

City Plan Commission Agenda
May 9, 2023
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](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 11, 2023:

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 recommending Certified Survey Map to divide existing tax parcel into three parcels – E7239A Junction Rd; Parcel # 030-0532-00000 – Phoenix Construction Services LLC
- B. Consider Conditional Use Permit for annual farming of vacant residential & commercial-zoned lots – 851 S. Albert Ave. & 1001 Bindl Dr; parcel #s 2537, 2563, 2563-1, 2563-2 & 2563-3 – Jim Schulenburg
- C. Consider rezoning of property from R-2 Residential to R-3 Multi-family Residential – Lot 12, Fawn Valley Ct; Parcel 276-2046-12120 – Travis Shrank
- D. Consider rezoning of property from R-1 Residential to B-1, B-2, or B-3 Business – 311 3rd St; Parcel 276-0839-00000 – Grasse Funeral & Cremation Service. The Plan Commission may also consider rezoning from B-2 to B-1 or B-3 Business the adjacent parcel at 312 N Park St; Parcel 276-0838-00000
- E. Discuss accessory dwelling units
- 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 11, 2023



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

Present: Alder Dave Knudsen, Alder Mike Gargano, Beth DeForge, Steve Zibell

Absent: Dan DeBaets, Jay Brunken

Staff: Tim Becker, Brian Duvalle

Approval of Minutes: Motion by Knudsen, seconded by Gargano to approve the 3/14/23 meeting minutes.

Motion approved

Consider recommending Certified Survey Map to divide existing tax parcel into two parcels – S2123 Cty Rd H; Parcel # 042-0819-00000 – Scott Dischler for Mark Pelton
Town and RADC recommend approval.

Motion by Gargano, seconded by Zibell to recommend approval to Council as presented.

Motion approved

Discuss accessory dwelling units (ADUs)

The Housing Action Team is a county committee looking at affordable housing options for Sauk County. Currently they are looking at ADUs. ADUs are separate dwelling units form the main house on a tax parcel, either as part of the house or in a detached building by itself or with a garage.

If the city were to pursue, specific standards would be needed such as size and occupancy. The Plan Commission would like to pursue so Duvalle will report back with a draft ordinance.

Motion by Knudsen, seconded by DeForge to adjourn at 6:17 PM.

Motion approved

Respectfully submitted,

Brian Duvalle
Planner/Building Inspector

RESOLUTION
(CSM – E7239A Junction Road; Parcel 030-0532-00000)

File No. 4511-23

Resolved, that this Certified Survey Map located in the Town of Reedsburg is hereby approved by the Common Council of the City of Reedsburg.

STATE OF WISCONSIN)
COUNTY OF SAUK)

I hereby certify that the foregoing resolution is a true, correct and complete copy of a resolution duly and regularly passed by the Common Council of the City of Reedsburg on the 22nd day of May, 2023, and that said resolution has not been repealed or amended, and is now in full force and effect.

Dated this 22nd day of May, 2023.

Jacob Crosetto
City Clerk

Staff Report

DATE: 4/25/2023

APPLICANT: Phoenix Construction Service LLC

LOCATION: E7239A Junction Rd; Parcel # 030-0532-00000

ZONING: Agricultural

DESCRIPTION OF REQUEST: Consider recommending Certified Survey Map to divide existing tax parcel into three parcels.

General Findings

SURROUNDING LAND USES:

- North – Agricultural, Residential
- West – Agricultural, Residential
- South – Agricultural
- East – Vacant

ZONING:

- North – Ag
- West – Ag
- South – Ag
- East – RC-5

TOPOGRAPHY: Slopes down to south

STREET R.O.W./TRAFFIC/ACCESS: Junction Rd; 66' ROW

ENVIRONMENTAL HAZARDS/CONDITIONS: None known

COMPREHENSIVE PLAN DESIGNATION: Low-density residential; Industrial

COMMENTS

POLICE:

FIRE:

PUBLIC WORKS:

UTILITIES:

AMBULANCE:

ADMINISTRATOR:

SCHOOL:

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, April 25, 2023, RADC 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: PHOENIX CONSTRUCTION SERVICES LLC
ADDRESS: PO Box 551 **CITY:** SAUK CITY **STATE:** WI
ZIP: 53583 **PHONE:** 608-370-3233 **PARCEL #:** 030-0532-00000
E-MAIL: TODD@PHOENIXCONSTRUCTIONWI.COM
PROPERTY OWNER: (if different from Applicant) _____

