

**COMMITTEE OF
THE WHOLE**

Monday, June 14, 2021

5:30 PM

McFarland Municipal Center
Community Room

AGENDA

You are invited to this meeting through a Zoom webinar. The Public is strongly encouraged to watch and participate in these meetings remotely through either the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/87116398062>

Or by Telephone: +1 (312) 626-6799
Webinar ID: 871 1639 8062

1. CALL TO ORDER.
2. ATTENDANCE/ROLL CALL.
3. PUBLIC APPEARANCES.
 - a. This is an opportunity for members of the public to address the Village Board. Please remember this is a virtual meeting conducted through the Zoom online meeting platform. Zoom meeting attendees wishing to address the board may do so using the Question and Answer feature within the Zoom online meeting platform. You may state your name, address, and provide your comments to the board for their consideration. Members of the public who are present in person and wish to address the board should fill out a public comment form and turn into the meeting chairperson. Members of the public may speak during public appearances or during their selected agenda item as they designate on the public comment form. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to cassandra.suettinger@mcfarland.wi.us to be included as part of the meeting.
4. APPROVAL OF MINUTES.
 - a. Discussion and action regarding minutes of the meeting held on May 10, 2021.
5. BUSINESS.
 - a. Discussion on Committee restructuring.
 - b. Discussion regarding meeting schedule for the remainder of the year.

6. SCHEDULE NEXT MEETING DATE.

- a. Monday, June 28, 2021 at 5:30 pm.

7. ADJOURNMENT.

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related to Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the McFarland Municipal Center at (608) 838-3153 or cassandra.suettinger@mcfarland.wi.us.

VILLAGE OF MCFARLAND
Committee of the Whole Minutes

Monday, May 10, 2021 - 5:00 PM

1. CALL TO ORDER.

President Carolyn Clow called the Committee of the Whole meeting to order at 5:31 PM in the Community Room.

2. ATTENDANCE/ROLL CALL.

Village Board members present: Village Trustee Stephanie Brassington, Village President Carolyn Clow, Village Trustee Michael Flaherty, Village Trustee Justin Rupert, Village Trustee Carrie Nelson, Village Trustee Chris St. Clair

Village Board members not present: None.

Staff Present: Administrator Matt Schuenke, Public Works Director Jim Hessling, Streets/Utilities Superintendent Lee Igl, Village Engineer Brian Berquist, and Communications & Technology Director Stephanie Miller.

3. PUBLIC APPEARANCES.

- a. *This is an opportunity for members of the public to address the Village Board. Please remember this is a virtual meeting conducted through the Zoom online meeting platform. Zoom meeting attendees wishing to address the board may do so using the Question and Answer feature within the Zoom online meeting platform. You may state your name, address, and provide your comments to the board for their consideration. Members of the public who are present in person and wish to address the board should fill out a public comment form and turn into the meeting chairperson. Members of the public may speak during public appearances or during their selected agenda item as they designate on the public comment form. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to cassandra.suettinger@mcfarland.wi.us to be included as part of the meeting.*
- None.

4. APPROVAL OF MINUTES.

- a. *Discussion and action regarding minutes of the meeting held on February 8, 2021.*
Motion by Village President Carolyn Clow, second by Village Trustee Stephanie Brassington, to approve the minutes of the meeting held on February 8, 2021. Motion carries 6 - 0 - 0 by acclamation.

5. BUSINESS.

- a. *Presentation and discussion regarding the drafting of a responsible bidders ordinance.*
President Clow provided an introduction of the proposed responsible bidders ordinance. The Village Administrator reviewed with the Committee the applicable criteria that are created and potential implications of these standards. Following review, the Committee provided direction to have the Village Attorney review one more time and then schedule for consideration by the Village Board on May 24, 2021. No action was taken on this item.

6. SCHEDULE NEXT MEETING DATE.

a. To be determined.

Staff will determine upcoming COW meetings and send an email to Village Board members notifying them.

7. ADJOURNMENT.

Motion by Village Trustee Michael Flaherty, second by Village Trustee Justin Rupert, to adjourn at 6:32 p.m.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,
Cassandra Suettinger
Village Clerk/Treasurer

**VILLAGE OF
McFarland
SUMMARY SHEET**

MEETING DATE: Monday, June 14, 2021

SECTION: Business

DEPARTMENT: Administration

CONTACT: Matt Schuenke, Village Administrator

AGENDA ITEM: Discussion on Committee restructuring.

PREVIOUS ACTION:

The Village Board discussed this topic at the Annual Meeting on April 20, 2021.

ISSUE SUMMARY:

This agenda item is presented as a continuation of the discussion that originated at the Annual Meeting regarding restructuring of our committees. This meeting is meant to be a broad discussion in order to generate ideas on how to move forward with changes to our meeting structure. Please think about different ideas you would like the group to discuss and consider regarding the future of our Committees.

This meeting should be seen as an opportunity to gather ideas or brainstorm different thoughts. As such, we would not be looking to address each item that comes forward on Monday and our focus at least initially should be to collect this information from the group. We would like to schedule the Committee of the Whole to meet on July 12th and 26th in order to then discuss those ideas that have come forward. Time for each of those meetings likely to be at 5:30 pm. Certainly if more or less time is needed, we can adjust accordingly.

As background, within your packet are several documents including input from Staff on the Committee structure, relevant articles from our municipal code, and a handbook used in Middleton we might want to recreate in this process.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

This is mainly idea development and as such presented for discussion only. There is no action associated with this item nor decision sought as part of this meeting.



ATTACHMENTS:

1. Boards, Commissions, Committees DH Review 06112021 mgs
2. Article III - General Procedures
3. Article V - Standing Committees
4. Article VI - Special Committees
5. Middleton BCC Handbook 04152014

Boards, Commissions, and Committees

Department Head Review

Each Department Head was requested to provide input on the Village's Boards, Commissions, and Committees. The following three questions were provided to assist in the input gathering:

1. **AGENDA ITEMS** – What agenda items do you feel should be going to the boards, commissions, and committees you report to? Essentially, these are the items you feel are most meaningful to present in order to get public input on before the Village Board makes a decision.
2. **NOT AGENDA ITEMS** – What agenda items do you feel should not be going to the boards, commissions, and committees you report to? In other words, are there items and topics that we have historically referred to BCC's that you don't think are necessary or efficient. Possibly ideas where they could be handled administratively or solely by the Village Board.
3. **GENERAL SUGGESTIONS** – What suggestions do you have that could improve how the boards, commission, and committees operate? This could include any variety of suggesting up to and including combining certain committees or eliminating certain committees, etc.

Each board, commission, or committee is provided on the following pages with the same 1-3 questions aligned with responses from Department Heads.

Board of Review

1. Agenda Items

The Board of Review meets annually to review the annual assessment roll and hear objections to property valuations most of which is defined/required by Village Ordinance and State Statutes. This group is made up entirely of residents.

Cassandra Suettinger, Village Clerk/Treasurer

2. Not Agenda Items

Not presently applicable. The Board of Review has a specific function and task in reviewing objections to property valuations annually.

Cassandra Suettinger, Village Clerk/Treasurer

3. General Suggestions

No comments offered.

Board of Zoning Appeals

1. Agenda Items

The Board of Zoning Appeals (“BZA”) reviews requests for zoning variances and appeals of administrative decisions. These roles are prescribed under State Statute and reflected in Village ordinances.

Andrew Bremer, Community and Economic Development Director

2. Not Agenda Items

There is some language in Sec. 62-363(d)(5) that provides the BZA makes determinations of unclassified or unspecified uses after review and recommendation by the Plan Commission. This conflicts with language in Sec. 62-10(d)(1) which provides that the Plan Commission may determine uses not specified in the Zoning Code. The interpretation of this by the Director (whom also is appointed as the Zoning Administrator) is that the intent of the role of the BZA in these matters is to only hear appeals to the decision of the Plan Commission, similar to the role they serve in hearing other types of land use and administrative appeals. Addressing this conflicting language is on a Departmental running list of other future zoning code amendments to address as part of a comprehensive amendment to the Zoning Code.

Andrew Bremer, Community and Economic Development Director

3. General Suggestions

No change suggested.

Andrew Bremer, Community and Economic Development Director

Communications and Technology Committee

1. **Agenda Items**

- Policy decisions (new or old, needing updates);
- Job descriptions and Department structure;
- Financial decisions outside of the planned budget;
- Financial decisions that exceed the department head threshold; and
- Decisions/purchases that could make a large impact on the Village and/or other Departments.

Stephanie Miller, Communications and Technology Director

2. **Not Agenda Items**

- Essentially, if it doesn't fit in to the categories above, it shouldn't be brought to a board, committee, or commission.
- There is a reason why this Committee rarely meets because we ask ourselves, when making decisions if it fits into any of the categories listed above.

Stephanie Miller, Communications and Technology Director

3. **General Suggestions**

No comments offered.

Community Development Authority

1. Agenda Items

The Community Development Authority (“CDA”) generally undertakes blight elimination, urban renewal, community development programs and projects, and housing projects usually focused within the Village’s Tax Increment Finance Districts. Typically, this includes referrals on land acquisition and sale of Village properties in the Tax Increment Districts, review of Tax Increment Finance (“TIF”) Development Incentive Applications and Development Agreements. All of these are recommendations to the Village Board.

Andrew Bremer, Community and Economic Development Director

2. Not Agenda Items

One consideration is to remove the requirement that the CDA provide a recommendation on a TIF Development Agreement where it has already recommended a TIF Development Incentive Application. Typically, the CDA advances the recommendation of the Village Attorney/Staff to the Village Board without modification. Adding their review of the development agreement can create scheduling delays for developers given they only meet once a month. Given that the CDA has the opportunity to advise on the key aspects of the development agreement (i.e. total funding request, land sale prices, assessment guarantee, etc.) through the TIF Development Incentive Application review, their involvement in the review of the development agreement could be considered for elimination.

Andrew Bremer, Community and Economic Development Director

3. General Suggestions

No change suggested.

