-to-day administration of personnel is vested with the City Administrator.
 - (2) Supervise the administrative activities of all City departments. This shall include, but is not limited to:
 - (a) Providing day-to-day administrative direction for all City departments as deemed necessary by the City Administrator to ensure the most economical and efficient operation of each department.
 - (b) Making, directing, or requesting any studies.
 - (c) Directing the head of any City department to make such report(s) from them deemed necessary by the City Administrator for the efficient operation of the City.
 - (3) Attend all meetings of the Common Council, Finance Committee, and Bargaining Committee and all meetings of such other committees, commissions and boards as the Mayor and Council may direct from time to time.
 - (4) Supervise the preparation of the agenda and approve the content of the agenda and the order of business for all Council meetings as provided in § 32-6 of this Code. Nothing

contained in this section shall be so construed as to give the Administrator authority to limit or in any way prevent matters from being considered by the Council.

[Amended 12-18-2012 by Ord. No. 1331]

- (5) Act as Personnel Officer for the City, including but not limited to:
- (a) Having approval of the hiring, promotion, and discipline of all City employees except those listed in § 105-3 of this Code and those City employees who are subject to the jurisdiction of the Police and Fire Commission under Wis. Stat. § 62.13.
 - (b) Recommending salary, wage scales, and working conditions to the Common Council for those officers, officials, or employees that are not covered by a collective bargaining agreement.
 - (c) Establishment and maintenance of a personnel file for all City employees and for obtaining and approving a table of organization from the head of each City department from time to time for inclusion in an overall table of organization for submission to the Common Council from time-to-time.
 - (d) Supervise the department heads in efforts to resolve any grievances that may be submitted.

[Amended 12-18-2012 by Ord. No. 1331]

- (6) Work with the Bargaining Committee and make whatever studies or surveys as are necessary for the proper conduct of negotiations with the various bargaining units. S/he shall hold preliminary meetings with representatives of bargaining units and with department heads and make recommendations to the Bargaining Committee.
- (7) Prepare in coordination with other department heads the annual City budget for submission to the Finance Committee.
- (8) Make such reports as the Mayor and Common Council may require as to the current status of budgeted items, advise the Mayor and Common Council with respect to any proposed revisions to the adopted budget, and review and report to the Mayor and Council any variations in the operation of the City Budget.
- (9) As purchasing agent, supervise the preparation of requests for proposals, the administration of contracts, and supervise the administration of all purchasing of materials, supplies, equipment, and services for all departments of the City in accordance with the budgeting policy adopted by the Common Council from time-to-time.
- (10) Investigate and inform the Mayor and Common Council of the availability of state and federal funds and grants, and assist department heads in procuring such funds.
- (11) Serve as the City's legislative representative and appear on its behalf at hearings and meetings as directed by the Mayor or Council.
- (12) Submit, as deemed necessary, recommendations or suggestions for improving the health, safety, or welfare of the City and institute and operate a system so that City Departments and persons having business with the Mayor or Council or any City department may properly and efficiently conduct such business.

(13) Perform such other duties and have such other responsibilities not inconsistent with law as may be prescribed by the Mayor and Council.

- C. Cooperation and Authority. In addition to those powers expressly granted the City Administrator under this §105-12, all officers and employees of the City shall cooperate with and assist the City Administrator so that the affairs of the City shall be most economically and harmoniously administered.

§ 105-13. Assessor.

- A. Appointment. The Assessor shall be appointed by the Mayor subject to confirmation by the Common Council. Such Assessor may be an individual employed by the City or an outside firm contracted by the City in accordance with § 62.09(1)(c), Wis. Stats. If an individual is employed, such appointee shall serve a probationary period of six months. During such period a probationer may be discharged by the appointive power without right of appeal if during the period of probation the appointive power deems him unfit or unsatisfactory for service. After such probationary period is completed, such Assessor may be removed only for cause by the Common Council by an affirmative vote of 3/4 of all the members thereof. The word "cause" as used herein means inefficiency, neglect of duty, official misconduct or misfeasance or malfeasance in office. If an outside firm is contracted, the appointment under such contract shall designate a specific individual who will serve as the City Assessor and said contract shall be for such length as the Common Council may determine by entering into such contract.
- B. Powers and duties. The Assessor shall perform such duties as prescribed by the Wisconsin Statutes, as they may be amended from time to time, and such other duties as shall be described by the State Department of Revenue, the City Administrator and the Common Council, including attendance at all meetings of the Board of Review.

