

City Plan Commission Agenda
May 11, 2021
Reedsburg City Hall Council Chambers
6:00 PM

DUE TO THE RESTRICTIONS CAUSED BY THE COVID-19 PANDEMIC, SOME VOTING MEMBERS MAY BE PRESENT VIA TELECONFERENCE OR VIDEO CONFERENCE, AS PROVIDED BY THE RECOMMENDATIONS OF THE WISCONSIN DEPARTMENT OF JUSTICE. <https://www.doj.state.wi.us/news-releases/office-open-government-advisory-coronavirus-disease-2019-covid-19-and-open-meetings>

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY ATTEND THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THE COMMON COUNCIL HAS DECISION-MAKING AUTHORITY. IF A QUORUM OF THE COMMON COUNCIL ATTENDS THIS MEETING, NO ACTION WILL BE TAKEN BY THE COMMON COUNCIL AT THIS MEETING.

CALL TO ORDER

APPROVAL OF MINUTES

I. APPROVE MINUTES FOR THE MEETING HELD ON APRIL 13 AND APRIL 28, 2021.:

THE COMMITTEE WILL RECEIVE INFORMATION ON NON-AGENDA TOPICS BROUGHT BEFORE THE COMMITTEE BY MEMBERS OF THE PUBLIC. THE COMMITTEE WILL NOT DISCUSS THESE TOPICS, AND WILL NOT TAKE ACTION ON ANY OF THEM AT THIS MEETING

I. GENERAL BUSINESS:

- A. Consider Conditional Use Permit for annual farming of vacant residential & commercial-zoned lots - 851 S. Albert Ave. & 1001 Bindl Dr; parcel#2537, 2563, 2563-1, 2563-2 & 2563-3 - Jim & Vickie Schulenburg.
- B. Consider recommendation of CSM and property agreement to divide the current property into two tax parcels. Each parcel would contain half of the existing duplex property (zero lot line). - 927/929 Exhibit Circle; parcel #2408-143 - George Kamperman.
- C. Consider Site Plan Review to convert the current computer business (Ironsides) into HVAC business (Muchow/South Central) with offices and inside storage. - 620 S Albert Ave; Parcel#1847 - JGKM HVAC, LLC.
- D. Consider amendment to section 690-106 "Existing/nonconforming signs" for regulation of abandoned signs.
- E. Consider Comprehensive Plan review board - City Plan Commission or create a new Steering Committee.
- F. Review Annual Code of Ethics.

II. ADJOURN:



The City of Reedsburg does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings and programs are available by calling (608) 524-6404. To be able to meet the needs of a request for a different format contact the City Clerk-Treasurer at 134 S. Locust Street, Reedsburg, WI at least 48 hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

Reedsburg Plan Commission

April 13, 2021



Mayor Dave Estes called the meeting of the Reedsburg Plan Commission to order at 6:00 PM in Reedsburg City Hall.

Present: Alder Mike Gargano, Alder Dave Knudsen, Dan DeBaets, Steve Zibell, Jay Brunken

Absent: Greg Finkel

Staff: Tim Becker, Brian Duvalle

Approval of Minutes: Motion by Gargano, seconded by DeBaets to approve the 3/9 and 3/22/21 meeting minutes.

Motion approved

Consider annual Conditional Use Permit for farming on vacant residential-zoned lots - 1040 Clark St; Parcel #s 3180 & 3202 - Sauk County Land Resources & Environment Dept.

This request is similar to previous requests. There were no complaints in the past.

Motion by Gargano, seconded by Knudsen to approve the annual CUP as presented.

Previous approval conditions:

1. Hours of operation 7am-9pm
2. Remove crops by December 1, 2021
3. Notify neighbors 24 hours prior in person or with door hangers for spraying or harvesting
4. Maintain/trim along curbs
5. 5' setback along adjacent lots
6. Corn & Soybeans

Motion approved

Consider sign permit for electronic ground sign in R-2 Residential zone per § 690-104. – 115 S Oak St, Parcel #1294 – Reedsburg Seventh Day Adventist Church

Rodney Hahn stated it is a little hazardous to change the message on the current sign as it is on a hillside. An electronic sign could be changed from inside the building. It could also include event announcements.

Neighbor Jim Vriesacker has been pleased with maintenance of the property in the past but this sign will have a moving message. He does not believe it is suitable for a residential area or for drivers. Gargano and Knudsen stated similar signs were approved in the past and are looked at on their own merits. Discussion held on how often a message changes, but the City code address that, based on DOT codes. Becker stated that requests are becoming more urbanized, and this area is becoming a transition area to more commercial.

Motion by Gargano, seconded by Knudsen to approve the sign as presented.

Motion approved

Consider Conditional Use Permit for new mini storage units – 2315 E Main St; Parcel #2253 – Ervin Kempf

This request is for a new mini storage building; the ZBA previously approved a variance to convert the existing dwelling into a duplex. Estes stated he is in favor of request. Discussion held on drainage, which will include building gutters and buried drain tile to the current storm drain.

Motion by Estes, seconded by DeBaets to approve the request as presented.

Motion approved

Consider proposed residential pond, with review under § 690-42(D) – Unclassified or unspecified uses – 920 Exhibit Circle – David Pace

Pace proposed this awhile back but is being reviewed because of the size, water and fencing requirements under city code. Pace stated it will be located on his duplex lot (Lot 52) and will consist of two water features. The water will circulate and have a filter system, aquatic plants, koi fish, shotcrete bottom and 4' depth.

Knudsen stated this looks like a pool and should be regulated as such. Neighbor John Noga questioned how it will be filled and drained, which will use gutters and rainwater. Discussion of flooding, which will not be impacted unless the pond breeched. Neighbor John Wuensch stated concerns about water overflow and maintenance by future owners. Discussion held on the NEC and there being no compelling reason against it.

Motion by Knudsen, seconded by Brunken to approve the proposed pond.

Motion approved

Review Comprehensive Plan bid proposals.

Motion by Knudsen, seconded by Brunken to approve up to three interviews.

Motion approved

Motion by Gargano, seconded by Brunken to adjourn at 7:20 PM.

Motion approved

Respectfully submitted,

Brian Duvalle
Planner/Building Inspector

Reedsburg Plan Commission

April 28, 2021



Mayor Dave Estes called the meeting of the Reedsburg Plan Commission to order at 4:00 PM in Reedsburg City Hall.

Present: Alder Mike Gargano, Alder Dave Knudsen, Dan DeBaets, Steve Zibell, Jay Brunken

Absent: Greg Finkel

Staff: Tim Becker, Brian Duvalle

Interview and review Comprehensive Plan bid proposals.

Foth was represented by Jeff Muenkel and Orrin Sumwalt. They reviewed their approach to the plan such as public participation, land use and formatting.

MSA was represented by Steve Tremlett, Jason Valerius, Becky Binz and Raine Gardner. They discussed public participation, formatting and combining the planning process with the Outdoor Recreation Plan (CORP).

Discussion was held by Plan Commission on combining process with CORP, use of technology, enthusiasm, and new perspective vs. familiar perspective of firms.

Motion by Knudsen, seconded by DeBaets to recommend Foth's bid to Common Council.

Motion approved

Motion by Knudsen, seconded by DeBaets to adjourn at 6:00 PM.

Motion approved

Respectfully submitted,

Brian Duvalle
Planner/Building Inspector

Staff Report

DATE OF MEETING: May 11, 2021

APPLICANT: James Schulenburg

LOCATION: 851 S. Albert Ave & 1001 Bindl Dr (vacant areas between S. Albert Ave and Roloff Dr); parcel #s 2537, 2563, 2563-1, 2563-2 & 2563-3

ZONING: B-2 Business & R-2 Residential

PROPOSED LAND USE CHANGE: Conditional Use Permit (CUP)

DESCRIPTION OF PROPERTY/IMPROVEMENTS: Annual CUP for farming of vacant residential/commercial-zoned lots.