Andrew Bremer, Community and Economic Development Director

Diversity Equity and Inclusion Subcommittee

1. Agenda Items

The Village Board adopted Resolution #2020-19 on September 14, 2020 to create a Diversity, Equity, and Inclusion Subcommittee. As a subcommittee, it is temporary by code until otherwise made permanent. Their presently defined responsibilities center around advising the Village Board in the advancement of diversity, equity, and inclusion within the Community. This is accomplished within their charge through review/feedback on practices, policies, procedures, objectives, and goals; encouraging local officials, resident appointees, and residents to learn about diversity, equity, and inclusion; promote engagement; and identifying initiatives to pursue. To date they have aided in the recruitment of the new Police Chief, are working on developing their goals/objectives, reviewing options for consulting assistance, and collecting resources to assist in these efforts.

Matt Schuenke, Village Administrator

2. Not Agenda Items

The present scope offered in the resolution that is broad and encompassing enough to fulfill a wide range of topics. More specifics overtime likely can develop in order to better establish a plan for the future. They do not have set list of responsibilities as of yet and should continue to follow what has been presently authorized by the board to which progress is being made.

Matt Schuenke, Village Administrator

3. General Suggestions

The last responsibility of this group is to make a recommendation on its future. There are likely a range of possibilities from integration of these principals across the organization to the creation of a standing committee. All of which will be considered as they prepare a plan outlining their goals and objectives for the Village Board.

Matt Schuenke, Village Administrator

Emergency Management Committee

1. Agenda Items

General Emergency Management Plans, Hazard Mitigation Plans, grant applications, policy development, training development, and capital infrastructure are all possible examples of topics for this group. However, the frequency by which these need to occur varies greatly and the impact is significant but limited at times. Likely the best items for this group are planning for training, grant applications, policy development, and capital infrastructure which are likely elements that could be folded into the Public Safety Committee and/or Village Board.

Matt Schuenke, Village Administrator

2. Not Agenda Items

This group should not opening discuss emergency management plans that compromise their response whether that be related to the tank farms, school district, police, fire, ems, or other related public safety operations. Emergency Management planning is typically handled as an administrative function at the Staff level to allow for discretion to formulate certain emergency response scenarios. This limits the scope and effectiveness of the work of such a group as planning is the main element of Emergency Management to be prepared in the event something occurs.

Matt Schuenke, Village Administrator

3. General Suggestions

As far as committees, I believe the emergency management committee should become part of the public safety committee or even a different name. The emergency government's coordination should not be in open meetings and left at the department level, same as Police and Fire & Rescue.

Chris Dennis, Fire and Rescue Chief

I don't know specific state statute limitations or history of the other committees, but I'd offer consideration to combine Public Safety and Emergency Management.

Andrew Bremer, Community and Economic Development Director

Questions their ongoing role and involvement given they have not met in a while.

Stephanie Miller, Communications and Technology Director

Ethics Board

1. Agenda Items

No comments offered.

2. Not Agenda Items

No comments offered.

3. General Suggestions

No comments offered.

Finance Committee

1. Agenda Items

This group presently follows a cycle of review and recommendations to the Village Board. It typically starts in the Fall to receive a presentation on the budget. A month or two after that they review and make recommendation on the next five year Capital Improvement Plan (“CIP”). A month or two after that they will review and make recommendation to the Village Board on the annual borrowing. Finally about May they receive a presentation on the audit and make a recommendation on this document as well to the board. Intermittently they will also consider policy changes to various established financial policies. All of these items have been received with varying degrees of discussion and consideration. Nearly all of the work is planned in advance with most of the in Committee work centering around policy development.

Matt Schuenke, Village Administrator

2. Not Agenda Items

Individual decisions on purchasing have never been subject of discussion or action on this Committee which should continue. This Committee’s focus should continue to assist the board to plan, set parameters, guide policy, help serve as a guide for the future, etc. while operations are carried out by the Departments and the Board as applicable.

Matt Schuenke, Village Administrator

3. General Suggestions

Municipal financing can be very complicated. Gaining public input on the intricacies of how our organization is established financially is a challenge. Even at the Village Board level this is still complex with individuals that have various backgrounds on the topic. As such, we rely on Staff and Consultants to guide us through these responsibilities. In turn then this work is reported to the Committee and Board in unison, many times the same produce in both cases. Consider the following:

- Budget – Staff Prepares > Committee Receives Presentation > Board Review/Action
- CIP – Staff Prepares > Committee Recommend > Board Review/Action
- Borrow – Consultant Prepares > Staff Administers > Committee Rec. > Board Action
- Audit – Auditor Prepares > Staff Administers > Committee Rec. > Board Action

Pattern or progression is the same almost the whole way through the cycle. It has been effective over the years but possibly duplicative in what is presented. The board already has a vested interest in the finances and could consider how to use the Finance Committee differently going forward.

Matt Schuenke, Village Administrator

Landmarks Commission

1. Agenda Items

The Landmarks Commission (“LC”) has final approval authority over Certificate of Appropriateness (“COA”) for exterior renovations or raze requests for the Village’s 19 designated historic sites. The LC may also recommend to the Village Board for consideration additional historic properties or historic district designations. This is a Commission that generally meets as needed to review COA requests; however, there can be requests from the Commission for additional “projects” that result in additional meetings.

Andrew Bremer, Community and Economic Development Director

2. Not Agenda Items

The review of COA and the designation of historic properties, by ordinance, cannot be done administratively nor would it be appropriate to be handled solely by the Village Board.

Andrew Bremer, Community and Economic Development Director

3. General Suggestions

It is not uncommon that a community defines its Plan Commission (“PC”) as the Landmarks Commission, thus giving jurisdiction over COA approvals to the PC, after the initial project to designate the historic properties in the community. You will see this more in smaller communities where there are not as many historically designated properties. The Plan Commission typically is also already reviewing a site/design permit for a project on a historic property, unless it is a smaller project like re-siding a historic home. One potential drawback to this approach is the increased review time due to Plan Commission submittal deadlines; however, this could be modified for projects that only require a COA but do not require other zoning approvals.

Andrew Bremer, Community and Economic Development Director

Evaluate whether the Landmarks Commission responsibilities could be folded into the Plan Commission due to the low frequency of their meetings. If necessary, the Village Board can decide something if need be that comes up from the Plan Commission which already has a regular meeting schedule versus the Landmarks Commission that meets infrequently.

Stephanie Miller, Communications and Technology Director

Library Board

1. Agenda Items

A lot of what goes to the Library Board is set by State Statutes. The operating budget, the capital budget, and any items that are not budgeted go to the Library Board. They also address policies.

Heidi Cox, Library Director

2. Not Agenda Items

Items that have been included in the approved budget don't go back to the board for approval. Positions that are budgeted and need to be filled do not go back to the board for approval unless we need to change the job description.

Heidi Cox, Library Director

3. General Suggestions

No comments offered.

Parks, Recreation, and Natural Resources Committee

1. **Agenda Items**

Master planning efforts, operational changes, policy development, and major improvements tied to bidding.

Jim Hessling, Public Works Director

2. **Not Agenda Items**

Day to day operations should be administered by the Department. Once a program has been established, amenity constructed, policy developed, facility constructed, etc. the Department should have the ability to carry out what is needed to support operations. Maintenance questions have arisen from time to time more as inquiries but should also be part of what is handled by the Department.

Matt Schuenke, Village Administrator

3. **General Suggestions**

The main function of this Committee should first and foremost be advocates for the park system and other natural resources. Its not uncommon for communities to place lower value on these aspects because they are not considered essential. Here the park system and our natural resources are highly coveted and this group should be strong advocates for that system. This strength can be demonstrated through the planning process to chart out the future of the improvements. This is challenging and the ideas are vast, but it is necessary for them to be prominent and this group to be supportive of these initiatives to help enhance the overall quality of life in the Community. There are hard decisions that need to be made as to where this work should fall within all of the Village priorities; however, the Committee should be working with the Village Board to advance shared priorities for the betterment of the Community.

Matt Schuenke, Village Administrator

In speaking with Sayer, we recommend breaking the committee into two sections...Parks/Rec and Natural Resources/tree board. With everything going on in parks right, now natural areas rarely, if ever, get any attention. Creating a standalone natural resources committee could also spur a lot of volunteer action/work. Timing could not be better with all committee member terms expiring and possibly all new trustees as well. If this split were to happen we should look at each of these two committees meeting every other month so we do not create additional work for all involved.

Jim Hessling, Public Works Director

Personnel Committee

1. Agenda Items

Currently reviews and provides recommendations to the Village Board on job descriptions, policy creations/revisions, organizational structures, compensation/classification, and other related matters as applicable. The challenge behind this Committee is that actions it recommends for the most part only affect the Employees within the organization. Public input on these listed items has been bountiful and extensive, but mainly from that vantage point. On some level these are likely acceptable topics, but likely requires more board discretion of what should or should not continue to be reviewed in this realm.

Matt Schuenke, Village Administrator

2. Not Agenda Items

Again, the public input provided via this group has been significant over the years and impactful as its affected the employees within the organization. Unlike many other groups, the impact is not directly felt by the Community. This is a key distinction in considering what should or should not continue to be reviewed by this Committee. There are likely merits in continuing to policy review and plan development, but items of specific concern over employees should remain with the Village Board. Alternatively the board could retain all of these responsibilities since it has to and does weigh in on the them frequently as recommendations are made.

Matt Schuenke, Village Administrator

3. General Suggestions

On this I would like to see us review the purview of the Personnel Committee. I would like to assess whether the work of that committee needs to continue in its current form, or discuss what work that committee should be doing if we still want it to continue. Currently I have concerns that we take what should be private employee issues and we hash them out in a public meeting. I understand as a public employer some of that is going to happen naturally, but I think we should take a closer look at all of this. Sometimes the content of discussion involves actual sitting employees in those positions that are discussed in a public meeting. That can, and has had over the years, harmful effects on employee morale. It would seem to me if you have qualified staff able to perform human resources duties, you should not need a Personnel Committee that actually has to do that “work”. Perhaps part of this is evolving the organizational structure to provide staff to serve this function while also reporting directly to the Village Board when needed.