LOCATION: (if different from address above) E 7239 A JUNCTION RD., REEDSBURG

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 & C" on back page.
- ☐ **Preliminary Plat:** _____ **Final Plat:** _____ **Name of Plat:** _____
- ☐ **Rezoning - From:** _____ **To:** _____ **TID #** _____
- ☐ **Site Plan Review:** (See "B & C" on back page) _____
- ☐ **Zoning Appeal / Interpretation:** _____
- ☐ **Zoning Variance:** _____
For *VARIANCE* requests, also answer "D" 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.

Todd B MEMBER 3/31/23
Applicant Signature / Date

Todd B MEMBER 3/31/23
Owner Signature / Date

Account #10-461500-00

**The applicant or representative
MUST ATTEND the meeting(s).**

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>3-31-23</u>	
Receipt #	<u>11043563</u>	

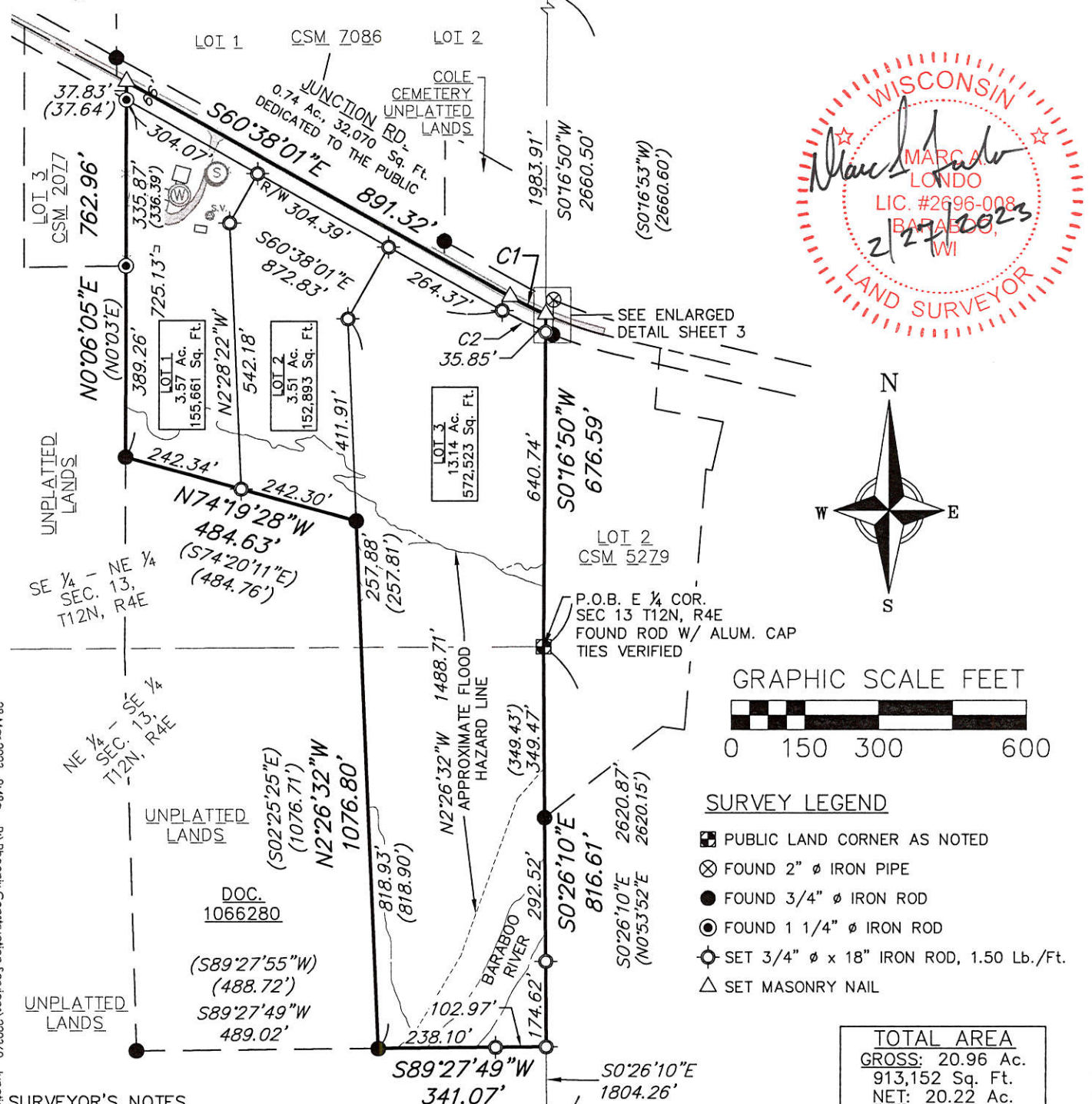
SAUK COUNTY CERTIFIED SURVEY MAP NO. _____