General Findings

SURROUNDING LAND USES:

- North – Single-family residential
- West – High School
- South – Commercial
- East – Single-family residential

ZONING:

- North- R-2 Residential; B-2 Business
- West- Government
- South- B-2 Business
- East- R-2 Residential

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: Hwy 23, Bindl Dr, Roloff Dr

ENVIRONMENTAL HAZARDS/CONDITIONS: None known

COMPREHENSIVE PLAN DESIGNATION: Commercial & Residential

COMMENTS

ADMINISTRATOR:

AMBULANCE:

FIRE:

POLICE:

PUBLIC WORKS:

SCHOOL:

UTILITIES:

OTHER:

Approval conditions:

1. Type of crop
2. No. of harvests
3. Neighbor notification
4. Curb maintenance
5. Hours of operation
6. Any exempt lots
7. Setbacks
8. Time limit to remove crop
9. Crop height

Approved in 2020:

1. Corn or beans for this growing season.
2. One harvest permitted.
3. Immediate properties are notified in person or with door hangers 24 hours in advance of harvesting/spraying.
4. Maintain/trim along curbs.
5. Hours are 7am-9pm.
6. Remove crops by December 1, 2020

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Wednesday, May 11, 2021, Plan Commission Agenda
- D. Land Use Change Application
- E. Staff Report
- F. Notice of Public Meeting

City of Reedsburg Land Use Application

134 S. Locust St.
PO Box 490
Reedsburg, WI 53959

Ph: 608-524-6404
Fax: 608-524-8458
bduvalle@ci.reedsburg.wi.us

APPLICANT: Vicki James Schulenburg
ADDRESS: 1551 N Dewey **CITY:** Reedsburg **STATE:** WI
ZIP: 53959 **PHONE:** 608-963-0507 **FAX:** _____
E-MAIL: blazer1@ruds.net

PROPERTY OWNER: (if different from Applicant) _____

LOCATION: Hwy 23 & Bindl **PARCEL #:** 2537 2563-1 2563-2 2563-3

LAND USE REQUEST

(Please describe one or more as applicable – attach extra pages/maps if necessary)

- ☐ **Certified Survey Map (CSM):** _____
- ☐ **Conditional Use Permit:** _____
For *CONDITIONAL USE PERMIT* requests, also answer "A & B" on back page.
- ☐ **Preliminary Plat:** _____ **Final Plat:** _____ **Name of Plat:** _____
- ☐ **Rezoning - From:** _____ **To:** _____ **TID #** _____
- ☐ **Site Plan Review:** (See "B" on back page) _____
- ☐ **Zoning Appeal / Interpretation:** _____
- ☐ **Zoning Variance:** _____
For *VARIANCE* requests, also answer "C" on back page.
- ☐ **Other or Annexation:** _____

AFFIDAVIT

I certify that the information and plans submitted are true and accurate to the best of my knowledge. I also give permission to City zoning officials to enter my property for inspection purposes and for a temporary Zoning sign to be placed in my yard prior to the meeting.

Applicant Signature / Date

Vicki Schulenburg 4/29/21
Owner Signature / Date

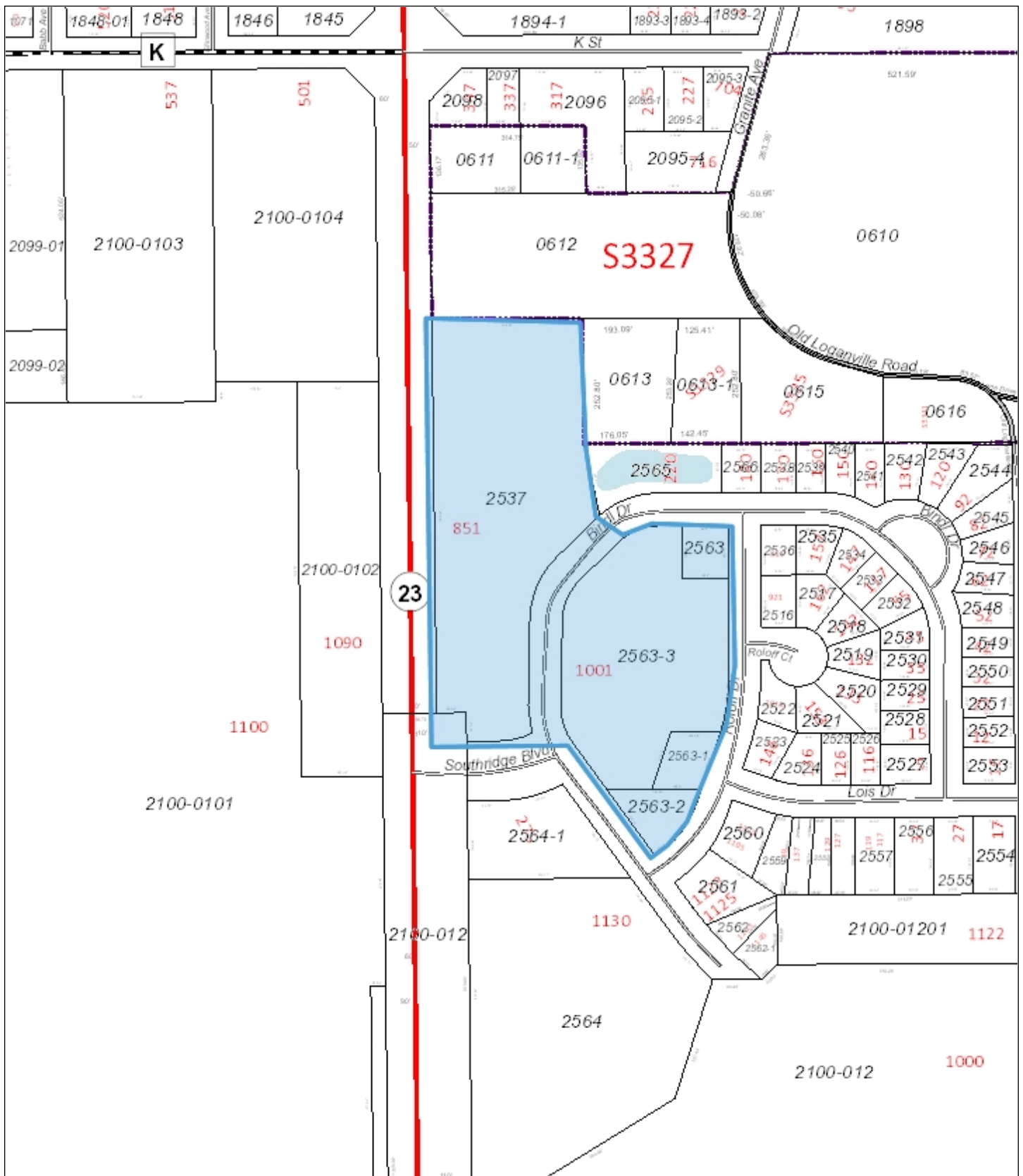
Extrateritorial Committee Date: _____
Plan Commission Date: _____
Board of Zoning Appeals Date: _____
City Council Action & Date: _____

Account #10-461500-00

**The applicant or representative MUST
ATTEND the meeting.**

G:\wpnet\Zoning - Planning\Land Use Appl.doc

Cond Use Permit	\$200	_____
Cond Use-Agriculture	\$400	<u>X</u>
Variance	\$125	_____
Rezoning	\$200	_____
C.S.M.	\$175	_____
Subdivision Plat	\$610	_____
- w/ Stormwater Plan	\$100	_____
Site Plan Review	\$175	_____
Annexation	\$200	_____
Plan Amend	\$200	_____
Date Paid	<u>4-19-2021</u>	_____
Receipt #	<u>1.037595</u>	_____



City of Reedsburg GIS

DISCLAIMER: The City of Reedsburg does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 277'

CITY OF REEDSBURG

134 S. Locust Street
PO Box 490
Reedsburg, WI 53959
608-524-6404

Print Date: 4/23/2021

Staff Report

DATE: May 11, 2021

APPLICANT: George Kamperman

LOCATION: 927/929 Exhibit Circle; parcel #2408-143

PROPOSED LAND USE CHANGE: Certified Survey Map (CSM)

DESCRIPTION OF PROPERTY/IMPROVEMENTS: Consider recommendation of CSM and property agreement to divide the current property into two tax parcels. Each parcel would contain half of the existing duplex (zero lot line).