Cassandra Suettinger, Village Clerk-Treasurer

Consider streamlining the hiring process to eliminate additional review by the Committee and Village Board. Currently a rehiring can take up to 3 weeks to get basic Village Board approval to fill a vacancy and up to 6-8 weeks if changes are desired to a job description. The Village operates at essential staffing levels and delay in the process significantly affects operations.

Jim Hessling, Public Works Director

Plan Commission

1. Agenda Items

The Plan Commission (“PC”) has approval authority for Conditional Use Permits, Site/Design Permits, and Certified Survey Maps. They also provide recommendations to the Village Board on Preliminary and Final Plats, Condominiums, Comprehensive Plan Amendments, Property Rezoning, Zoning Code Text Amendments, and Annexations. Most of these roles are prescribed under state statute and reflected in Village ordinances.

Andrew Bremer, Community and Economic Development Director

2. Not Agenda Items

One consideration is to establish “minor site/design review permits” that would be reviewed administratively. Sec. 62-310 requires any development, except one and two unit residential developments, to obtain a site/design permit from the Plan Commission. There can be smaller projects that likely could just be reviewed and approved by Village staff. For example, an accessory shed for a commercial property, small commercial façade amendments, or redesigning an existing parking lot for an already developed property. Addressing this potential modification is on a Departmental running list of other future zoning code amendments to address as part of a comprehensive amendment to the Zoning Code.

Andrew Bremer, Community and Economic Development Director

3. General Suggestions

Refer to comments on the Landmarks Commission regarding potential role in review of applications for Certificate of Appropriateness.

Andrew Bremer, Community and Economic Development Director

Police and Fire Commission

1. Agenda Items

The PFC has a role defined by State Statutes. Agenda items should include those defined by Statute including hiring, demotion, suspension, other discipline, or termination of an employee of the Police or Fire/Rescue Department.

Aaron Chapin, Police Chief

2. Not Agenda Items

No comments offered.

3. General Suggestions

No comments offered.

Public Safety Committee

1. Agenda Items

I read the Public Safety committee's charge from the ordinance. I think it is accurate but needs to be better understood. Individuals read public safety committee as anything affecting public safety. However, it is stated to advise the Village Board on policies regarding the Police department and Fire and EMS department. Also, the licensing, regulation, ordinances of public offenses, nuisances, and public health matters.

What does it mean to me?

- We decide to provide a new service. Paramedic, delegated agent plan review, contract tank inspection for other agencies, new aid agreements, etc.
- Revision to ordinances or new ordinances. Burning, fee schedules, new fees.
- Assisting in defining the overall department mission.

Chris Dennis, Fire and Rescue Chief

2. Not Agenda Items

What it doesn't mean to me?

- Replacing a vehicle that is due to be replaced by board policy.
- The individual schedules of the Department or how staff is deployed.
- Tactics and techniques of providing our mission.

Chris Dennis, Fire and Rescue Chief

3. General Suggestions

I don't know specific state statute limitations or history of the other committees, but I'd offer consideration to combine Public Safety and Emergency Management.

Andrew Bremer, Community and Economic Development Director

Public Utilities Committee

1. **Agenda Items**

Budget considerations, policy development, rate structure, Large public improvements such as water, sanitary sewer, and storm water projects.

Jim Hessling, Public Works Director

2. **Not Agenda Items**

Day to day operations should continue to be managed by the Department as its done now. More discretion on maintenance activities might also be prudent to allow Staff the ability to fix deficiencies when found to ensure system operates efficiently. Work to review project designs, authorize for bidding, and consider project awards is essential and should continue.

Matt Schuenke, Village Administrator

3. **General Suggestions**

Serious consideration needs to be given to combine the duties of Public Utilities and Works. We operate in a combined Department and yet report to separate Committees on these topics. These aspects can be blended and addressed together with proper training and background review of the material. This is demonstrated by the joint meetings held together and overlap of membership between the groups. This does not have to happen over night. Staff could research other communities and how they are setup in order to work with all involved to establish a joint Committee going forward.

Matt Schuenke, Village Administrator

Allow us the opportunity to move forward on maintenance items w/o getting bids. My example here is well maintenance. We budgeted an amount and we get a preferred vendor and we move forward. Again, I understand why we do this. While this is a time consuming practice, it does help with the committees and VB to see what work is entailed in a job such as this. I'm referring to the video that we showed the PU committee of what's entailed and why the costs are what they are. This also helps the members to know/see what's going on.

Jim Hessling, Public Works Director

I don't know specific state statute limitations or history of the other committees, but I'd offer consideration to combine Public Utilities and Public Works.

Andrew Bremer, Community and Economic Development Director

Public Works Committee

1. Agenda Items

Policy development, operational changes, Large public improvements such as road rebuilding, pedestrian paths, sidewalks, various building projects associated with Public Works.

Jim Hessling, Public Works Director

2. Not Agenda Items

Day to day operations should continue to be managed by the Department as its done now. More discretion on maintenance activities might also be prudent to allow Staff the ability to fix deficiencies when found to ensure system operates efficiently. Work to review project designs, authorize for bidding, and consider project awards is essential and should continue.

Matt Schuenke, Village Administrator

3. General Suggestions

Serious consideration needs to be given to combine the duties of Public Utilities and Works. We operate in a combined Department and yet report to separate Committees on these topics. These aspects can be blended and addressed together with proper training and background review of the material. This is demonstrated by the joint meetings held together and overlap of membership between the groups. This does not have to happen over night. Staff could research other communities and how they are setup in order to work with all involved to establish a joint Committee going forward.

Matt Schuenke, Village Administrator

Allow us the opportunity to move forward on maintenance items without getting bids. An example of this is crack filling & seal coating. The money is in the budget so we should be able to spend it without approvals. A comparison to this is when we contract for road salt. We sign the document and then order as needed. I realize that this is not apples to apples but some of the same procedure is there. I feel that by taking some of the maintenance issues to the committee or VB, some items could turn political, such as street paving (even though this is a large project), or the scope might change. Changing the scope of some projects can have a great benefit too. I do realize why things go to committees and boards as these checks and balances helps to cover ourselves too.

Jim Hessling, Public Works Director

I don't know specific state statute limitations or history of the other committees, but I'd offer consideration to combine Public Utilities and Public Works.

Andrew Bremer, Community and Economic Development Director

Senior Outreach Committee

1. Agenda Items

Agenda items that I feel would need to go to the committee would be changes in service. The past few years we have also done the signing of the contract with Dane County for the Case management and nutrition services. I do feel that our quarterly reports should be presented and discussed if there are concerns or questions.

Lori Andersen, Senior Outreach Director

2. Not Agenda Items

None.

Lori Andersen, Senior Outreach Director

3. General Suggestions

I feel this committee could normally operate on a quarterly basis. However, since we are tasked with a preliminary planning for a community center, I feel meeting monthly is a more thorough way of addressing the needs at this time.

Lori Andersen, Senior Outreach Director

I don't know specific state statute limitations or history of the other committees, but I'd offer consideration to combine Volunteer & Senior Outreach.

Andrew Bremer, Community and Economic Development Director

Committee seems to focus mainly on discussion and reporting of matters within the Department. Rarely, if any, action advances from the Committee to the Board for consideration.

Stephanie Miller, Communications and Technology Director

Sustainable McFarland Ad-Hoc Committee

1. Agenda Items

Temporary committee for creation of a Sustainability Plan (in process), recommendation on joining Green Tier (done), and recommendation on forming a standing committee (TBD). Additionally, addresses any referrals from the Village Board as might be received.

Andrew Bremer, Community and Economic Development Director

2. Not Agenda Items

Whether the Village forms a standing Sustainability Committee is yet to be determined, possible recommendation anticipated after the July meeting. If it does, what items or topics that are referred to the committee will need to be determined and how these may or may not overlap with responsibilities of other boards, commissions, and committees. Frequency with which the Committee would meet (monthly, quarterly, etc.) should also be determined.

Andrew Bremer, Community and Economic Development Director

3. General Suggestions

No further comments.

Andrew Bremer, Community and Economic Development Director

Volunteer Committee

1. Agenda Items

See below.

2. Not Agenda Items

See below.

3. General Suggestions

Overall I feel this committee has had a vague mission. The framework for a volunteer coordinator is now in place and I do not see the value of the committee meeting in its current form. Perhaps it may be better to have a Community Outreach Committee comprised of Comm/Tech, Volunteer Coordinator, Village Board member, and 2-3 public members to discuss larger events or projects and review requests by department heads for other outreach needs. Once it passes scrutiny of the committee then it should be brought to the board for final approval by chair.

Lori Andersen, Senior Outreach Director

I wanted to reiterate my support for the idea of Community Outreach. The idea might be too big or all encompassing but it could address Senior Outreach, Communications (not Technology, that could be addressed by the board), Volunteer, and DEI efforts going forward. That's a grand plan of course but worthy of further review/study.

Matt Schuenke, Village Administrator

I don't know specific state statute limitations or history of the other committees, but I'd offer consideration to combine Volunteer & Senior Outreach. Possible consideration of folding the Committee's role in the Community Service Day into the Sustainability Committee or Natural Resources Committee, if either are formed.

Andrew Bremer, Community and Economic Development Director

The Volunteer Committee, outside of Community Service Day, has yet to figure out their goals and initiatives. Committee seems to focus mainly on discussion and reporting of matters within the Department. Rarely, if any, action advances from the Committee to the Board for consideration. Some of their initiatives get started but are left incomplete like updating a page for the website.

Stephanie Miller, Communications and Technology Director

ARTICLE III. - GENERAL PROCEDURES APPLYING TO STATUTORILY AUTHORIZED VILLAGE AUTHORITIES, BOARDS, COMMITTEES, COMMISSIONS, AND STANDING COMMITTEES

Sec. 2-182. - Application.

The following general procedures shall apply to all statutorily authorized Village authorities, boards, committees, commissions, and standing committees except where a different procedure is specified by ordinance.

Sec. 2-183. - Composition.

- (a) The composition of each statutorily authorized Village authority, board, committee and commission shall be as set forth in Article IV.
- (b) The composition of each standing committee shall be no less than five members and shall include one Village Trustee to serve as chairperson and one Village Trustee to serve as vice-chairperson and not less than three citizen members, the only exception being the Public Utilities Committee which shall have five citizen members.