PART OF LANDS DESCRIBED IN SAUK COUNTY REGISTER OF DEEDS DOCUMENT NO. 1244624, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, T12N, R4E, TOWN OF REEDSBURG, SAUK COUNTY, WISCONSIN

SURVEYED FOR:

Phoenix Construction Services, LLC
813 John Adams St.
PO Box 551
Sauk City, Wisconsin 53583

NE COR.
SEC 13, T12N, R4E
FOUND MASONRY NAIL
TIES VERIFIED



SURVEYOR'S NOTES

- Bearings are referenced to the Wisconsin Coordinate Reference System, Sauk County, (WisCRS NAD 83/2011 Sauk). The east line of the Southeast Quarter of Section 13, T12N, R4E bears S00°26'10"E.
- Field work was completed on 1/03/2023 and 1/14/2023.
- See sheets 2 of 4 for lot measurement detail, line and curve tables.
- See sheet 3 of 4 for enlarged detail and Surveyor's Certificate and sheet 4 of 4 for approval certificates.
- Through Wis. Stat. § 823.08, the Wisconsin Legislature has adopted a right to farm law. This statute limits the remedies of owners of later established residential property to seek changes to nearby pre-existing agricultural practices. Active agricultural operations are now taking place and are planned to continue on lands in the vicinity of this CSM. These active agricultural operations may produce noises, odors, dust, machinery traffic or other conditions during daytime and evening hours.
- Lots 2 and 3 of this Certified Survey Map are considered un-buildable until a "Soils and Site Evaluation Report, form SBD-8330" as required by the Wisconsin Department of Safety and Professional Services is filed with the Sauk County Land Resources and Environment Department. Lots 1, 2 and 3 are also subject to a Natural Gas Pipeline Easement, Document No. 338571 which is blanket in nature, therefore the exact location of the existing pipeline must be located by Digger Hotline or a private underground utility location service prior to any construction taking place.
- There appears to be a gap between the east line of the SE ¼ - NE ¼ of Section 13, T12N, R4E and the west line of Lot 2 of CSM 5279.
- Ordinary High Water Mark for the Baraboo River is approximated, for reference only. Any land below the ordinary high water mark of a lake or navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1 of the state constitution.
- Lots 1, 2 & 3 are subject to a Natural Gas Easement described in Sauk County Register of Deeds Document No. 338571 and recorded in Volume 312, Page 362. The description is blanket in nature and covers Lots 1, 2 and 3 in their entirety.