General Findings

SURROUNDING LAND USES:

- North – Two-family residential
- West – Stormwater detention
- South – Single-family residential
- East – Single-family residential

ZONING:

- North- R-2 Residential
- West- Government
- South- R-2 Residential
- East- R-2 Residential

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: Exhibit Circle; 66' ROW

ENVIRONMENTAL HAZARDS/CONDITIONS: None known

COMPREHENSIVE PLAN DESIGNATION: Residential

COMMENTS FROM OTHER DEPARTMENTS/AGENCIES

POLICE:

FIRE:

PUBLIC WORKS:

UTILITIES:

SCHOOLS:

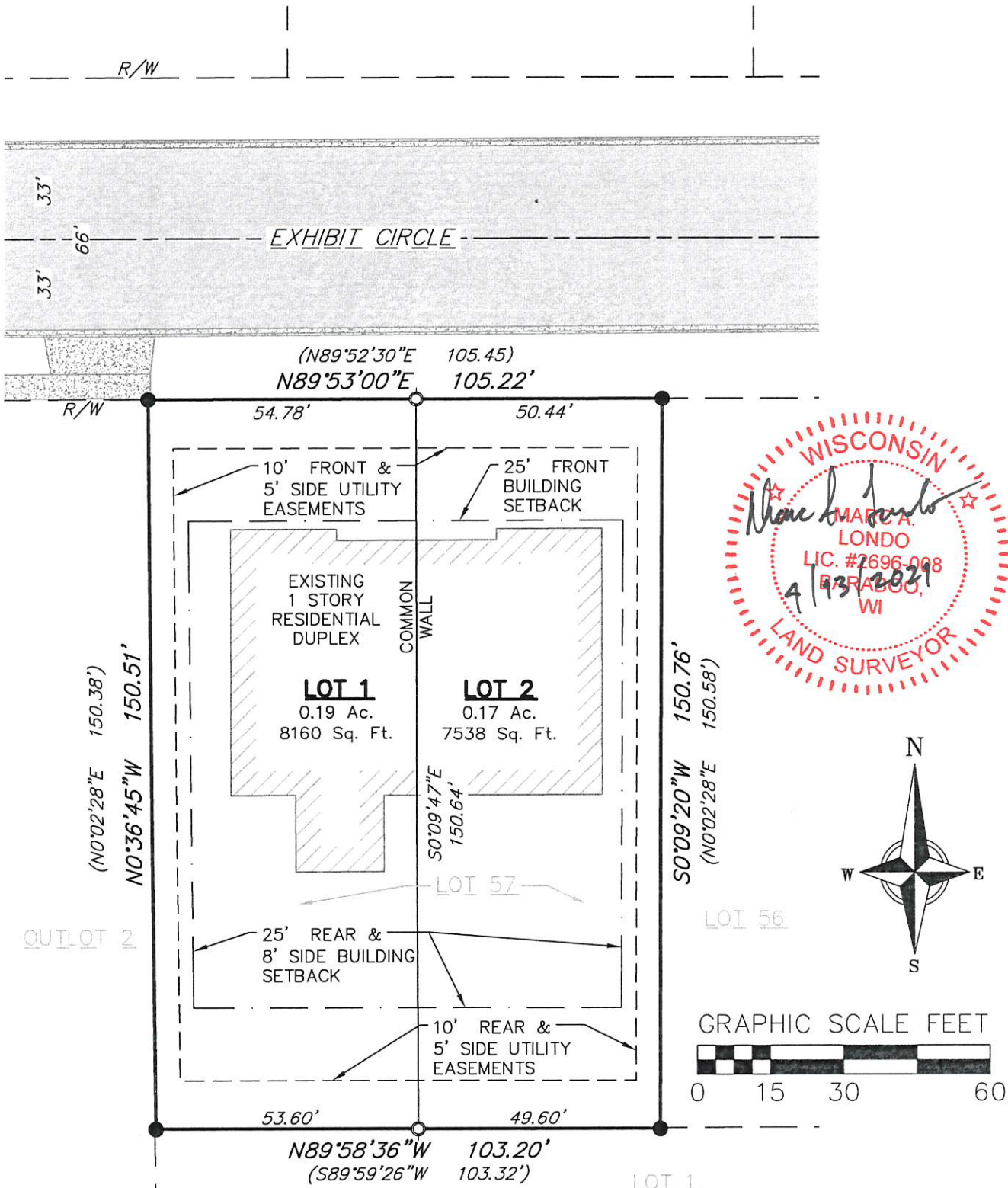
PARKS:

ADMINISTRATOR:

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, May 11, 2021, Plan Commission Agenda
- D. Land Use Application
- E. Staff Report
- F. Notice of Public Meeting

SAUK COUNTY CERTIFIED SURVEY MAP
LOT 57 OF THE THIRD ADDITION WESTERFAIR SUBDIVISION,
LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 9, T12N, R4E,
CITY OF REEDSBURG, SAUK COUNTY, WISCONSIN



SURVEY LEGEND

- FOUND 3/4" Ø IRON ROD
- ⊙ SET 3/4" Ø IRON ROD

SURVEYOR'S NOTES:

- Bearings are referenced to the Wisconsin Coordinate Reference System, Sauk County (WICRS Sauk NAD 83/2011). The west line of Lot 57 of the Third Addition Westerfair Subdivision bears N00°36'45"W.
- Field work was performed on 4/8/2021.
- See sheet 2 of 2 for Surveyor's Certificate with Legal Description, Owner's Certificate and City of Reedsburg Approval Certificate.
- The existing one story residential duplex was under construction but substantially complete at the time field measurements were collected.
- This Certified Survey Map is intended to create 2 tax parcels, each containing 1 unit of the 2 unit residential duplex.

vierbicher
planners | engineers | advisors

Phone: (800) 261-3898



REVISIONS

JOB NO. 210149

SCALE

1" = 30'

CHECKED

wbul

DRAFTER

mlon

FILE

210149.DWG

DATE

4/13/2021

SHEET

1 OF 2

SAUK COUNTY CERTIFIED SURVEY MAP
LOT 57 OF THE THIRD ADDITION WESTERFAIR SUBDIVISION,
LOCATED IN THE SE ¼ OF THE SW ¼ OF SECTION 9, T12N, R4E,
CITY OF REEDSBURG, SAUK COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, Marc A. Londo, Wisconsin Professional Land Surveyor No. 2696, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes, Chapter A-E7 of the Wisconsin Administrative Code and the subdivision regulations of the City of Reedsburg, and under the direction of George W. Kamperman, owner, I have surveyed, divided and mapped this Certified Survey; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed to the best of my information, Knowledge and belief; and that this land is located in the SE ¼ of the SW ¼ of Section 9, T12N, R4E, City of Reedsburg, Sauk County, Wisconsin, containing .036 acres, (15,967 Sq. Ft.) of land and described as follows:

Lot 57 of the Third Addition Westerfair Subdivision.

Marc A. Londo 4/13/2021
Marc A. Londo, WI PLS-2696 Date
Vierbicher Associates, Inc.



OWNER'S CERTIFICATE

As owner, I hereby certify that I caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on page 1 herein. I also certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

The City of Reedsburg Common Council

WITNESS the hand and seal of said owner(s) this _____ day of _____, 2021.
In presence of:

George W. Kamperman

STATE OF WISCONSIN)

_____(COUNTY) ss

Personally came before me this _____ day of _____, 2021, the above named

George W. Kamperman to me known to be the same person who executed the foregoing instrument and acknowledged the same.

Notary Public, _____
Wisconsin
My commission expires _____

CITY OF REEDSBURG APPROVAL CERTIFICATE

Resolved, that this Certified Survey in the City of Reedsburg, George W. Kamperman, owner, is hereby approved by the common council of the City of Reedsburg.

David G. Estes, Mayor Date

Jacob Crosetto, Clerk/Treasurer Date

vierbicher
planners | engineers | advisors



Phone: (800) 261-3898

REVISIONS	SCALE na	SHEET 2 OF 2
	CHECKED wbul	
	DRAFTER mlon	
	FILE 210149.DWG	
JOB NO. 210149	DATE 4/13/2021	

13 Apr 2021 - 12:10p R:\Kamperman, George\210149 - Reedsburg CSM\CADD\210149 - 2 Lot ZLL CSM.dwg by: mlon

Zero Lot Line Duplex Covenants

Document Number

Document Title

This document defines the covenants for a zero lot line duplex located at 927 and 929 Exhibit Circle, City of Reedsburg, Sauk County, Wisconsin, and described as follows:

Lots 1 and Lots 2 of CSM _____, located in the Third Addition Westerfair Subdivision, located in the SE ¼ of the SW ¼ of Section 9, T12N, R4E, City of Reedsburg, Sauk County, Wisconsin, containing 0.36 acres. 

Recording Data

Article 1 - Definitions

For the purpose of this Declaration, the following terms shall have the meanings here ascribed to them:

1. “Living Unit” shall mean and refer to any portion of a residence building situated upon the Properties designed and intended for use and occupancy as a residence by a single family.
2. “Lot” shall mean and refer to any portion of land in the Properties upon which a Living Unit is situated, whether or not the same is a platted lot.
3. “Owner” shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Lot which is a part of the Properties, including contract sellers and vendees, but excluding those having such interest merely as security for the performance of an obligation, and excluding those having a lien upon the property by provision or operation of law.
4. “Properties” shall mean and refer to the real property hereinbefore described.
5. “Zero (0) Lot Line” means side by side single family attached dwelling.