Sec. 2-184. - Residency required for service on statutorily authorized authorities, boards, committees, commissions, and standing committees.

No person not a resident of and not residing in the Village shall be appointed in a voting capacity to any statutorily authorized Village authority, board, committee, commission, and standing committee except the Emergency Management Committee and the Library Board. Any member of a statutorily authorized authority, board, committee, commission, and standing committee who moves from the Village shall be removed from such statutorily authorized authority, board, committee, commission, and standing committee, but may be appointed to serve in an ex officio capacity.

Sec. 2-185. - Appointments.

- (a) All regularly occurring vacancies on each statutorily authorized authority, board, committee, commission, and standing committee shall be filled by appointment of the Village President, subject to confirmation by the Village Board, except where a different procedure is specified by ordinance, including but not limited to:
 - (1) Article IV, Division 8 of this Chapter—Library Board; and
 - (2) Article IV, Division 9 of this Chapter—Plan Commission.
- (b) Appointments to each statutorily authorized authority, board, committee, commission, and standing committee shall be made at the annual meeting of the Village Board in April, or as soon thereafter as possible, and at such other times as vacancies may occur.
- (c) The chairperson of each standing committee shall promptly submit to the Village President a list of persons proposed to fill any citizen member vacancies or reappointments and the Village President shall generally make appointments or re-appointments from that list, subject to confirmation by the Village Board.

Sec. 2-186. - President to designate chairpersons.

The Village President shall appoint the chairperson of the statutorily authorized authorities, boards, committees, commissions, and standing committees in accordance with the procedures set forth in the appropriate ordinances and statutes, except that the members of the Board of Review, Community Development Authority, Ethics Board, Library Board, and Police and Fire Commission shall select their own chairperson and such other officers as deemed necessary.

Sec. 2-187. - Committee membership.

- (a) All Village Trustees shall serve on at least one standing committee.
- (b) The Village President and Village Administrator shall be ex officio members of each standing committee.
- (c) The Village President may be appointed to serve as chairperson or as a member of a specific committee.

Sec. 2-188. - Attendance.

The chairperson of each statutorily authorized authority, board, committee, commission, and standing committee shall maintain a record of the attendance of the members at meetings. Any member who must miss a meeting shall give prior notice of the absence to the chairperson. Failure to attend regularly scheduled meetings four times in any year, commencing from the annual organizational meeting, shall be deemed to be an event by which the member or chairperson vacates the position to which the member or chairperson was appointed. The Village Clerk-Treasurer shall notify the chairperson of any vacancies created by absences, and confirm the vacancy in writing to the former member, chairperson, and the Village President.

(Ord. No. 2017-12, § 19, 6-26-2017)

Sec. 2-189. - Powers and duties.

- (a) Statutorily authorized authorities, boards, committees and commissions shall have the powers and duties assigned by ordinance or statute as described or prescribed in Article IV of this Chapter.
- (b) Standing committees shall review such matters as may be referred to them by the Village Board and shall submit advisory recommendations within their jurisdiction for Village Board action. All standing committees as described in Article V of this Chapter are subunits of the Village Board and perform no executive or administrative Village function other than as specifically authorized by ordinance or policy adopted by the Village Board.
- (c) No statutorily authorized authority, board, committee, commission, and standing committee shall assume responsibility for the administration of any Village department except for the Library Board.
- (d) In case of ambiguity or apparent conflict between the preceding definition of standing committee authority and a definition of the authority of a Village officer, employee, board, or association, the latter shall prevail.

Sec. 2-190. - Quorum.

A quorum exists whenever one more than half of the number of members of a statutorily authorized authority, board, committee, commission, and standing committee meeting are present. Any meeting will adjourn ten minutes after the noticed starting time if no quorum is present.

Sec. 2-191. - Meetings and public notice.

- (a) *Compliance with open meetings law.* Any meeting of a statutorily authorized authority, board, committee, commission, and standing committee shall be conducted in compliance with the Wisconsin Open Meetings Law. All meetings shall be open to the public unless falling within a lawful exception pursuant to Wis. Stats. § 19.81.
- (b) *Public notice.* For every regular meeting of a statutorily authorized authority, board, committee, commission, and standing committee the Village Clerk-Treasurer or designee, shall:
 - (1) Schedule a date, time and place for its meetings;
 - (2) Post an agenda of the matters to be taken up at such meeting and notify the official Village newspaper in advance of each such regular meeting of the date, time, subject matter and place thereof;
 - (3) Place the agenda on the official Village website;
 - (4) When necessary, publish notice in the official Village newspaper in compliance with state law;
- (c) *Special meetings.* Nothing in Subsection (a) of this Section shall preclude the calling of a special meeting or dispensing with the publication of notice or such posting of the agenda, for good cause, but such special meetings shall nonetheless comply in all respects with the provisions of Wis. Stats. §§ 19.81 and 19.89.

(Ord. No. 2017-12, § 20, 6-26-2017)

Sec. 2-192. - Minutes and Reports.

- (a) The recorder of each statutorily authorized authority, board, committee, commission, and standing committee shall file a copy of the meeting minutes of such statutorily authorized authority, board, committee, commission, and standing committee with the Village Clerk-Treasurer prior to the next regularly scheduled meeting of such statutorily authorized authority, board, committee, commission, and standing committee. The meeting minutes shall include the date, time, and place of the meeting and the members attending; report on all agenda items; and provide all necessary historical background to familiarize the Village Board with the issue. Approved minutes are deemed to be the product of the entire statutorily authorized authority, board, committee, commission, and standing committee, whether any item therein is approved unanimously or not.
- (b) If a Village Trustee member on a particular statutorily authorized authority, board, committee, commission, and standing committee disagrees with the position taken by that body on an issue, such member may address the Village Board with the minority position only if the member notifies the statutorily authorized authority, board, committee, commission, and standing committee, either at the meeting or by written notice after the meeting, that such member intends to support the minority position before the Village Board. Upon such notification, the Village Board shall permit one statutorily authorized authority, board, committee, commission, and standing committee member supporting the majority position equal time to address the Village Board on such issue.

(Ord. No. 2017-12, § 21, 6-26-2017)

Sec. 2-193. - Cooperation of Village officers.

All Village officers shall, upon request of the chairperson of any statutorily authorized authority, board, committee, commission, and standing committee, confer with that body and supply, within a reasonable time, such information as that body may request upon any pending matter. Information requests requiring considerable staff time or financial resources require prior approval of the Village Board.

Secs. 2-194—2-204. - Reserved.

ARTICLE V. - STANDING COMMITTEES

DIVISION 1. - GENERALLY

Sec. 2-347. - Established.

The following is a list of standing committees of the Village:

- (1) Communications and Technology Committee.
- (2) Finance Committee.
- (3) Natural Resources Committee.
- (4) Parks and Recreation Committee.
- (5) Personnel Committee.
- (6) Public Safety Committee.
- (7) Public Utilities Committee.
- (8) Public Works Committee.
- (9) Senior Outreach Services Committee.
- (10) Volunteer Committee.

(Ord. No. 2013-08, § 1, 9-9-2013)

Secs. 2-348—2-357. - Reserved.

DIVISION 2. - COMMUNICATIONS AND TECHNOLOGY COMMITTEE

Sec. 2-358. - Jurisdiction.

The Communications and Technology Committee sets policies and oversees the administration, operations, and programming of the Village's cable channel. The Communications and Technology Committee also oversees the operation of the Village's website and major purchases of computer hardware and software.

Sec. 2-359. - General Provisions.

The provisions of Wis. Stats. § 66.0420 are hereby incorporated as though fully set forth herein. The additional provisions of this Chapter supplement those provisions of the state statutes and constitute an expression of the Village's home rule authority. Any person who owns, leases, operates, controls, constructs or maintains a video service or cable television service shall comply at all times with the provisions herein when constructing, operating or maintaining a video service or cable television service in the Village.

Sec. 2-360. - Definitions.

The terms used in this Chapter shall have the same meaning as those terms are defined in Wis. Stats. § 66.0420(2), which is incorporated as though fully set forth herein.

Sec. 2-361. - Video service provider fee and PEG channel monetary support.

- (a) *Video service provider fee.* Video service providers and cable operators shall pay, in addition to the PEG support fee set forth in Subsection (b) of this Section, a video service provider fee to the Village in an amount equal to five percent of the provider's gross receipts.
- (b) *Public, educational and government (PEG) channel monetary support.* Video service providers and cable operators shall pay, in addition to the video service provider fee set forth in Subsection (a) of this Section, a monthly fee of \$0.25 per subscriber, which payment shall be used to fund PEG access related external costs. The allocation of the PEG channel monetary support fee between public access and government access activities/channels shall be at the sole discretion of the Village and which allocation the Village may alter at any time and without notice.
- (c) *Supporting documentation.* Payment of the fees set forth in Subsections (a) and (b) of this Section shall be accompanied by documentation verified by an agent or officer with the authority to legally bind the provider that is sufficient for the City to verify the accuracy of the fees being paid by the provider. The failure to provide such documentation shall subject the provider to a forfeiture of not less than \$100.00 nor more than \$5,000.00 per day until such time the documentation is provided to the Village.

Sec. 2-362. - Peg channel requirements.