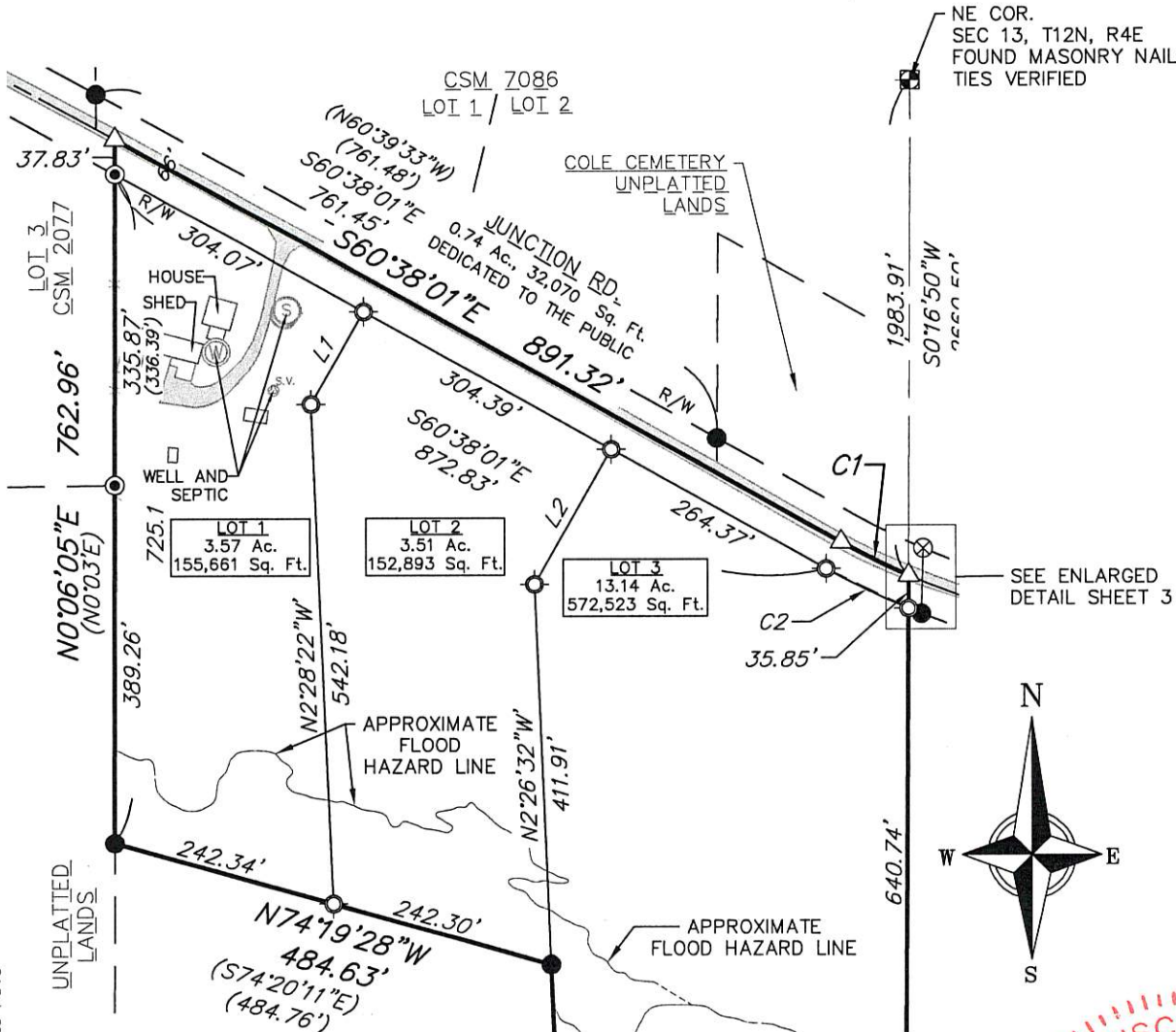
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planners | engineers | advisors



REVISIONS		SCALE	1" = 300'	SHEET 1 OF 4
		CHECKED	sdis	
		DRAFTER	mton	
		FILE	220360 - CSM	
		DATE	2/27/2023	
JOB NO. 220360				

SAUK COUNTY CERTIFIED SURVEY MAP NO.

PART OF LANDS DESCRIBED IN SAUK COUNTY REGISTER OF DEEDS DOCUMENT NO. 1244624, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, T12N, R4E, TOWN OF REEDSBURG, SAUK COUNTY, WISCONSIN



SURVEY LEGEND

- PUBLIC LAND CORNER AS NOTED
- FOUND 2" ϕ IRON PIPE
- FOUND MASONRY NAIL
- FOUND 3/4" ϕ IRON ROD
- FOUND 1 1/4" ϕ IRON ROD
- SET 3/4" ϕ x 18" IRON ROD, 1.50 Lb./Ft.
- SET MASONRY NAIL

LOT DIMENSION DETAILS

1" = 200'