Name and Return Address
Clifford D. Bobholz
Boardman & Clark LLP
PO Box 443
Baraboo, WI 53913

(Tax parcel numbers)

Parcel Identification Number (PIN)

Article II – Shared Walls

1. General Rules of Law to Apply. Each wall which is built as part of the general construction of any Living Unit upon the Properties and placed on the dividing line between two Living Units shall constitute a party wall and to the extent not inconsistent with the provisions of this Article, the general rules of law regarding party walls and of liability for property damage due to negligent or willful acts or omissions shall apply thereto. Whenever improvements abut on the common boundary line between adjoining units there shall be a one-hour firewall running from the lowest floor level, including the basement if it is the common wall, to the underside of the roof sheathing. Such basement wall, if any, shall be waterproofed masonry.
2. Shares of Repair and Maintenance. The cost of reasonable repair and maintenance of each party wall shall be shared by the Owners in equal share.
3. Destruction by Fire or Other Casualty. If a party wall is destroyed or damaged by fire or other casualty or by physical deterioration, any Owner who has used the wall may restore it, and shall have an easement over the adjoining Living Unit for purposes of making such restoration, and if other Owners thereafter make use of the wall they shall contribute to the cost of restoration thereof in proportion to such use without prejudice, however, to the right of any such Owner to call for a larger contribution from other Owners under any rule of law regarding liability for negligent or willful acts or omissions.
4. Weatherproofing. Notwithstanding any other provision of this Article, any Owner who by his negligent or willful

act, causes any party wall to be exposed to the elements or excessive heat or cold shall bear the whole cost of furnishing the necessary protection against such elements or heat or cold, and of repairing the party wall from damages caused by such exposure.

5. Right to Contribution Runs with Land. The right of any Owner to contribution from any other Owner under this Article shall be appurtenant to the Lot and shall pass to such Owner's successors in title.
6. Arbitration. In the event of any dispute arising concerning a party wall, or under the provision of this Article, each party shall choose one arbitrator and such arbitrators shall choose one additional arbitrator, and the decision of a majority of all the arbitrators shall be final and conclusive of the question involved. If either party refuses or fails to promptly appoint an arbitrator, the same may be appointed by any Circuit Judge of Sauk County, Wisconsin. Arbitration shall be in accordance with the rules of the American Arbitration Association.
7. Encroachment. If any portions of a Living Unit or any Lot shall actually encroach upon any other Lot, or if any such encroachment shall hereafter arise because of settling or shifting of the building or other cause, there shall be deemed to be an easement in favor of the Owner of the encroaching Living Unit to the extent of such encroachment so long as the same shall exist.
8. Construction Liens. Each Owner of a Living Unit ("Defaulting Owner") agrees to indemnify and hold harmless the Owner of an adjoining Living Unit for any construction liens arising from work done or material supplied to make repairs or replacements for which the Defaulting Owner is responsible.

Article III – Other Provisions Governing Relationship Among Owners of Adjoining Living Units

1. Insurance – Replacement/Construction. Each Owner shall maintain fire and extended coverage insurance on his Living Unit in the full replacement/construction cost thereof, and shall, in the event of damage to or destruction of his Living Unit, restore it to the condition in which it was prior to the damage or destruction.
2. Maintenance. Each Owner of a Living Unit shall maintain his Lot and the exterior of his Living Unit in good condition and repair and in a clean and neat condition. Each owner shall have an easement for the ease of maintenance of their own lot through the adjoining lot. 
3. Architectural Control.
 - a. The Owner of a Living Unit may replace exterior components of his Living Units with similar components of the same design and color, and may paint the exterior of his Living Unit with paint of the existing color of the exterior, but he may not, either in the course of ordinary replacement or remodeling or restoration after damage or destruction, employ different siding or roofing material or a different color scheme,  without the consent of the Owner of the adjoining Unit.
 - b. In the event of any dispute arising concerning a change in siding or roofing material or color scheme, each party shall choose an arbitrator and such arbitrators shall choose one additional arbitrator, and the decision of a majority of all the arbitrators shall be final and conclusive of the question involved. The arbitrator's decision shall be based on their decision of whether the proposed siding or roofing material or color scheme is in harmony with the design of the adjoining Living Unit. If either party refuses or fails to promptly appoint an arbitrator, the same may be appointed by any Circuit Judge for Sauk County, Wisconsin. Arbitration shall be in accordance with the rules of the American Arbitration Association.
4. Easements for Utilities. Each Owner shall have an easement over the property of the other Owner for purposes of maintaining water, sewer, natural gas, telephone, cable TV, and other utilities that may enter the side by side single family attached dwelling from a single source and then branch into each individual family dwelling.

Article IV – General Provisions

1. Enforcement. The Owner of any Living Unit involved shall have the right to enforce, by any proceeding at law or in equity, or both, all of the terms and provisions of this Declaration. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.
2. Severability. Invalidation of any of these covenants by judgment or court order shall in no way affect any of the

other provisions, which shall remain in full force and effect.

3. Amendments. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them in perpetuity unless an instrument signed by a majority of the then Owners of the Lots and the City of Reedsburg has been recorded, agreeing to change said covenants in whole or in part. 
4. City. Even though this document was made a condition of a conditional use approval to the undersigned, their assignees, or heirs, **absolve the City of any and all liability.** Further, the undersigned understands the City of Reedsburg is not an enforcing agency to any portion of this document. 

Dated : _____, 2021

All OWNERS:

_____(Addresses)_____
Lot 1 and Lot 2 of CSM _____

By: George W. Kamperman, Trustee of the
George W. Kamperman Trust, dated April 24, 1998

ACKNOWLEDGEMENT

STATE OF WISCONSIN
COUNTY OF SAUK _____

Personally came before me on _____, 2021,
George W. Kamperman, to me known to be the person who
executed the foregoing instrument, and acknowledged the
same.

Notary Public, _____ County, Wisconsin
My Commission: _____.

CERTIFICATION OF CITY OF REEDSBURG

_____, **City Attorney** for the City of
Reedsburg, hereby certifies that he has reviewed the above
Covenants for a zero lot line duplex and they conform to
the requirements set forth in the City Code.

Dated: _____

Reedsburg City Attorney

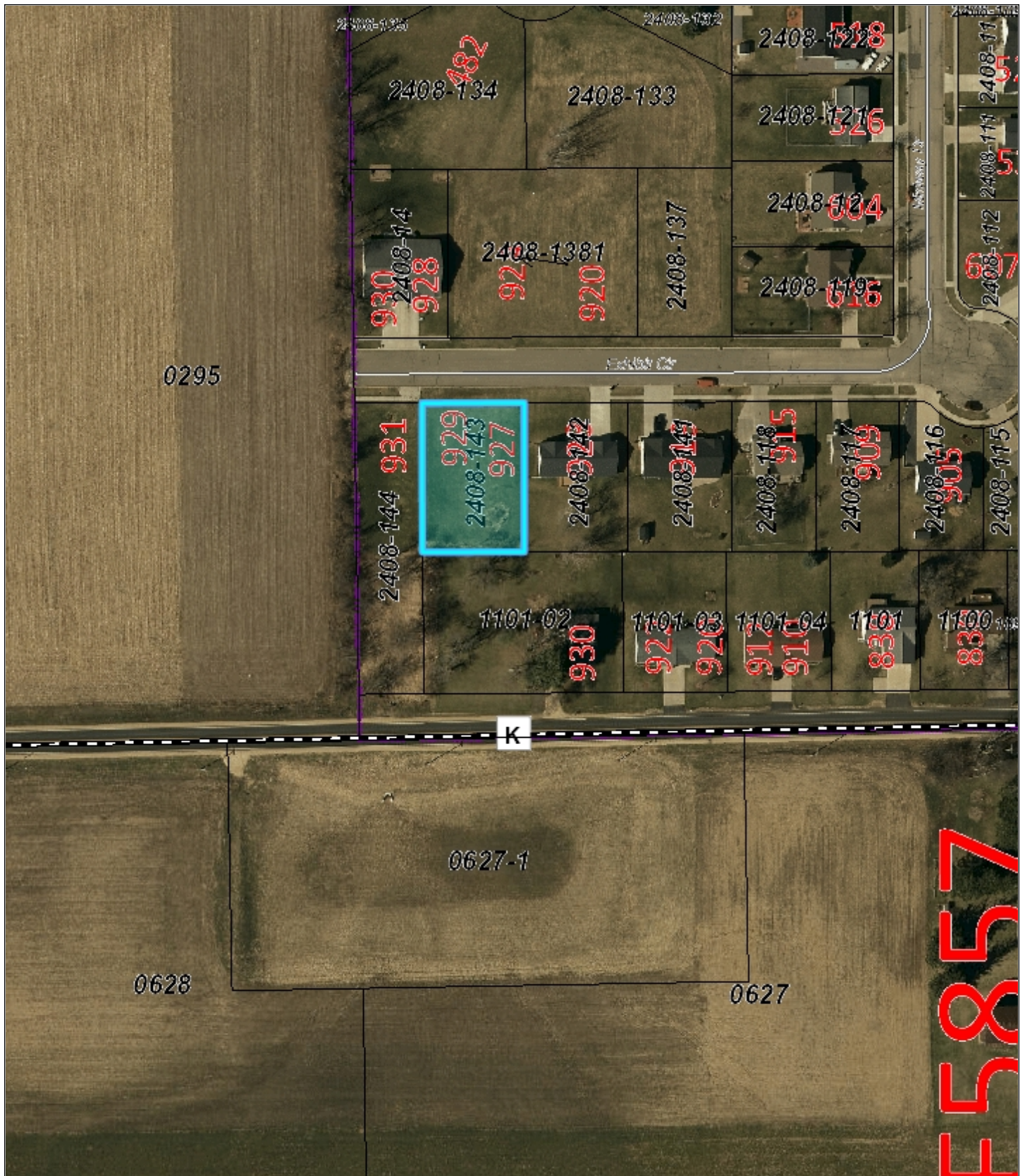
Drafted by:
Attorney Clifford D. Bobholz
Boardman & Clark LLP
Baraboo, WI 53913-0443