- (a) *Number of PEG channels.* Video service providers and cable operators shall provide capacity for three PEG channels. These channels shall be allocated as follows: one specifically designated for the McFarland Cable Channel for the operation by the Village of a governmental access channel; one channel dedicated for use by WYOU, which is operated as a public access channel by WYOU Community Television Inc., and one channel dedicated for use as an educational access channel by the McFarland School District.
- (b) *Location of PEG channels.* PEG channels must be carried on any service tier that is viewed by more than 50 percent of the video service provider's or cable operator's customers. Video service providers or cable operators may not charge an extra fee nor require the rental of special equipment in order for their customers to view such PEG channels if such fees or equipment are not required to view any of the non-PEG channels on such service tiers.
- (c) *Quality of PEG channels.* Video service providers and cable operators shall not carry a PEG television signal in a lesser format or lower resolution than that afforded to a nonbroadcast digital programmer carried on the video or cable system. The signal quality of PEG channels shall be indistinguishable or better than the signal of other non-PEG channels carried by the video service provider or cable operator.
- (d) *Drops/origination points.* Video service providers and cable operators shall apply and maintain upstream capacity from all current origination points (a/k/a "live drops") and shall provide sufficient capacity for carriage of a television signal from each of these origination points at all times. These origination points are all located in the Village as follows:
 - (1) McFarland Municipal Center; 5920 Milwaukee Street;
 - (2) E.D. Locke Public Library; 5920 Milwaukee Street;

- (3) McFarland High School; 5101 Farwell Street;
 - (4) Indian Mound Middle School; 6330 Exchange Street;
 - (5) Madison Curling Club; 4802 Marsh Road.
- (e) *Substantial utilization of PEG channels and PEG programming.*
- (1) *Procedures for disconnection due to failure to substantially utilize PEG channel.*
 - a. *Written notice of objection to program as not locally produced.* A video service provider or cable operator must provide written notice to the PEG channel director within ten days of the first or original airing of any program that the video service provider or cable operator is objecting to the program as having not been locally produced. Such notice shall describe with particularity the program being objected to, the date and time the program was first aired and the factual basis supporting the objection. Failure to timely provide this notice waives the objection and, therefore, such program will be counted towards the determination of whether said PEG channel is being substantially utilized.
 - b. *Written notification of failure to substantially utilize channel.* A video service provider or cable operator must provide written notification to any PEG channel director within ten days following any week in which the video service provider or cable operator objects that the PEG channel has not been substantially utilized. Such notice shall describe with particularity the time period being objected to, the dates and times during the week in which qualifying programming was not aired and the factual basis supporting the objection. Failure to timely provide this notice waives the objection and, therefore, such programming period will be counted towards the determination of whether said PEG channel is being substantially utilized.
 - c. *Written notification of intention to disconnect, reprogram or drop PEG channel.* A video service provider or cable operator must provide 120 days' advance written notification to any PEG channel director that the video service provider or cable operator intends to disconnect, reprogram or drop. A video service provider or cable operator may not disconnect, reprogram or drop any PEG channel that it has not timely provided with such written notice. Furthermore, should any PEG channel director provide the video service provider or cable operator with a written response that the PEG channel was substantially utilized by the municipality, the video service provider or cable operator shall not disconnect, reprogram or drop the PEG channel.
 - d. *Penalty for failing to provide notice.* If any video service provider or cable operator disconnects, reprograms or drops any PEG channel without providing the notice as required in Subsections (e)(1)a through c of this Section the video service provider or cable operator shall be subject to the following:
 - 1. Immediate reinstatement of the PEG channel to its location in the channel line-up prior to the disconnection, reprogramming or dropping of the channel.
 - 2. The issuance of a citation demanding a forfeiture of not less than \$1,000.00 nor more than \$10,000.00 for each day that the PEG channel is disconnected, reprogrammed or dropped.
 - (2) *Locally produced programming.* Locally produced programming shall include all programming produced by any PEG channel and shall include all programming that has not been commercially aired. "Locally produced programming" includes any program that was in part produced for original

airing in the broadcast market in which it was produced either in part or in whole. The term "locally produced" shall not require that the programming was created, filmed or produced in the McFarland or Dane County area. PEG stations may share and exchange programming content in order to meet the substantial utilization requirements of Wis. Stats. § 66.0420(5)(b).

- (f) *Underwriting of Programming.* PEG channels may transmit noncommercial programming to subscribers generally or specific recipients of video service providers or cable operators. Nothing herein shall in any way prohibit or prevent PEG channels from accepting grants or sponsorships in support of such programming nor shall PEG channels be prohibited from acknowledging such grants or sponsorships before, during or immediately after such PEG programming has been broadcast in a manner that is similar to the manner in which the Public Broadcasting System (PBS) acknowledges the substantially similar support of its programming content. Such acknowledgements shall comply with the requirements of 47 USC 399b as though the PEG channel was a public broadcast station.
- (g) *Notice of intention to move PEG channel locations/designations.* Any video service provider or cable operator who intends to move any PEG channel from the channel designations may only make such a change after providing 60 days' advance written notice to the affected PEG channel. Additionally, such video service provider or cable operator shall engage in a public education program of such intensity and duration as to reasonably inform the general public of the proposed PEG channel designations.

Sec. 2-363. - Police powers, design/construction standards and rights-of-way.

- (a) *Subject to police powers.* Video service providers and cable operators are subject to the police power of the Village to adopt and enforce general ordinances necessary to the safety, health and welfare of the public. The grant of a statewide video or cable franchise does not render or to any extent lose, waive, impair or lessen the lawful powers and rights, now or hereafter vested in the Village under the Constitution and statutes of the state to regulate the use of streets and public ways or to regulate any matter affecting the safety, health and welfare of the public. The Village shall make the video service provider's and cable operator's history of compliance with such codes and ordinances available to the Department of Financial Institutions so that the Department of Financial Institutions may determine the provider or operator's legal, financial and technical qualifications to provide video services.
- (b) *Design, permits, construction and excavation.* Video service providers and cable operators shall comply with all applicable Village codes and ordinances including, without limitation by expression herein, Section 53-122, and shall be subject to any forfeitures so specified for any violations thereof. The Village shall make the person's history of compliance with such codes and ordinances available to the Department of Financial Institutions so that the Department of Financial Institutions may determine the provider's or operator's legal, financial and technical qualifications to provide video services.

Secs. 2-364—2-373. - Reserved.

DIVISION 3. - FINANCE COMMITTEE

Sec. 2-374. - Jurisdiction.

The Finance Committee advises the Village Board on annual operating and capital budgets, municipal borrowing, fiscal policies, investment policies, and purchasing procedures.

Secs. 2-375—2-384. - Reserved.

DIVISION 4. - PARKS, RECREATION AND NATURAL RESOURCES COMMITTEE

Footnotes:

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Editor's note— Section 1 of Ord. No. 2014-09, adopted May 27, 2014, repealed former Div. 4 in its entirety, and enacted new provisions to read as herein set out. Former Div. 4, § 2-385 pertained to the Natural Resources Committee.

Sec. 2-385. - Jurisdiction.

The Parks, Recreation and Natural Resources Committee advises the Village Board on the acquisition, management, enhancement, and public use of natural and conservancy areas, policies and practices directed at maintenance of a healthy and diverse urban forest, the planning, acquisition and development of parks and park facilities and the nature and structure of recreation programs.

(Ord. No. 2014-09, § 1, 5-27-2014)

Secs. 2-386—2-395. - Reserved.

DIVISION 5. - RESERVED

Footnotes:

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Editor's note— Section 2 of Ord. No. 2014-09, adopted May 27, 2014, repealed former Div. 5, § 2-396, which pertained to the Parks and Recreation Committee. See Div. 4.

Secs. 2-396—2-406. - Reserved.

DIVISION 6. - PERSONNEL COMMITTEE

Sec. 2-407. - Jurisdiction.

The Personnel Committee advises the Village Board on personnel policies, changes in organization structure and classification and compensation plans.

Secs. 2-408—2-417. - Reserved.

DIVISION 7. - PUBLIC SAFETY COMMITTEE

Sec. 2-418. - Jurisdiction.

The Public Safety Committee advises the Village Board on policy issues relating to the operations of the Police Department, and the Fire and Emergency Medical Services Department, matters involving licensing and regulation, ordinances controlling public offenses and nuisances, and matters of public health.

(Ord. No. 2013-14, § 1, 11-11-2013)

Secs. 2-419—2-428. - Reserved.

DIVISION 8. - PUBLIC UTILITIES COMMITTEE

Sec. 2-429. - Composition.

The Public Utilities Committee shall consist of seven voting members, two of whom shall be Village Trustees. In addition, the Director of Public Works shall be an ex officio member of the Public Utilities Committee, without voting rights. The five citizen members shall be persons of recognized experience and qualifications.

Sec. 2-430. - Appointment.

- (a) *Village Trustee members.* The Village Trustee members of the Public Utilities Committee shall be appointed annually by the Village President subject to the approval of the Village Board at the organizational meeting of the Village Board.
- (b) *Citizen members.* The citizen members shall be appointed by the Village President, subject to Village Board approval, at the organizational meeting. The term of each citizen member shall be for a staggered term of five years, and the Village President shall annually, subject to the approval of the Village Board at its organizational meeting on the third Tuesday of April, appoint one member of the Public Utilities Committee for a term of five years. In case of vacancy, the Village President may, subject to the approval of the Village Board, at any regular or special meeting, appoint a member for the unexpired term.
- (c) *Officers.* The Village President, subject to the confirmation of the Village Board, shall select from among the Village Trustee members of the Public Utilities Committee a chairperson and vice-chairperson.

Sec. 2-431. - Meetings.

The Public Utilities Committee may make rules for its own proceedings and for the governing of the utilities. It shall keep books of account in the manner and form prescribed by the Wisconsin Public Service Commission, which shall be open to the public. The Public Utilities Committee shall have the general management and supervision of the Village water, sewer and stormwater utilities, and all matters connected therewith, and shall have the general power and authority to make rules and regulations for the management of said utilities as it shall from time to time find necessary for the safe, economical and efficient management and protection of said utilities.

Sec. 2-432. - Powers and duties.

- (a) *Finances.* The Public Utilities Committee will be responsible for preparing and recommending an annual budget to the Village Board reflecting needed expenditures and anticipated revenues, as well as preparing and modifying stormwater rates and filing water rate modification requests with the Wisconsin Public Service Commission when sound business practices deem it appropriate.
- (b) *Long-range planning.* The Public Utilities Committee shall prepare, adopt and, as necessary, amend a long-range plan projecting the needs for the Village utilities in the future, in areas of fiscal responsibility, personnel, new construction and scheduled maintenance practices.

Sec. 2-433. - Auditing expenditures.

The Village Treasurer shall provide a monthly statement to the Public Utilities Committee of the expenditures, revenues and fund balances relating to utility operations.

Sec. 2-434. - Construction.

The Public Utilities Committee shall receive reports from the Director of Public Works, who shall supervise and superintend the installation of all new machinery, wells, reservoirs, mains, transmission, collection and distribution and service pipes, as well as any repairs or reconstructions of the same or any part thereof. All work of this nature shall be let by contract under supervision of the Director of Public Works.