[1] *Editor's Note: See also Ch. 129, § 129-9, Confidentiality of information provided to Assessor.*

§ 105-14. Attorney.

[Amended 4-5-2005 by Ord. No. 1182]

- A. Appointment and term. See § 105-3.
- B. Duties and powers. See § 62.09, Wis. Stats.
- C. Compensation. The City Attorney, and any Assistant City Attorney appointed by the City Attorney pursuant to § 62.09, may be compensated pursuant to terms set by the Common Council.

§ 105-15. Building Inspector.

- A. Appointment. The Building Inspector shall be appointed by the Mayor subject to confirmation by the Common Council. Such Building Inspector may be an individual employed by the City or an outside firm contracted by the City. If an individual is employed, such appointee shall serve a probationary period of six months. During such period a probationer may be discharged by the appointive power without right of appeal if during the period of probation the appointive power deems him unfit or unsatisfactory for service. After such probationary period is completed, such Building Inspector may be removed only for cause by the Common Council by an affirmative vote of 3/4 of all the members thereof. The word "cause" as used herein means inefficiency, neglect of duty, official misconduct or

misfeasance or malfeasance in office. If an outside firm is contracted, such appointment shall be for the period set forth in such contract and the termination provisions of such contract shall control.

B. Powers and duties.

- (1) Enforcement. The Building Inspector shall work in conjunction with the City Administrator and City Attorney to enforce all State statutes, administrative code provisions, and ordinances over which the Building Inspector has jurisdiction, which includes but is not limited to the erection, alteration, repair and removal of buildings in accordance with the provisions of Chapter **198**, Building Construction, of this Code, and any lawful orders issued by the Wisconsin Department of Commerce or any other agency of the state.
- (2) Building permits. The Building Inspector shall issue, collect fees and bonds for, and perform inspections pertaining to all building permits required within the City under § 198-3 of this Code. The Building Inspector shall coordinate with the City Administrator and, as necessary, the City Attorney, concerning actions and proceedings for premises in violation of the provisions of this Code.
- (3) Records. The Building Inspector shall keep record of:
 - (a) Applications for building permits for such purpose and shall number each permit in the order of its issuance.
 - (b) Number, description, and size of all buildings erected, indicating the kinds of materials used and the costs of these buildings to the extent such cost information is available.
 - (c) All inspections made and all removals and condemnations of buildings and a record of all fees collected, showing the date of their receipt and delivery to the City Clerk/Treasurer.
- (4) Reports. The Building Inspector shall submit such regular reports as are required by the City Administrator or the Common Council.^[1]

[1] *Editor's Note: Former Subsection B(5), Zoning Administrator, was repealed 6-5-2018 by Ord. No. 1429.*

§ 105-16. Clerk/Treasurer.

- A. Appointment. The City Clerk/Treasurer shall be appointed as designated in § **105-3** of this chapter.
- B. Powers and duties. The City Clerk/Treasurer shall:
 - (1) Have the duties and responsibilities of a City Clerk and City Treasurer as set forth in the Wisconsin Statutes and this Code, as they may be amended from time to time.
 - (2) Constitute a department head, having the authority to direct the day-to-day activities of the Deputy Clerk/Treasurer and such other full- and part-time personnel serving in the office of the City Clerk/Treasurer subject to the direction of the Common Council, Mayor and City Administrator.

§ 105-17. Comptroller.

The City Clerk/Treasurer shall perform the duties of Comptroller and shall have the powers and

duties prescribed by Wis. Stat. § 62.09(1) and as set forth in any ordinance or resolution adopted by the Common Council from time-to-time.

§ 105-18. Electrical Inspector.