ACKNOWLEDGEMENT

STATE OF WISCONSIN
COUNTY OF SAUK

Personally came before me on _____, 2021,
_____, to me known to be
the person who executed the foregoing instrument and
acknowledged the same.

Notary Public, Sauk County, Wisconsin
My Commission Expires: _____



City of Reedsburg GIS

DISCLAIMER: The City of Reedsburg does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



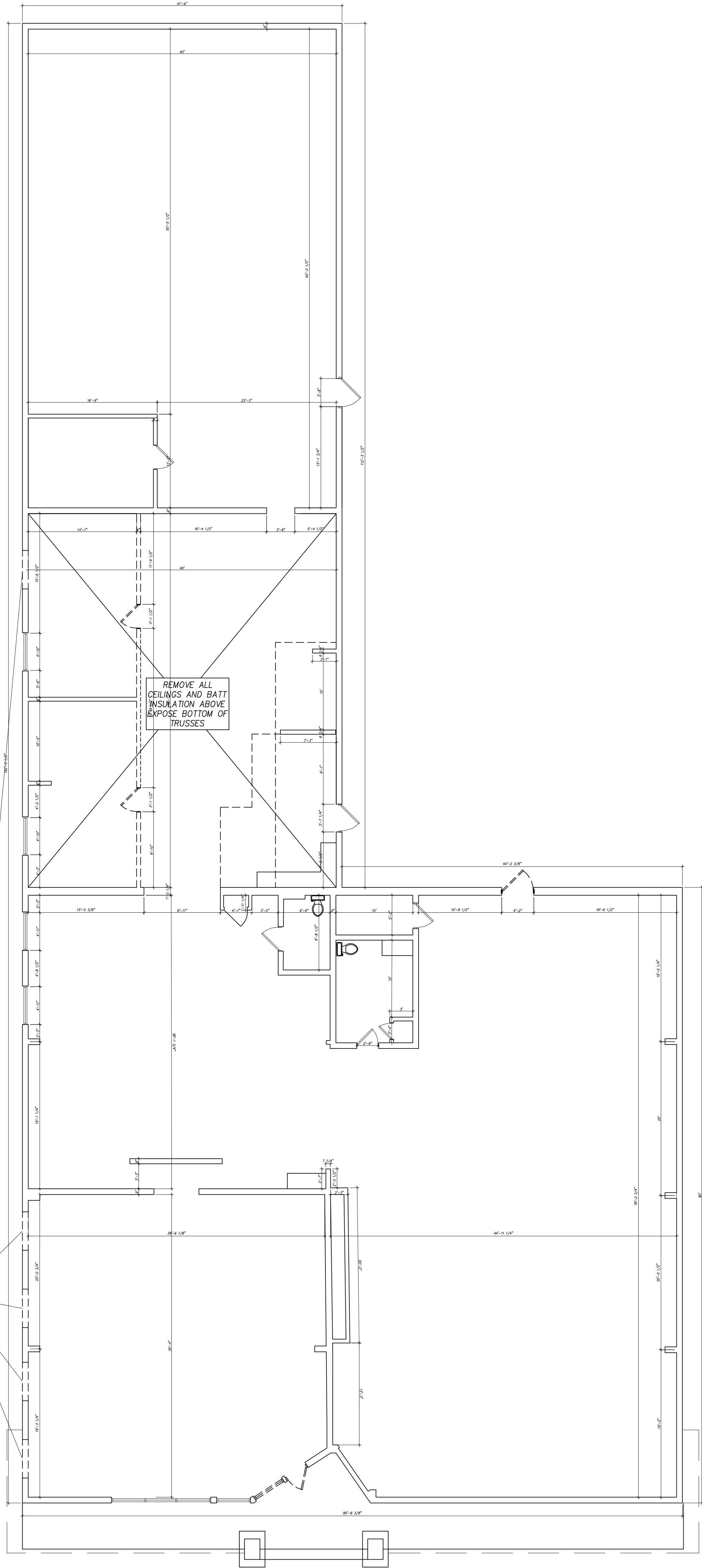
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CITY OF REEDSBURG

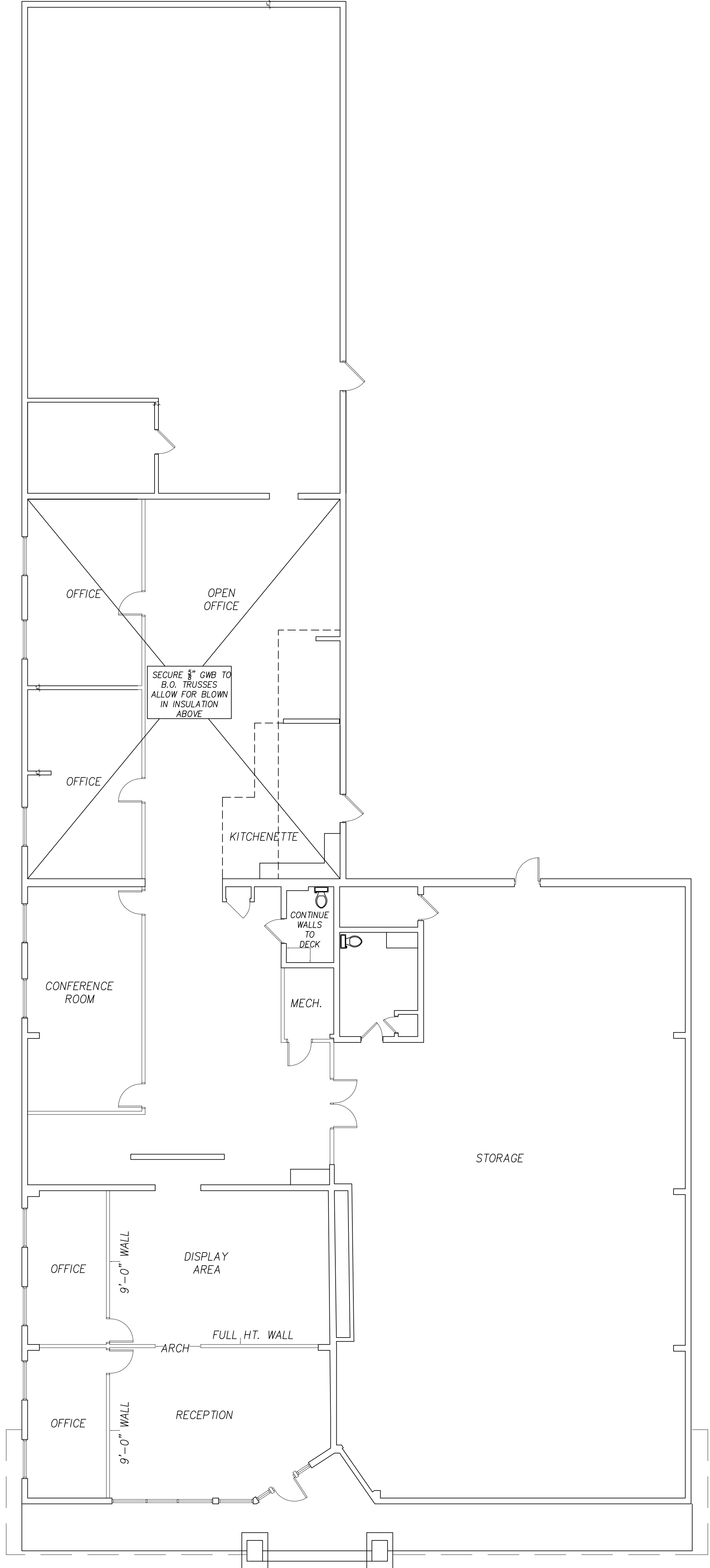
134 S. Locust Street
PO Box 490
Reedsburg, WI 53959
608-524-6404