Sec. 2-435. - Maps and records.

The Village Engineer shall prepare maps showing the locations of all mains and service pipes ordered to be laid, with reference to the property lines of the street, court or alley in which the same are to be laid, and also with reference to the established grade of said street, court or alley. After sewer, stormwater or water mains and service pipes shall have been laid, the Village Engineer shall see to it that maps indicate the exact location of said sewer, stormwater and water mains and service pipes as actually laid. The Director of Public Works or designee shall cause a record of the exact location of said sewer, stormwater and water pipes and mains to be transcribed in record books, electronic maps or records kept on file for that purpose in the Village offices.

Sec. 2-436. - Overall responsibility.

In fulfillment of its duties, the Public Utilities Committee shall forward its recommendations relating thereto to the Village Board for final action. The Village Board may accept, reject or re-refer the recommendations of the Public Utilities Committee back to the Public Utilities Committee for further action.

Sec. 2-437. - Management, operation and control.

- (a) *Management.* The management, operation, and control of the public water system, sewer system, and storm water system for the Village shall be vested in the Village Board. All records, minutes and all written proceedings thereof shall be kept by the Village Clerk-Treasurer. The Village Clerk-Treasurer or designee shall keep all the financial records thereof.
- (b) *Construction authority.* Subject to the approval of the Village Board, the Public Utilities Committee shall have the power to construct water and sewer lines for public use, and shall have the power to lay water, stormwater and sewer pipes in and through the public alleys, streets, and public grounds located within

the Village; and generally, to do all such work as may be found necessary or convenient in the management of the water, stormwater and sewer systems. The Public Utilities Committee shall have power by itself, its officers, agents and servants, to enter upon any land in the Village for the purpose of making examination or supervise in the performance of their duties under this Section, without liability therefor; and the Public Utilities Committee shall have the power to purchase and acquire for the Village subject to the approval of the Village Board all real and personal property which may be necessary for construction of the water, stormwater and sewer system, or for any repair, remodeling, or additions thereto.

(Ord. No. 2017-12, § 26, 6-26-2017)

Secs. 2-438—2-447. - Reserved.

DIVISION 9. - PUBLIC WORKS COMMITTEE

Sec. 2-448. - Jurisdiction.

The Public Works Committee advises the Village Board on policies and programs involving the maintenance and construction of Village facilities, streets and sidewalks, solid waste management and recycling, and the maintenance and acquisition of public works vehicles and equipment.

Secs. 2-449—2-458. - Reserved.

DIVISION 10. - SENIOR OUTREACH SERVICES COMMITTEE

Sec. 2-459. - Jurisdiction.

The Senior Outreach Services Committee advises the Senior Outreach Services Department on the services that it provides to residents over the age of 60 and to disabled adults. These services include outreach, case management, congregate and home delivered meal programs, foot care clinics, and education/entertainment programming.

Sec. 2-460. - Reserved.

DIVISION 11. - VOLUNTEER COMMITTEE

Sec. 2-461. - Jurisdiction.

The Volunteer Committee advises the Village Board on policies relating to a formal program to encourage volunteer participation in activities for the benefit of the Village and its residents.

(Ord. No. 2013-08, § 2, 9-9-2013)

Sec. 2-462. - Powers and duties.

- (a) The Volunteer Committee shall be persons with interest in volunteer programs for the Village and the ability to help implement and manage the Village volunteer programs.
- (b) The Volunteer Committee shall provide general oversight concerning the administration, operations and programming of the Village's volunteer program.
- (c) The Volunteer Committee shall nominate a volunteer coordinator subject to the Village Board's approval, who shall supervise and monitor volunteer work, training, leadership in volunteer activities and recognition for outstanding volunteer service to the Village.
- (d) The Volunteer Committee shall recommend to the Village Board policies that will expand the variety of significant community service choices for volunteers and oversee recruiting of volunteers to fulfill these needs.

(Ord. No. 2013-08, § 2, 9-9-2013)

Secs. 2-463—2-480. - Reserved.

ARTICLE VI. - SPECIAL COMMITTEES

Sec. 2-481. - Definitions.

The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Subsection, except where the context clearly indicates a different meaning:

- (a) *Ad hoc committee*. A special committee created for a limited duration to study a narrowly defined issue and make an advisory recommendation to the Village Board.
- (b) *Subcommittee*. A special working committee created to advise an authority, board, commission, or standing committee on a narrow issue or range of issues.

Sec. 2-482. - Purpose.

The purpose of the policy regarding the establishment of and appointment of members to ad hoc committees and subcommittees is to ensure that the Village Board understands and agrees with the rationale for the establishment of ad hoc committees or subcommittees and reviews the recommended appointments of committee members to provide an appropriate representation of the community.

Sec. 2-483. - Policy.

The proposed creation of any ad hoc committee or subcommittee shall be subject to the approval of the Village Board. In approving the establishment of such a committee the Village Board shall identify the charge, duration and scope of authority of the committee; determine the number of committee members and designate any particular segments of the community to be represented on the committee. The appointment of members to the newly established committee shall be subject to confirmation by a majority vote of the Village Board. The existence of an ad hoc committee or subcommittee may be terminated at any time by majority vote of the Village Board.

Sec. 2-484. - Responsibility and authority.

Any member of the Village Board may recommend the establishment of an ad hoc committee or subcommittee. If the creation of the new committee is approved by the Village Board, the Village President shall recommend the appointment of a chair subject to confirmation by the Village Board. The appointed chair shall then recommend, subject to confirmation by the Village President, the appointment of individual members to the ad hoc committee or subcommittee.

Secs. 2-485—2-507. - Reserved.

**BOARD, COMMISSION, &
COMMITTEE HANDBOOK for NON-
ELECTED VOLUNTEERS**



Approved April 15, 2014, by the Middleton Common Council

INTRODUCTION

Without the dedication of the many volunteers who serve and contribute countless hours as board, commission, and committee members, the City would be unable to function. These volunteers help to make the City of Middleton a great place to live, work, and play.

Citizen knowledge, interest and action are important ingredients to the delivery of top quality public services. More than ever, citizen participation is playing an important role in local government. The richness that comes from citizens serving on a City board, commission, or committee is one of the things that make Middleton exceptional.

The City has established 28 boards, commissions, and committees to advise and assist the Council in dealing with specific projects, policies, and issues of concern, and play an integral and important role in the City's decision making process. The City benefits from the expertise of the dedicated individuals that make up these boards, commissions, and committees.

Being a member of a City board, commission, or committee requires work and commitment, and it is hopefully a very rewarding experience. It offers a means to participate in community affairs, to work with interesting people, and to help shape City policy.

This handbook has been prepared to:

1. Outline the role and function of each City board, commission, and committee.
2. Review important guidelines for all boards, commissions, and committees, as well as the responsibilities of appointed members.
3. Provide information about the history and composition of the City's organization.
4. Provide members with the information necessary to understand areas of responsibility for their respective board, commission, or committee, and their role in serving the City.

CITY ADMINISTRATION

Board, commission, and committee members need to be familiar with the City organization and develop an understanding of the City departments and their operations. The easiest way to do this is to review the [organizational chart](#).

RELATIONSHIPS

Relationship with the Common Council

A good relationship with the Common Council is essential. The primary responsibility of boards, commissions, and committees is to advise and make recommendations to the Common Council. Those bodies are responsible for providing additional avenues of communication among the general public. As they provide their recommendations to the Common Council, advisory body members should keep in mind that no advisory body has the final authority to establish City policy or administrative direction. It is the Common Council's role to receive the recommendations made by the boards, commissions, and committees, and to consider them as part of its decision making. Regardless of one's individual position, it is helpful for a board or commission member to understand that the policy decisions of the Common Council are final once they are made.

Official communications with the Common Council should be in written form from the entire appointed body. Communications will then be forwarded through the staff liaison to the Common Council and the City Administrator. The role of the staff typically is to *communicate* the position of a board or commission rather than to *advocate* it. Whenever a board, commission, or committee has an item before the Common Council, the Chair or a representative of that appointed body is not required to attend the Council meeting, but is encouraged to be present at the Common Council meeting to speak to the topic or answer questions and especially when the staff recommendation differs from that of the board, commission, and committee. Staff will always indicate in the agenda report recommendation if the staff recommendation differs from that of the board, commission, and committee.

When an appointed member addresses the Common Council at a public meeting, it should be made clear whether or not he/she is speaking on behalf of the board, commission, or committee, or as an individual. If the member is speaking on behalf of a board or commission (normally this would be the Chair or Vice Chair), only the majority position of the board or commission should be advocated. If the member is expressing his/her own personal viewpoint on a particular subject, it should be stated as such.

Appointed members of boards, commissions, and committees assist the Common Council and staff by:

1. Focusing attention on specific issues of community concern;
2. Encouraging citizen participation and involvement in the ongoing management of their community;
3. Providing a grass roots perspective on issues of importance;
4. Making recommendations based on thorough review of alternatives from a citizen's perspective.

The City Attorney recommends that citizens seeking to provide comment at committee meetings on non-agenda items should be directed to do so at Council meetings so that their elected representatives are aware of the concern. The Council may refer items back to committees for greater policy development at that level.

Generally, Roberts Rules of Order are followed for committee meeting procedure, and chairpersons have some discretion in running meetings. Fairness is very important. If a committee allows public comments on agenda items, then it should be very judicious in doing so.

Relationship with City Staff

The staff liaisons to the Council appointed bodies are valuable resources. They do research and provide relevant information that enhances a body's ability to get things done. Staff is available to answer questions and follow-up on items brought before the board, commission or committee. Appointed members should be aware of the time involved on the part of staff in preparing studies and reports, and should make sure that all staff requests are consistent with the appointive body's approved work program.

Appointed bodies may not direct staff to initiate major projects without approval from the Common Council, and individual members may not direct staff to initiate any program or study. In addition, appointed members should not become involved in the operational matters of City departments unless specifically provided for in their prescribed powers and duties (e.g. [the Library Board](#)). For more information about the powers and duties of the Middleton Public Library Board of Trustees, please see the Board section of the Library website at: <http://www.midlibrary.org/Board>.