- A. Appointment and term. See § 105-3 of this chapter.
- B. Powers and duties.
 - (1) Enforcement. The Electrical Inspector shall coordinate with the City Administrator and, as necessary, the City Attorney to enforce all ordinances and laws over which the Electrical Inspector has jurisdiction, including but not limited to those relating to electrical work as defined by Chapter 237, Electrical Standards, of this Code.
 - (2) Permits. The Electrical Inspector shall issue all permits and perform all related inspections for electrical work for which a permit is required under this Code.
 - (3) Records. The Electrical Inspector shall keep a record of all permits issued for electrical work, all inspections made and all other official work performed, arranged to provide prompt information concerning electrical work performed within the City.
 - (4) Reports. The Electrical Inspector shall file such regular reports covering issuance of permits and inspections as are required by the Common Council, Mayor, or City Administrator.^[1]

[1] Editor's Note: Original § 1.16(3), Powers and duties as Sealer of Weights and Measures, which immediately followed this subsection, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See now § 105-27C.

§ 105-19. Engineer.

- A. Appointment and term. See § 105-3 of this chapter.
- B. Qualifications. The City Engineer shall be a registered professional engineer licensed by the State of Wisconsin.
- C. Powers and duties. The Engineer shall also serve as Director of Public Works and subject to the Wisconsin Statutes and provisions of this Code shall have, among others, the following powers and duties:
 - (1) Direct administrative and technical activities of the Engineering Department.
 - (2) Serve as technical consultant to all departments of the City.
 - (3) Make assignments of work and supervise the preparation of plans and specifications for, and the actual construction of, storm and sanitary sewers, water mains, sewer and water laterals, pavements, buildings, streetlight systems and other public works.
 - (4) Serve as advisor to the Common Council on engineering matters by making reports of engineering problems. In addition, the City Engineer may make such investigations and reports related to the efficient operation of engineering matters as may be authorized or requested from time-to-time by the Common Council, Mayor, Board of Public Works, or City Administrator.
 - (5) Assist in assessing special benefits and damages.
 - (6) Exercise administrative control over all the ordinary business operations of the Engineering Department by approving requisitions for budgeted supplies, time records

for hourly employees, vouchers, and other routine documents, preparing for work program and budget estimates for the Engineering Department Public Works Department and such other budgets as requested by the City Administrator from time-to-time.

- (7) Carry out the duties assigned and specified in § 62.14(7), Wis. Stats., or as required by law and such other additional duties as may be designated by the Council, Board of Public Works, Mayor, or City Administrator.
- (8) :
- (9) Be responsible for recommendation and implementation of all maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, street signs; house numbering; traffic control devices, signs and markings; storm sewers, culverts and drainage facilities; sanitary and storm sewers; water mains; City buildings and structures; and all machinery and equipment used by the Department of Public Works and provide assistance to other City Departments with respect to the maintenance and repair of other machinery and equipment owned and/or used by the City.
- (10) Supervise the proper performance of public services provided by the City, including, but not limited to, garbage, recycling and refuse collection and disposal; snow and ice removal; street cleaning and flushing; and such other activities as may be assigned from time to time by the Common Council or Board of Public Works.
- (11) Attend all meetings of the Common Council, Board of Public Works and Planning Commission unless excused by the Mayor or City Administrator

§ 105-20. [Reserved.]

§ 105-21. Fire Chief.

- A. Appointment and term. See § 105-3.
- B. Duties and powers. See, Wis. Stat. §§ 62.09(8)(d), 101.14, 165.55, and 213.095, and Chapter 63, Fire Department, and Chapter 245, Fire Prevention, of this Code. The Fire Chief shall also serve as the Emergency Government Director under Chapter 57 of this Code.

§ 105-22. Highway Superintendent.

- A. Appointment and term. See § 105-3.
- B. [Reserved.].^[1]
- C. Duties; pay. Subject to the direction of the Common Council, Mayor, City Administrator, and the City Engineer, the Highway Superintendent shall be responsible for the administration of, and shall have general charge and supervision of, all maintenance, repair, and construction of streets, alleys, curbs and gutters, sidewalks, street signs and house numbering, and traffic control devices, signs and marking and such other duties as the Common Council, Mayor, City Administrator, or City Engineer may designate from time to time. The Highway Superintendent shall receive such remuneration and other benefits as established by the Common Council from time to time.

§ 105-23. Librarian.

There is hereby created the position of City Librarian.

- A. Appointment. The Librarian shall be appointed by the Library Board as provided in Wis. Stat.

§ 43.58(4).