Print Date: 4/28/2021

REMOVE WALL
TO PREP FOR
NEW WINDOW



DEMO PLAN



FLOOR PLAN

PRELIMINARY PLANS NOT FOR CONSTRUCTION

REVISION:

ADCI

Architectural Design Consultants, Inc.

30 Wisconsin Dells Parkway • P.O. Box 580

Lake Delton WI 53940

Phone: 608.254.6181

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Muchow & South

Central HVAC

JGKM LLC

Proposed Facility

620 S. Albert Ave.

Reedsburg, Wisconsin

Drawn By:

Checked By:

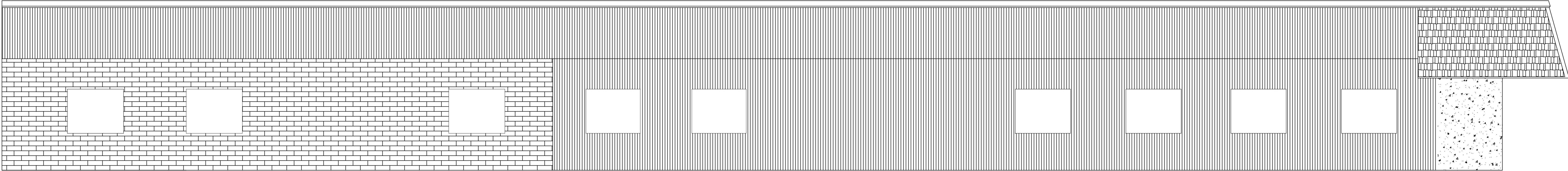
Date:

Scale: AS NOTED

Job Number:

SHEET NUMBER

Page 16 of 35



PRELIMINARY PLANS NOT FOR CONSTRUCTION

Drawn By: Checked By: Date: Scale: AS NOTED Job Number:		SHEET NUMBER	
JGKM LLC Proposed Facility 620 S. Albert Ave. Reedsburg, Wisconsin		Muchow & South Central HVAC	
ADCI		Architectural Design Consultants, Inc. 30 Wisconsin Dells Parkway • P.O. Box 580 Lake Delton WI 53940 Phone: 608.254.6181 This document contains confidential or proprietary information of Architectural Design Consultants, Inc. It is to be used solely for the project and site identified herein. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Architectural Design Consultants, Inc.	
		REVISION:	

Staff Report

DATE: May 11, 2021

APPLICANT: JGKM HVAC, LLC

LOCATION: 620 S Albert Ave; Parcel #1847

ZONING: B-2 Business

PROPOSED LAND USE REQUEST: Site Plan Review

DESCRIPTION: Consider Site Plan Review to convert the current computer business (Ironsides) into HVAC business (Muchow/South Central) with offices and inside storage.

General Findings

SURROUNDING LAND USES:

- North – Commercial
- West – Residential
- South – Commercial
- East – Commercial

ZONING:

- North – B-2 Business
- West – R-2 Residential, R-3 Residential
- South – B-2 Business
- East – B-2 Business

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: S Albert Ave, Hwy 23; 125'+ ROW

ENVIRONMENTAL HAZARDS/CONDITIONS: None known

COMPREHENSIVE PLAN DESIGNATION: Commercial

Site Plan Review Findings of Fact for Section 690-33(A-F)

The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property, the minimization of tree and soil removal and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

1. The Board finds that the property is zoned B-2 Business.
2. The Board finds that the property contains a 29,621 square foot computer business.
3. The Board finds that the request is to convert from a computer business (repair/manufacture) to an HVAC business (office/storage).
4. The Board finds that the lot is 0.68 acres in size.
5. The Board finds that there are currently 22 parking spaces.
6. The Board finds that there would be up to 20 employees (1 space per 2 employees is required).
7. The Board finds that the property is located on S Albert Ave (Hwy 23) and Ellinwood Dr.

Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.

1. The Board finds that the lot is 0.68 acres in size.
2. The Board finds that there are currently 22 parking spaces.

All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.

1. The Board finds that there is an existing driveway on each S Albert and Ellinwood.

Exterior lighting shall be arranged as follows:

- It is deflected away from adjacent properties.
 - It does not impede the vision of traffic along adjacent streets.
 - It does not unnecessarily illuminate night skies.
1. The Board finds that lighting would be located at exterior doors.

The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry.

1. NA

Site plans shall conform to all applicable requirements of City, State and Federal statutes and the City of Reedsburg Comprehensive Plan, and approval may be conditioned on the applicant receiving necessary City, State and Federal permits.

1. The Board finds that future use is Commercial.

COMMENTS

ADMINISTRATOR:

AMBULANCE:

FIRE:

POLICE:

PUBLIC WORKS:

SCHOOL:

UTILITIES:

OTHER:

STAFF COMMENTS: The applicant is in the process of buying the property. Originally he intended to build new in the Business Park but is relocating here instead. Building plans are submitted to state. I classified this request as permitted under zoning because the main use is an inside office (“Business” use per the IBC) with accessory storage. With the site plan being reviewed, it may be a good time to add a vegetative buffer along the west lot line.

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, May 11, 2021, Plan Commission Agenda
- D. Land Use Change Application
- E. Staff Report
- F. Notice of Public Meeting

City of Reedsburg Land Use Application

134 S. Locust St.
PO Box 490
Reedsburg, WI 53959

Ph: 608-524-6404
Fax: 608-524-8458
bduvalle@ci.reedsburg.wi.us

APPLICANT: JGKm HVAC LLC

ADDRESS: 620 S. Albert **CITY:** Reedsburg **STATE:** WI

ZIP: 53959 **PHONE:** 608-524-6009 **FAX:** 608-478-4689

E-MAIL: jon@southcentralhvac.com

PROPERTY OWNER: (if different from Applicant) _____

LOCATION: 620 S. Albert **PARCEL #:** 1847

LAND USE REQUEST

(Please describe one or more as applicable – attach extra pages/maps if necessary)

☐ **Certified Survey Map (CSM):** _____

☐ **Conditional Use Permit:** _____

For **CONDITIONAL USE PERMIT** requests, also answer "A & B" on back page.

☐ **Preliminary Plat:** _____ **Final Plat:** _____ **Name of Plat:** _____

☐ **Rezoning - From:** _____ **To:** _____ **TID #** _____

☒ **Site Plan Review:** (See "B" on back page) HVAC Business

☐ **Zoning Appeal / Interpretation:** _____

☐ **Zoning Variance:** _____

For **VARIANCE** requests, also answer "C" on back page.

☐ **Other or Annexation:** _____

AFFIDAVIT

I certify that the information and plans submitted are true and accurate to the best of my knowledge. I also give permission to City zoning officials to enter my property for inspection purposes and for a temporary Zoning sign to be placed in my yard prior to the meeting.

Jon Beaton 1/4/26/21
Applicant Signature / Date

Jon Beaton 1/4/26/21
Owner Signature / Date

Extraterritorial Committee Date: _____
Plan Commission Date: _____
Board of Zoning Appeals Date: _____
City Council Action & Date: _____

Account #10-461500-00

**The applicant or representative MUST
ATTEND the meeting.**

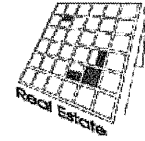
G:\wpnet\Zoning - Planning\Land Use Appl.doc

Cond Use Permit	\$200	_____
Cond Use-Agriculture	\$400	_____
Variance	\$125	_____
Rezoning	\$200	_____
C.S.M.	\$175	_____
Subdivision Plat	\$610	_____
- w/ Stormwater Plan	\$100	_____
Site Plan Review	\$175	<u>X</u>
Annexation	\$200	_____
Plan Amend	\$200	_____
Date Paid	<u>4-26-2021</u>	_____
Receipt #	<u>1-037691</u>	_____

Associated Appraisal Consultants, Inc.