GRAPHIC SCALE FEET



Curve Table

Curve #	Arc Len.	Radius	Delta	Ch. Len.	Ch. Dir.	Tangent In	Tangent Out
C1	81.10'	831.20'	5°35'25"	81.07'	S63°25'44"E	S60°38'01"E	S66°13'26"E
C2	98.61'	864.20'	6°32'16"	98.56'	S63°54'10"E	S60°38'01"E	S67°10'18"E
C3	14.96'	864.20'	0°59'31"	14.96'	S67°40'04"E	S67°10'18"E	S68°09'49"E
C4	16.85'	798.20'	1°12'35"	16.85'	S65°47'41"E	S65°11'24"E	S66°23'59"E

Secondary Line Table

Line #	Length	Direction
L1	114.63	N29°26'44"E
L2	167.83	N29°26'44"E

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planners | engineers | advisors



REVISIONS

JOB NO. 220360	

SCALE 1" = 200'

CHECKED	sdis
DRAFTER	mlon
FILE	220360 - CSM
DATE	2/6/2023

SHEET

2 OF 4

SAUK COUNTY CERTIFIED SURVEY MAP NO.

PART OF LANDS DESCRIBED IN SAUK COUNTY REGISTER OF DEEDS DOCUMENT NO. 1244624, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, T12N, R4E, TOWN 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, the subdivision regulations of the Town of Reedsburg and the extraterritorial zoning ordinance of the City of Reedsburg, and under the direction of Todd Berner, Phoenix Construction Services, I have surveyed, divided, mapped and dedicated this Certified Survey; that such Certified Survey Map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is located in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 13, T12N, R4E, Town of Reedsburg, Sauk County, Wisconsin, containing 20.96 acres of land and is bounded by a line described as follows:

Legal Description

Part of lands described in Sauk County Register of Deeds Document No. 1244624, located in part of the Southeast Quarter of the Northeast Quarter and part of the Northeast Quarter of the Southeast Quarter of Section 13, T12N, R4E, Town of Reedsburg, Sauk County, Wisconsin bounded by a line described as follows:

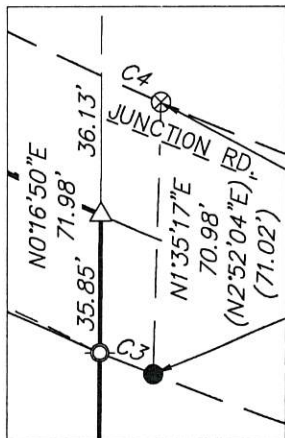
Beginning at a found Iron Rod with an Aluminum Cap at the East Quarter corner of said Section 13, T12N, R4E; Thence, S00°26'10"E, along the east line of the said Northeast Quarter of the Southeast Quarter of Section 13, 816.61 feet to a set 3/4" diameter iron rod at its intersection with the easterly extension of the south line of lands described in Sauk County Register of Deeds Document No. 1066280; Thence, S89°27'49"W, along the said easterly extension of the south line of lands described in Sauk County Register of Deeds Document No. 1066280, 341.07 feet, to a found 3/4" diameter iron rod at the southeast corner thereof; Thence, N02°26'32"W, along the east line of said lands described in Sauk County Register of Deeds Document No. 1066280, 1076.80 feet, to a found 3/4" diameter iron rod at the northeast corner thereof; Thence, N74°19'28"W, along the north line of said lands described in Sauk County Register of Deeds Document No. 1066280, 484.63 feet, to a found 3/4" diameter iron rod at the northwest corner thereof; Thence, N00°06'05"E, along the southerly extension and the east line of Lot 3 of Sauk County Certified Survey Map No. 2077, 762.96 feet, to a set masonry nail at the centerline of Junction Road; Thence, S60°38'01"E, along the centerline of Junction Road, 891.32 feet, to a set masonry nail at the beginning of a curve to the left; Thence, 80.98 feet, continuing along the centerline of Junction Road being a curve to the left having a radius of 831.20 feet, an included angle of 05°34'56", (a chord of 80.95 feet which bears S63°25'30"E)(C1), to a set masonry nail at the east line of the Southeast Quarter of the Northeast Quarter of said Section 13; Thence, S00°16'50"W, along the east line of the Southeast Quarter of the Northeast Quarter of said Section 13, 676.64 feet, returning to the point of beginning.

Parcel contains 20.96 Acres, 913,147 Sq. Ft., (20.22 Ac., 881,077 Sq. Ft.) and is subject to all easements and rights-of-way of record.

Marc A. Londo, WI PLS #2696
Vierbicher Associates, Inc.