Relationship with Fellow Members

Cooperation among fellow board, commission, and committee members plays an important role in the successful efforts of City boards, commissions, and committees. In order to build consensus around common goals and objectives, members should first show a willingness objectively to define the issues at hand and then work to reconcile opposing viewpoints. When appointed members interact positively, the group as a whole will be more effective. Important points to keep in mind in working with other appointed members are:

1. Respect an individual's viewpoint, even though it may be different from your own
2. Allow other members adequate time to present their views before making comments
3. Be open and honest
4. Welcome new members and help them become acquainted with their board, commission, or committee

5. Accept responsibility, voice opinions, be fair and factual

Relationships with the Public

Good relations with the public are vital for all City boards, commission, and committees. In many cases each body serves as a link between the Common Council and the public, helping to inform the public, to reconcile opposing viewpoints, and to explain City programs and policies. Appointed members should welcome citizen input at meetings and be considerate of all interests, attitudes, and differences of opinion. Each body provides a channel for citizen expression by listening to comments, opinions, and concerns from the public. Therefore, it is important to be responsive and in tune with the community.

Relationship with Other Council Appointed Bodies

From time to time, an issue will come before the City that involves two or more appointed bodies. When this occurs, each body should focus on their own advisory responsibilities, not on areas that are under the jurisdiction of other appointed bodies. The responsibilities of appointed bodies are, at times, very close to one another, and care should be taken to avoid overlapping to the greatest degree possible.

For example, the Plan Commission, Public Works Committee, Sustainability Committee, Conservancy Lands Commission, Parks, Recreation and Forestry Commission and Water Resources Management Commission can all easily become involved in the consideration of a single project.

This can get confusing, and it is often difficult to resist getting involved in decisions that are really not the responsibility of one's board, commission, or committee. On a particularly complex project, or when appointed members' objectives contradict one another, it may be appropriate to have joint meetings to improve communication and facilitate a common ground.

Business Relationships

Members of boards, commissions, or committees may not have a financial interest in a contract with the City if there is any possibility they will have to review a project or changes to a project they are undertaking via that contract. ***It is not enough for a member to simply abstain or disqualify themselves from participation. The member needs to inform others on the body of this issue and be very cautious when these situations arise.***

APPOINTMENT PROCESS & EXPECTATIONS

Appointed Member Requirements and Appointment Process

Appointed members of almost all City advisory bodies must be residents of the City of Middleton. Interested applicants submit an application for appointment. Appointments are made by the Mayor, and confirmed by the Common Council.

Oath of Office

Every officer of the City, including members of City boards, commissions, or committees shall, before entering upon his or her duties and within five (5) days of his or her election or appointment or notice thereof, take the oath of office prescribed by law and file said oath in the office of the City Clerk. Any person reelected or reappointed to the same office shall take and file an official oath for each term of service.

Training for Appointed Members

Continuing education to further one's knowledge of the various issues that face Wisconsin municipalities is essential to serving the public interest. Appointed members are encouraged to attend conferences and workshops, read relevant publications, and utilize other opportunities for personal and professional training that will bring new ideas into the community.

General Guidelines for Appointed Members

The Council encourages active citizen participation in the business of city government. Boards, commissions, and committees provide an opportunity for interested residents to participate in the governing of their community under guidelines and procedures established by the Council. Boards, commissions, and committees can improve the quality of city government by providing the Council with resources to make better-informed decisions. Other benefits of these bodies include improved lines of communication between the public and Council, greater opportunities for discussion of public issues and more citizen involvement in city government.

Appointment to a City board, commission, or committee is an honor. It provides an opportunity for genuine public service. Each appointed member should be aware of the responsibilities that go along with officially serving the City. The specific duties of each body vary with the purpose for which it was formed.

There are, however, many responsibilities common to all appointed members:

1. Understand the role and responsibility of the board, commission, or committee. Be informed of its functions, work programs and relationship with other bodies.
2. Represent the overall public good, not the exclusive point of view of a sole group or interest.
3. Keep all lines of communication open. Each appointed member serves as a communication link between the community, the Common Council, and staff.
4. Do your homework and be prepared. Appointed members should become familiar with items under consideration prior to meetings in order to be fully prepared to discuss, evaluate, and act on matters scheduled for

consideration. Feel free to seek staff's advice and assistance in advance of a meeting.

5. Establish a good working relationship with fellow appointed members, the Common Council, and your staff liaison.
6. Understand the scope and authority of your appointed body's responsibility and strive to work within that scope.
7. Be a participant, an active representative, and be enthusiastic.

Your role as an appointed representative of the Common Council carries with it a significant responsibility. As an "ambassador" of the City of Middleton, the Common Council hopes that you conduct yourself with politeness and courtesy with staff and whenever in the public eye. Yours is a position of service that is charged with maintaining the public trust. It is important that you not abuse that trust.

Electronic Communications Policy

The City encourages the use of electronic media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. However, all employees and everyone connected with the City should remember that electronic media and services provided by the City are City property and their purpose is to facilitate and support City business. Please read the entire [Electronic Communications Policy](#) for more specific information on how this applies to alders.

Social Media Policy

Social media consists of networks and online publications that enable individuals and groups to communicate between one another for different purposes (e.g. Facebook, Twitter, LinkedIn, YouTube, blogs, etc.). The City of Middleton uses these various social media in order to reach out to the public and educate individuals on certain events, activities, awards, and other news releases. For more information on how this applies to alders, please read the complete [Social Media Policy](#).

CODE OF ETHICS (Chapter 2 – City Code of Ordinances)

(a) STATEMENT OF PURPOSE

(1) The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that the public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established in this Chapter a Code of Ethics

for all City of Middleton officials and employees, whether 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.

(2) The purpose of this Ethics Code 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 of Middleton and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the City. The Common Council believes that a Code of Ethics for the guidance of elected and appointed officials and employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the citizens of this City in their elected and appointed officials and employees. The Common Council hereby reaffirms that each elected and appointed City official and employee holds his or her position as a public trust and any intentional effort to realize substantial personal gain through official conduct is a violation of that trust. The provisions and purpose of this Ethics Code and such rules and regulations as may be established are hereby declared to be in the best interests of the City of Middleton.

(b) DEFINITIONS.

(1) Public Official. Means those persons serving in statutory elected or appointed offices provided for in Chapter 62 of the Wisconsin Statutes and all members appointed to boards, committees and commissions established or appointed by the Mayor and/or Common Council pursuant to this Code of Ordinances, whether paid or unpaid.

(2) Public Employee. Means any person excluded from the definition of a public official who is employed by the City.

(3) Anything of Value. Means any gift, favor, loan, service or promise of future employment, but does not include reasonable fees and honorariums, or the exchange of seasonal, anniversary or customary gifts among relatives and friends.

(4) Business. Means any corporation, partnership, proprietorship, firm, enterprise, franchise or association, organization, self-employed individual, or any other legal entity which engages in profit making activities.

(5) Personal Interest. Means the following specific blood or marriage relationships:

- (a) A person's spouse, mother, father, child, brother or sister; or
- (b) A person's relative by blood or marriage who receives, directly or indirectly, more than one-half (1/2) support from such person or from whom such person receives, directly or indirectly, more than one-half (1/2) of his or her support.
- (6) Significant Interest. Means owning or controlling, directly or indirectly, at least ten percent (10%), or Five Thousand Dollars (\$5,000.00) of the outstanding stock of any business.
- (7) Financial interest. Any interest which shall yield, directly or indirectly a monetary or other material benefit to the officer or employee or to any person employing, or retaining the services of, the officer or employee.

(c) STATUTORY STANDARDS OF CONDUCT. There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this Code of Ethics and shall apply to public officials and employees whenever applicable, to wit:

(1) Sec. 946.10 Bribery of Public Officers and Employees

(2) Sec. 946.11 Special Privileges from Public Utilities

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(3) Sec. 946.12 Misconduct in Public Office

(4) Sec. 946.13 Private Interest in Public Contract Prohibited

(d) RESPONSIBILITY OF PUBLIC OFFICE. Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and carry out impartially the laws of the nation, state and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern.

(e) DEDICATED SERVICE.

- (1) Officials and employees should adhere to the roles of work and performance established as the standard for their positions by the appropriate authority.
- (2) Officials and employees should not exceed their authority or breach the law or ask others to do so and they should work in full cooperation with other public officials and employees unless

prohibited from so doing by law or by officially recognized confidentiality for their work.

(3) Members of the City staff are expected to follow their appropriate professional code of ethics.

(f) FAIR AND EQUAL TREATMENT.

(1) Use of public property. No official or employee shall use or permit the unauthorized use of City owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as City policy for the use of such official or employee in the conduct of official business, as authorized by the Common Council or authorizes board, commission or committee.

(2) Obligations to Citizens. No official or employee shall grant any special consideration, treatment or advantage to anyone beyond that which is available to every other person. No official or employee shall use or attempt to use his or her position with the City to secure any advantage, preference or gain, over and above his or her rightful remuneration and benefits, for him or herself or for a member of his or her immediate family.

(3) Political Contributions. No official shall personally solicit from any City employee, other than an elected official, a contribution to a political campaign or committee for which the person subject to this Chapter is a candidate or treasurer.

(g) CONFLICT OF INTEREST.

(1) Financial and Personal Interest Prohibited.

(a) No official or employee of the City, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provision of this Chapter or which would tend to impair independence of judgment or action in the performance of official duties.

(b) Any member of the Common Council who has a financial interest or personal interest in any proposed legislation before the Common Council shall disclose on the records of the Common Council the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat of such legislation. If the matter before the Council involves a member's personal interest with persons involved, the member may participate in debate or discussion and vote

on the matter following disclosure, unless an ordinance or contract is involved; if an ordinance or contract is involved, such official shall not participate in debate or discussion and vote on the matter.

(c) Any non-elected official, other than a City employee, who has a financial interest or personal interest in any proposed legislative action of the Common Council or any board, commission or committee upon which the official has any influence or input or of which the official is a member that is to make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Common Council or the appropriate board, commission or committee the nature and extent of such interest. Such official shall not participate in debate or discussion or vote for adoption or defeat of such legislation.