Property Information for City of Reedsburg

Printed on 5/3/2021



Property Overview

Assessment Year:	2020
Parcel/Tax Key Number:	276 1847-00000
County:	Sauk
Municipality:	City of Reedsburg
Address:	620 S Albert Ave

Legal Description

CITY OF REEDSBURG ASSESSORS PLAT N100' OF ASSESSOR'S LOT 262 0.68A M/L

General Value Data

Assessed Land Value:	\$0.00
Assessed Improvement Value:	\$146,300.00
Total Assessed Value:	\$146,300.00

Land Data

Manufacturing:	29,621	Sq Feet
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Legal Disclaimer

While the data within this site is believed to be correct, no warranty is given or implied as to its accuracy. DO NOT make any decisions to buy or sell real estate based solely on the data presented on this Web site. Verify all pertinent data prior to making any final decisions.

- (1) Abandoned Sign. Subsection (a) - (c) below constitutes an abandoned sign.
- (a) a sign that was lawfully erected on the property in conjunction with a particular use that has subsequently discontinued for a period of six (6) months;
 - (b) a sign face that remains blank (i.e. void of advertising matter) for a period of nine (9) months. Signs displaying an “available for lease” message, or similar message are considered to be blank signs; or,
 - (c) a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.

Chapter 55

ETHICS CODE AND BOARD

§ 55-1. Statement of purpose.

- A. The proper operation of democratic government requires that public officials and employees be impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that 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 a Code of Ethics for all City of Reedsburg 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.
- B. 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 Reedsburg 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 Reedsburg.

§ 55-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANYTHING OF VALUE — Any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation and expenses paid by the state, fees and expenses which are permitted and reported under § 19.56, Wis. Stats., political contributions which are reported under Ch. 11, Wis. Stats., or hospitality extended for a purpose unrelated to state business by a person other than an organization.**[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

BUSINESS — Any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.

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.

PERSONAL INTEREST — 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 1/2 of his or her support from such person or from whom such person receives, directly or indirectly, more than 1/2 of his or her support.

PUBLIC EMPLOYEE — Any person excluded from the definition of a public official who is employed by the City.

PUBLIC OFFICIAL — Those persons serving in elected or appointed offices and all members appointed to boards, committees and commissions established or appointed by the Mayor and/or Common Council, whether paid or unpaid.

SIGNIFICANT INTEREST — Owning or controlling, directly or indirectly, at least 10% or \$5,000 of the outstanding stock of any business.

§ 55-3. 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 chapter of Ethics and shall apply to public officials and employees whenever applicable, to wit:

- A. Section 946.10, Bribery of Public Officers and Employees.
- B. Section 946.11, Special Privileges from Public Utilities.
- C. Section 946.12, Misconduct in Public Office.
- D. Section 946.13, Private Interest in Public Contract Prohibited.
- E. Section 19.41 et seq., Code of Ethics for Public Officials and Employees.

§ 55-4. 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 and to discharge faithfully the duties of their office

regardless of personal consideration, recognizing that the public interest must be their prime concern.

§ 55-5. Dedicated service.

Officials and employees shall adhere to the rules of work and performance established as the standard for their positions by the appropriate authority. Officials and employees shall not exceed their authority or breach the law or ask others to do so, and they shall work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work. Members of the City staff are expected to follow their appropriate professional code of ethics.

§ 55-6. Fair and equal treatment.

- A. 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 authorized board, commission or committee.
- B. Obligations to citizens. No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. 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 himself or herself or for a member of his or her immediate family.
- C. Political contributions. No official shall personally solicit from any City employee, other than an elected official, a contribution to a political campaign committee for which the person subject to this chapter is a candidate or treasurer.

§ 55-7. Conflict of interest.

- A. Financial and personal interest prohibited.
 - (1) 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 provisions of this chapter or which would tend to impair independence of judgment or action in the performance of official duties.
 - (2) 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.

- (3) Any nonelected 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.
 - (4) Any 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 employee has any influence or input, or of which the employee 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.
- B. 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.
- C. Gifts and favors.
- (1) 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.
 - (2) 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.

- (3) 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 subsection 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.
- (4) Gifts received by an official or employee or his or her immediate family under unusual circumstances shall be referred to the Common Council within 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 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.

D. Representing private interests before City agencies or courts.

- (1) Nonelected City officials and employees shall not appear on behalf of any private person (other than himself or herself, his or her 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, the disclosure requirements of Subsection A above shall be applicable to such appearances.

- E. Ad hoc committee exceptions. No violation of the conflict of interest restrictions of this chapter shall exist, however, where an individual serves on a special ad hoc committee charged with the narrow responsibility of addressing a specific issue of 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.
- F. 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 § 946.13, Wis. Stats.:
 - (1) The contract is awarded through a process of public notice and competitive bidding or the Common Council waives the requirement of this chapter after determining that it is in the best interest of the City to do so.
 - (2) The provisions of this subsection shall not apply to the designation of a public depository of public funds.

§ 55-8. Ethics Board. [Amended 7-26-2010]

- A. The Ethics Board shall consist of five members. The membership of the Ethics Board shall consist of four citizens and one alderperson. The nonalderperson members shall not be elected officials, full-time appointed officials or City employees, nor shall the non-Council members be currently serving on any other City board, commission or committee. The City Attorney shall furnish the Board any legal assistance necessary to carry out its functions.
- B. Ethics Board members shall be appointed by the Mayor, subject to confirmation by the Council. Initial terms of office shall be: one citizen shall be appointed for two years, one citizen will be appointed for one year, and two citizens will be appointed for three years. Thereafter, all terms shall be three years. Terms begin May 1 of the respective year. Each year, the Mayor shall appoint the alderperson at the annual reorganization meeting. Three members shall constitute a quorum of the Board.
- C. The Ethics Board shall elect its own chair.
- D. The Ethics Board may make recommendations to the Common Council with respect to amendments of this Code of Ethics.
- E. Any person covered by this Ethics Code may apply, in writing, to the Board for an advisory opinion regarding the propriety of any matter to which the person is or may become a party. The Board shall meet to review such a request for an advisory opinion and may advise the person making the request. Advisory opinions and requests therefor

shall be in writing and shall state all material facts. It shall be prima facie evidence of intent to comply with this Ethics Code when a person refers a matter to the Board and abides by the advisory opinion of the Board if the material facts are as stated in the opinion request. Meetings held by the Board for deliberation and action upon such application shall not be open to the public nor shall a nonmember, Common Council member or the Mayor be authorized to attend any such meeting of the Board unless requested to do so by the Board. Advisory opinions rendered by the Board shall be in writing and shall state the material facts upon which the opinion is based. A record of the Board's opinions, opinion requests and investigations of violations shall be closed to public inspection as required by Chapter 19, Wis. Stats. Except as provided by § 19.59(5)(b), Wis. Stats., the Board shall not make public the identity of any person requesting an advisory opinion or of persons or organizations mentioned in the opinion. If the Board determines that an advisory opinion rendered by the Board would be of significant value to other officials or employees, the Board may issue a summary of the opinion, provided that the summary does not disclose the identity of the person originally requesting the advisory opinion. In all cases, the Board may request an advisory opinion from the City Attorney.