B. Powers and Duties. The Librarian shall

- (1) Be responsible for the day-to-day administration of the Library subject to the supervision of the Library Board.
- (2) Appoint such assistants and employees as the Library Board deems necessary and prescribe their duties and compensation subject to the supervision of the Library Board under Wis. Stat. § 43.58(4).
- (3) Cooperate with the City Administrator in the preparation of the submission of a budget request for presentation to the Common Council.

§ 105-24. Plumbing Inspector.

A. Appointment and term. See § 105-3.

B. Powers and duties.

- (1) Enforcement. The Plumbing Inspector shall enforce all ordinances or laws relating to the construction, installation, alteration, and repair of all plumbing within the City and shall make such inspections, perform such tests and issue such orders as may be necessary for such enforcement. See also Chapter 345, Plumbing Standards, of this Code.
- (2) Plumbing permits. The Plumbing Inspector shall issue all plumbing permits for plumbing work to be performed within the City. See § 345-3B(3) of this Code.
- (3) Records and reports. The Plumbing Inspector shall maintain and prepare records and reports as required under § 345-3B(4) of this Code.

§ 105-25. Police Chief.

A. Appointment and term. See § 105-3.

B. Duties and powers. See, Wis. Stat. §§ 62.09(8)(d) and 62.09(13) and Chapter 115, Police Department, of this Code.

§ 105-26. Health Officer/Public Health Administrator.

A. Appointment and term. See § 105-3 and Wis.Stat. § 251.06 e.

B. Powers and duties. The Health Officer/Public Health Administrator shall have such powers and duties as set forth in the Wisconsin Statutes and as the Council or Mayor may direct.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 105-27. Weed Commissioner

A. Appointment and Term. Appointed by the Mayor under Wis. Stat. § 66.0517. Upon appointment the Weed Commissioner shall hold office for one year and until a successor has qualified or the Mayor determines not to appoint a weed commission.

B. Powers and duties. The Weed Commissioner shall have the powers and duties set forth in Wis. Stat. § 66.0517(3)(a) and this Code.

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§ 105-28. Sealer of Weights and Measures.

[Added 7-1-2008 by Ord. No. 1259]

The City Sealer shall serve as the Sealer of Weights and Measures.

- A. Enforcement. The Sealer of Weights and Measures shall have the duty and power to enforce all statutes relating to weights and measures and shall be the head of the Department of Weights and Measures, which is hereby established.
- B. Applicable statutes. See Ch. 98, Wis. Stats.

§ 105-29. Zoning Administrator.

[Added 6-5-2018 by Ord. No. 1429]

- A. The Zoning Administrator shall be appointed by the Common Council.
- B. The Zoning Administrator may be an individual employed by the City or an outside firm that the City contracts with.
- C. The Zoning Administrator shall have the powers and duties of Zoning Administrator as set forth in this Code and shall serve as an adviser to the Aesthetic Control Board, Planning Commission, and Zoning Board of Appeals.

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 16th day of August, 2022.

CITY OF ST. FRANCIS

BY: /s/Ken Tutaj

Ken Tutaj, Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC

Anne Uecker, City Clerk/Treasurer

RESOLUTION NO. 2836

**A RESOLUTION TO ACCEPT AND FILE THE 2021 FINANCIAL STATEMENTS
AS PRESENTED BY BAKER TILLY LLP**

At a regular meeting of the Common Council of the City of St. Francis, Milwaukee County, Wisconsin, held on the 16th day of August, 2022 a quorum being present and a majority of the Council voting therefore, said Council does resolve as follows:

WHEREAS, Baker Tilly LLP has prepared the City of St. Francis Audit Report for 2021, and

WHEREAS, representatives of Baker Tilly LLP have presented the 2021 Financial Statement to the Common Council at a meeting held August 16, 2022 to consider, accept and file the 2021 City of St. Francis Audit.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of St. Francis, Milwaukee County, Wisconsin that the proper City Official(s) are hereby authorized and directed to acknowledge receipt of the 2021 City of St. Francis Audit and that a copy of the Audit be placed on file in the Office of the City Clerk/Treasurer.

PASSED and APPROVED this 16th day of August, 2022.

/s/Ken Tutaj
Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC
City Clerk/Treasurer