(d) Any City employee who has a financial interest or personal interest in any proposed legislative action or the Common Council or any board, commission or committee upon which the employee has any influence of input, or of which the employee is a member, that is a make to recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Common Council or the appropriate board, commission or committee the nature and extent of such interest.

(2) Disclosure of Confidential Information. No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor shall such information be used to advance the financial or other private interests of the official or employee or others.

(3) Gifts and Favors.

(a) No official or employee, personally or through a member of his or her immediate family, may solicit or accept, either directly or indirectly, from any person or organization, money or anything of value if it could be expected to influence the employee's official actions or judgments or be considered a reward for any action or inaction on the part of the official or employee.

(b) No official or employee personally or through a member of his or her immediate family, shall accept any gift, whether in the form of money, service, loan, thing or promise, from any person which may tend to impair his or her independence of judgment or action in the performance of his or her duties or

grant in the discharge of his or her duties any improper favor, service or thing of value. However, it is not a conflict of interest for any public official or employee to receive a gift or gratuity that is an unsolicited item of nominal intrinsic value such as a meal and that is not intended to influence the official. Any official or employee who receives, directly or indirectly, any gift or gifts from any person who is known by said official or employee to be interested, directly or indirectly, in any manner whatsoever in business dealings with the City upon which the official or employee has any influence or input or over which the official or employee has any jurisdiction, discretion or control shall disclose the nature and value of such gifts to the Common Council by January 15 next following the year in which the gift or gifts are received.

(c) An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or a member of the guest's immediate family, was a City official or employee. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality from citizens for the purpose of supporting the candidate's campaign.

(d) Gifts received by an official or employee or his or her immediate family under unusual circumstances shall be referred to the Common Council within ten (10) days of receipt for recommended disposition. Any person subject to this Chapter who becomes aware that he is or has been offered any gift, the acceptance of which would constitute a violation of this Subsection, shall, within ten (10) days, disclose the details surrounding said offer to the Common Council. Failure to comply with this reporting requirement shall constitute an offense under this Chapter.

(e) Representing Private Interest Before City Agencies or Courts.

(1) Non-elected City officials and employees shall not appear on behalf of any private person (other than him or herself or spouse or minor children) before any City agency, board, commission or the Common Council if the official or employee or any board, commission or committee of which the official or employee is a

member has any jurisdiction, discretion or control over the matter which is the subject of such representation.

(2) Elected City officials may appear before City agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations. However, in disclosure requirements of Subsection (a) above shall be applicable to such appearances.

(4) Ad Hoc Committee Exceptions. No violation of the conflict of interest restrictions of this Section shall exist, however, where an individual serves on a special ad hoc committee charged with the narrow responsibility of addressing a specific issue or topic in which that individual, or the employer or a client of that individual, has an interest so long as the individual discloses to the Common Council that such interest exists.

(5) Contracts with the City. No City official or employee who, in his or her capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract with some function requiring the exercise of discretion on his or her part shall enter into any contract with the City unless, within the confines of **Sec. 946.13, Wis. Stats.**

(a) The contract is awarded through a process of public notice and competitive bidding or the Common Council waives the requirement of this Section after determining that it is in the best interest of the City to do so.

(b) The provisions of this Subsection shall not apply to the designation of a public depository of public funds.

(h) ADVISORY OPINIONS Any questions as to the interpretation of any provisions of this Code of Ethics Chapter shall be referred to the City Attorney. Such requests shall be as detailed as possible and shall be made in writing. Advisory requests and opinions shall be kept confidential, except when disclosure is authorized by the requestor, in which case the request and opinion may be made public.

(i) HIRING RELATIVES

(1) This Section governs the proposed hiring of individuals for regular full-time or part-time work as City employees who are members of the immediate family of City employees or elected officials. Excluded from the provisions of this Section are seasonal or temporary employees. "Immediate family" includes those relatives by blood or marriage defined in Section 2.20(6)(2)(e) as personal interests.

(2) Hiring an immediate family member of any current City employee or elected City official is discouraged and will be considered only if that individual has the knowledge and skills, experience or other job related qualifications that warrant consideration for the position. It is required that either the current employee or the relative seeking employment will make the personal interest relationship known to the hiring authority (department head, City board or commission or Common Council) before a hiring decision is made; in every case, the decision to hire an immediate family member or former spouse will be subject to Common Council approval, with notice, before the new employee is permitted to begin work. Marriage between two (2) individuals already employed by the City or their relatives will not be considered a violation of this policy.

(3) This Section does not apply to non-elected officials who are asked to accept appointment as members of the City board, commission or committee; non-elected officials, however, will be expected to disqualify themselves from participation in matters under consideration which may affect the hiring, retention, classification or compensation of their immediate family if currently employed or being considered for employment by the City.

(j) **SANCTIONS.** A determination that an employee's actions constitute improper conduct under the provisions of this Chapter may constitute a cause of suspension, removal from office or employment or other disciplinary action. Sanctions, including any disciplinary action that may affect employees covered under a labor agreement, will be consistent with the terms and conditions set forth in the applicable labor agreement.

Adherence to Policy

Appointed members should not approve projects that violate adopted City policies. Members can make recommendations to the Common Council about exceptions to a City policy, and can also recommend policy changes when appropriate.

Open Records

Meaningful access to public records plays a vital role in facilitating government oversight. Please consider reading [*Wisconsin Public Records Law Wis. Stat. §§ 19.31-19.39*](#) for more information.

MEETINGS

Attendance

Regular attendance at meetings is critical to the effective operation of City boards, commissions, and committees. Therefore, all members are expected to attend all of their appointed board, commission, or committee meetings, including study sessions. If you are unable to attend a meeting, call your Chair or staff liaison prior

to the meeting. If a problem with absenteeism arises, it should be handled between the appointed member and the respective Chair. If the issue cannot be resolved, the Chair should approach the staff liaison to help work toward a solution.

Role of the Chair

The principal role of the Chair is to manage the board, commission, or committee meeting. This includes helping to set meeting agendas, maintaining the order of business during the meeting, focusing discussion on the issues at hand, and ensuring that the public appearing before the body are treated courteously. The Chair must make certain that discussions do not get sidetracked. Duties of the Chair also include review of the agenda with the staff liaison before the meeting, representing the body at Common Council and community group meetings and, attending quarterly meetings with the Mayor.

Open Meetings

Effective citizen oversight of the workings of government is essential to our democracy and promotes confidence in it. Public access to meetings of governmental bodies is a vital aspect of this principle. Please consider reading [*Wisconsin Open Meetings Law: A Compliance Guide*](#). It offers explanations of some of the fundamental principles in Wisconsin Open Meetings Law, and answers questions that arise on a regular basis.

**VILLAGE OF
McFarland
SUMMARY SHEET**

MEETING DATE: Monday, June 14, 2021

SECTION: Business

DEPARTMENT: Administration

CONTACT: Matt Schuenke, Village Administrator

AGENDA ITEM: Discussion regarding meeting schedule for the remainder of the year.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

Included within your packet is a memorandum outlining the remaining meetings dates for the Village Board including projected Committee of the Whole as well as special meetings for the Retreat and Budget processes. This is presented for discussion amongst the board members so there is advanced noticed of what is to come and set the calendar generally for the rest of the year certainly recognizing some flexibility may need to be applied as we go.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Presented for discussion. No action needed.

ATTACHMENTS:

1. Village Board Meeting Schedule Memorandum 06112021 mgs

Memorandum

To: Village Board of Trustees

From: Matthew G. Schuenke, Village Administrator 

Date: June 11, 2021

Re: **Village Board Meeting Memorandum**

Executive Summary

Budget season is right around the corner and so is the time to think about our annual goals and objectives. This requires a number of different meetings to accomplish these and other tasks over the course of the remainder of the year. This memorandum is prepared to provide some advanced notice on generally when these meetings are to occur in the future so people can plan accordingly. The below table is meant to capture the remainder of the year as best we can forecast it.

Our objective is to review these dates and set the calendar generally for the remainder of the year as follows on the next page recognizing that there may be some changes to this as we go through the rest of the year.

Proposed Schedule

MEETING	TYPE	DATE	TIME	COMMENTS
Committee of the Whole	Special	June 14	5:30 pm	Committee Structure, Schedule
Village Board	Regular	June 14	7:00 pm	
Committee of the Whole	Special	June 28	5:30 pm	DEI
Village Board	Regular	June 28	7:00 pm	
Village Board	Special	June 29	6:00 pm	Retreat Mtg. 1
Village Board	Special	June 30	6:00 pm	Retreat Mtg. 2
Committee of the Whole	Special	July 12	5:30 pm	Committee Structure
Village Board	Regular	July 12	7:00 pm	
Committee of the Whole	Special	July 26	5:30 pm	Committee Structure
Village Board	Regular	July 26	7:00 pm	
Village Board	Special	August 3	6:00 pm	Final Retreat Mtg.
Committee of the Whole	Special	August 9	TBD	???
Village Board	Regular	August 9	7:00 pm	
Committee of the Whole	Special	August 23	TBD	???
Village Board	Regular	August 23	7:00 pm	
Committee of the Whole	Special	September 13	TBD	???
Village Board	Regular	September 13	7:00 pm	
Committee of the Whole	Special	September 27	TBD	???
Village Board	Regular	September 27	7:00 pm	2022 Budget Transmittal
Village Board	Special	October 7	6:00 pm	Budget Review 1
Village Board	Regular	October 11	7:00 pm	Budget Review 2
Village Board	Special	October 14	6:00 pm	Budget Review 3
Village Board	Regular	October 25	7:00 pm	Budget Review 4
Village Board	Special	November 4	6:00 pm	Budget Review 5, Final Changes
Village Board	Regular	November 8	7:00 pm	Budget Review 6 and Public Hearing
Village Board	Regular	November 22	7:00 pm	Budget Adoption
Village Board	Regular	December 13	7:00 pm	

A few notes:

- Committee of the Whole is projected out through August just as placeholder. There are not specific issues assigned to these meetings as of yet.
- Usually the last regularly scheduled meeting in December is cancelled which would be on December 27th this year.