- F. All complaints alleging that an official or employee committed a violation of this Ethics Code shall be addressed to the Ethics Board and shall be filed with the City Clerk-Treasurer. All such complaints shall be in writing and verified and shall state the name of the official or employee alleged to have committed a violation of this Ethics Code and shall further state the evidentiary facts supporting the charge.
- G. Within 14 days after the filing of a properly verified complaint with the City Clerk-Treasurer, the Board shall meet to review the complaint. Within three business days after its initial review of the complaint, the Board shall mail a copy of the complaint to the respondent by certified mail or shall have a copy of the complaint delivered to the respondent by personal service.
- H. Following its initial review of a verified complaint, the Board may make a preliminary investigation with respect to each alleged violation of this Ethics Code. No preliminary investigation of an alleged violation of this Ethics Code may be initiated until a copy of the complaint and notice of the Board's intent to investigate the charge has been mailed by certified mail to the respondent or personally served upon the respondent. The preliminary investigation shall be completed within 30 days of the date that the complaint and notice thereof is mailed to the respondent or personally served upon the respondent, except the Board may extend the investigation period for up to an additional 60 days with notice to the respondent and to the complainant.
- I. If, after its preliminary investigation, the Board finds that probable cause does not exist for believing that the respondent violated this Ethics Code, it shall dismiss the complaint. The Board shall promptly

notify the complainant and the respondent by certified mail or personal service of its decision dismissing the complaint. The Board's decision to dismiss a complaint shall be final. The same complaint or a complaint which is substantially similar to the dismissed complaint shall not be reconsidered by the Board unless, within 20 days of the Board's mailing or personal service of its dismissal order, the complainant files with the Board additional material facts which were not available to the complainant at the time the original complaint was filed and which, if true, would probably change the Board's decision. The Board's decision to reconsider or not to reconsider a decision under this subsection shall be final. If the Board determines that a verified complaint was brought for harassment purposes, the Board shall so state in its decision.

- J. If, after its preliminary investigation, the Board finds that probable cause does exist for believing the allegations of the complaint, it shall conduct a hearing on the matter. The hearing shall be held not more than 60 days after the Board's finding of probable cause. The Board shall give the respondent and complainant written notice of the hearing date by mailing a notice thereof to the respondent and to the complainant by first class mail at least 20 days prior to the hearing date thereof. The hearing shall be held in closed session except that the respondent shall have a right to demand that the hearing be held in open session and, upon such demand, the Board shall conduct the hearing in open session.
- K. The chairperson of the Board shall preside over the proceedings, and the City Attorney shall provide legal assistance to the Board as needed. The complainant and the respondent may be represented by an attorney, and the respondent may also be represented by a union representative. Both parties may compel the attendance of witnesses by subpoenas. Subpoenas may be issued by the Chairperson of the Board pursuant to § 885.01, Wis. Stats. Each party shall be responsible for serving subpoenas on its respective witnesses and for paying any witness and mileage fees to the witness as required by the Wisconsin Statutes.
- L. All testimony of witnesses at the proceedings shall be given under oath, administered by the Chairperson in the form and manner prescribed by the Wisconsin Statutes. A record of the testimony may be made by stenographic, electronic or other recording method, as the Board determines. The record produced at the direction of the Board shall be the official record of the proceeding. The proceedings may be adjourned or continued by the Board from day to day until completed.
- M. The proceedings shall be conducted in the following order:
 - (1) Statement of the issues and rules by the Chairperson.
 - (2) Brief factual summaries, if any, by both sides.
 - (3) Presentation of testimony and the introduction of evidence by the complainant to substantiate the charge.

- (4) Cross-examination of witnesses by the respondent.
 - (5) One additional opportunity to question witnesses by the complainant.
 - (6) One additional opportunity to cross-examine witnesses by the respondent.
 - (7) Presentation of the base for the respondent.
 - (8) Repeat of Subsection M(4), (5) and (6) above regarding witnesses and evidence produced on behalf of the respondent.
 - (9) Opportunity for each side to present evidence in rebuttal of any evidence presented by the opposing side.
 - (10) Brief closing arguments, if any, by both sides.
- N. The Board shall not be bound by common law or statutory rules of evidence, and the Board shall hear all evidence having reasonable probative value, but shall exclude immaterial, irrelevant or unduly repetitious testimony or evidence. Basic principles of relevancy, materiality and probative force shall govern this proceeding. Hearsay evidence will not be permitted where direct evidence is reasonably available. The Board will not base crucial or essential evidentiary findings on hearsay evidence. Objections to evidentiary offers and offers of proof of evidence not admitted may be made and shall be noted in the record. All evidence, including records and documents, shall be duly offered and made a part of the record. The Chairperson shall rule on any objections or procedural matters. Any member of the Board and the City Attorney may ask questions of the witnesses. No party or witness shall be permitted to ask questions of any Board member during the proceedings, unless expressly authorized by the Chairperson.
- O. The Board shall deliberate in closed session.
- P. Within 10 working days of the conclusion of the hearing, the Board shall file its written findings of fact, conclusions of law and recommendations signed by a majority of the participating members and concerning the propriety of the conduct of the respondent. Any member of the Board may indicate his/her dissent to the written order. If the Board determines that no violation of the Code of Ethics has occurred, it shall dismiss the complaint, and if requested to do so by the respondent, the Board shall issue a public statement in that regard. If the Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, the Board shall refer its findings, conclusions and recommendation to the Common Council or to other proper City authority and/or, in the case of an employee, to the City Administrator and/or the Mayor as deemed appropriate. In its recommendation, the Board may recommend that the Common Council order the official or employee to conform his or her conduct to the

Ethics Code or recommend that the official or employee be cautioned, censured, suspended, removed from office, issued a private reprimand, public reprimand, and, in the case of an employee, may also recommend suspension without pay, discharge, or other appropriate disciplinary action. In appropriate cases, the Board may recommend the referral of the matter to the District Attorney to commence enforcement proceedings pursuant to the procedures and remedies of § 19.59, Wis. Stats.

- Q. Records obtained or prepared by the Board in connection with an investigation of a violation of this Ethics Code shall not be open for public inspection, except that the Board shall permit public inspection of records of a hearing conducted in open session pursuant to the request of the respondent as provided in Subsection J hereof. Whenever the Board refers an investigation and hearings record to a District Attorney, the District Attorney may make public such records in the course of a prosecution initiated thereon.
- R. The time frames set forth in this Ethics Code specifying Board action are not jurisdictional, and the Board may, where appropriate, extend any time period as necessary.

§ 55-9. Distribution of provisions.

- A. The City Clerk-Treasurer shall cause a copy of this Code of Ethics to be distributed to every public official and employee of the City within 30 days after enactment of this chapter. Each public official and employee elected, appointed or engaged thereafter shall be furnished a copy before entering upon his or her duties.
- B. Each public official, Mayor, the Chairman of each board, commission or committee and, through the City Administrator, the head of each department shall between May 1 and May 31 each year, review the provisions of this chapter with his or her fellow Council members or board, commission, committee members or subordinates, as the case may be, and certify to the City Clerk-Treasurer by June 15 that such annual review had been undertaken. A notice of this Ethics Code shall be continuously posted on the City bulletin boards wherever situated.
- C. Each public official and employee shall, in connection with Subsections A and B above, also complete and file with the City Clerk-Treasurer, as appropriate, the following statement of understanding:

"I have read and understand the contents of the City of Reedsburg Ethics Code, including the attached state statutes.* I also understand that I am expected to adhere to and conduct myself according to rules, guidance and direction as set forth in the Ethics Code." (*Sections 946.10 through 946.13 and 19.41 et seq., Wis. Stats.)

§ 55-10. Employees covered by collective bargaining agreements.

In the event an employee covered under a collective bargaining agreement, is allegedly involved in an Ethics Code violation, the terms and conditions set forth in the applicable collective bargaining agreement shall prevail in the administration and interpretation of this Ethics Code.

§ 55-11. Sanction.

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, which may affect employees covered under a labor agreement will be consistent with the terms and conditions set forth in the applicable labor agreement.

§ 55-12. Police officers and firefighters.

When an ethics complaint has been filed against a police officer or firefighter or the Chief of either the Police or Fire Department, the procedure shall be performed in accordance with the provisions of § 62.13, Wis. Stats.

§ 55-13. Violations and penalties.

Violation of any provision of this chapter should raise conscientious questions for the incumbent concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the City of Reedsburg. For nonelected officials or City employees, violation may constitute a cause for suspension, removal from office or employment, or other disciplinary action. As an alternative or an addition to the sanctions imposed herein, any person violating the provisions of this sanction shall be subject to a nonreimbursable forfeiture of not less than \$100 nor more than \$500.

CITY OF REEDSBURG

ANNUAL CODE OF ETHICS REVIEW

(Return to City Administrator by May 31st)

Each year between May 1st and May 31st each public official, Mayor, the Chair of each board, commission or committee, and department head shall review the provisions of the Ethics Code and certify that such review has occurred.

I have read and understand the content of the City of Reedsburg Code of Ethics, including the listed State statutes.*

I also understand that I am expected to adhere to and conduct myself according to the rules, guidance and direction as set forth in the Ethics Code. (*§946.10 through §946.13; and §19.41 et seq.)

Reviewed on May _____, 2021

Printed name

Signature