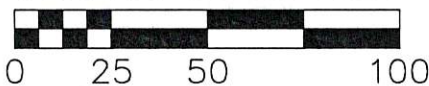
2/6/2023

Date



ENLARGED DETAIL
1" = 50'

GRAPHIC SCALE FEET



SURVEY LEGEND

- ⊗ FOUND 2" Ø IRON PIPE
- FOUND 3/4" Ø IRON ROD
- ⊙ SET 3/4" Ø x 18" IRON ROD, 1.50 Lb./Ft.
- △ SET MASONRY NAIL

2" IRON PIPE AT SW CORNER OF BURNAMWOOD ESTATES AND 3/4" IRON ROD AT NW CORNER OF LOT 2 (R/W), CSM 5279 FALL EAST OF THE EAST LINE OF SE 1/4 - NE 1/4 OF SECTION 13

vierbicher
planners | engineers | advisors



REVISIONS

JOB NO. 220360

SCALE

na
CHECKED sdis
DRAFTER mlon
FILE 220360 - CSM
DATE 2/6/2023

SHEET

3 OF 4

SAUK COUNTY CERTIFIED SURVEY MAP NO. _____

PART OF LANDS DESCRIBED IN SAUK COUNTY REGISTER OF DEEDS DOCUMENT NO. 1244624, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, T12N, R4E, TOWN OF REEDSBURG, SAUK COUNTY, WISCONSIN

OWNER'S CERTIFICATE OF DEDICATION
As owner, I, Todd Berner, Phoenix Construction Services, hereby certify that I caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. I also certify that this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Sauk County Department of Land Resources and Environment
The Town of Reedsburg
The City of Reedsburg

WITNESS the hand and seal of said owner this _____ day of _____, 2023.
In presence of:

Phoenix Construction Services Date

STATE OF WISCONSIN)
COUNTY) SS

Personally came before me this _____ day of _____, 2023, the above named Todd Berner of Phoenix Construction Services to me known to be the same person who executed the foregoing instrument and acknowledged the same.

Notary Public, _____,
Wisconsin
My commission expires _____.

TOWN OF REEDSBURG APPROVAL CERTIFICATE
Resolved, that this Certified Survey Map in the Town of Reedsburg, Phoenix Construction Services, owner, is hereby approved by the Reedsburg Town Board.

Chad Allen, Board Chair Date

I hereby certify that the foregoing is a copy of a resolution adopted by the Town Board of the Town of Reedsburg.

Rebecca Meyer, Clerk Date

CITY OF REEDSBURG EXTRATERRITORIAL ZONING APPROVAL CERTIFICATE
Resolved, that this Certified Survey Map in the Town of Reedsburg, Phoenix Construction Services, owner, is hereby approved by the City of Reedsburg.

Jacob Crosetto, Mayor Date

I hereby certify that the foregoing is a copy of a resolution adopted by the Town Board of the Town of Reedsburg.

City Clerk Date

SAUK COUNTY LAND RESOURCES AND ENVIRONMENT APPROVAL CERTIFICATE
Resolved, that this certified survey map in the Town of Reedsburg, Phoenix Construction Services, owner, is hereby approved by the Sauk County Department of Land Resources and Environment.

Planning Agent Date



06 Feb 2023 - 7:57a R:\Phoenix Construction Services\220360 - Junction Road CSM\CADD\220360 - 3 Lot CSM.dwg by: mlon



REVISIONS	SCALE	SHEET
	na	4 OF 4
	CHECKED sdis	
	DRAFTER mlon	
	FILE 220360 - CSM	
JOB NO. 220360	DATE 2/6/2023	

Staff Report

DATE: May 9, 2023

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 2022:

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, 2022

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, May 9, 2023, 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: Jim Schulenburg
ADDRESS: 1551 N Dewey CITY: Reedsburg STATE: WI
ZIP: 53959 PHONE: 608-963-0507 FAX: _____
E-MAIL: vicki.s.l@ruds.net
PROPERTY OWNER: (if different from Applicant) _____

LOCATION: _____ PARCEL #: 2537, 2563-0
-1
-2
-3

LAND USE REQUEST

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

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

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.

Vicki Schell
Applicant Signature / Date

Jim Schulenburg
Owner Signature / Date

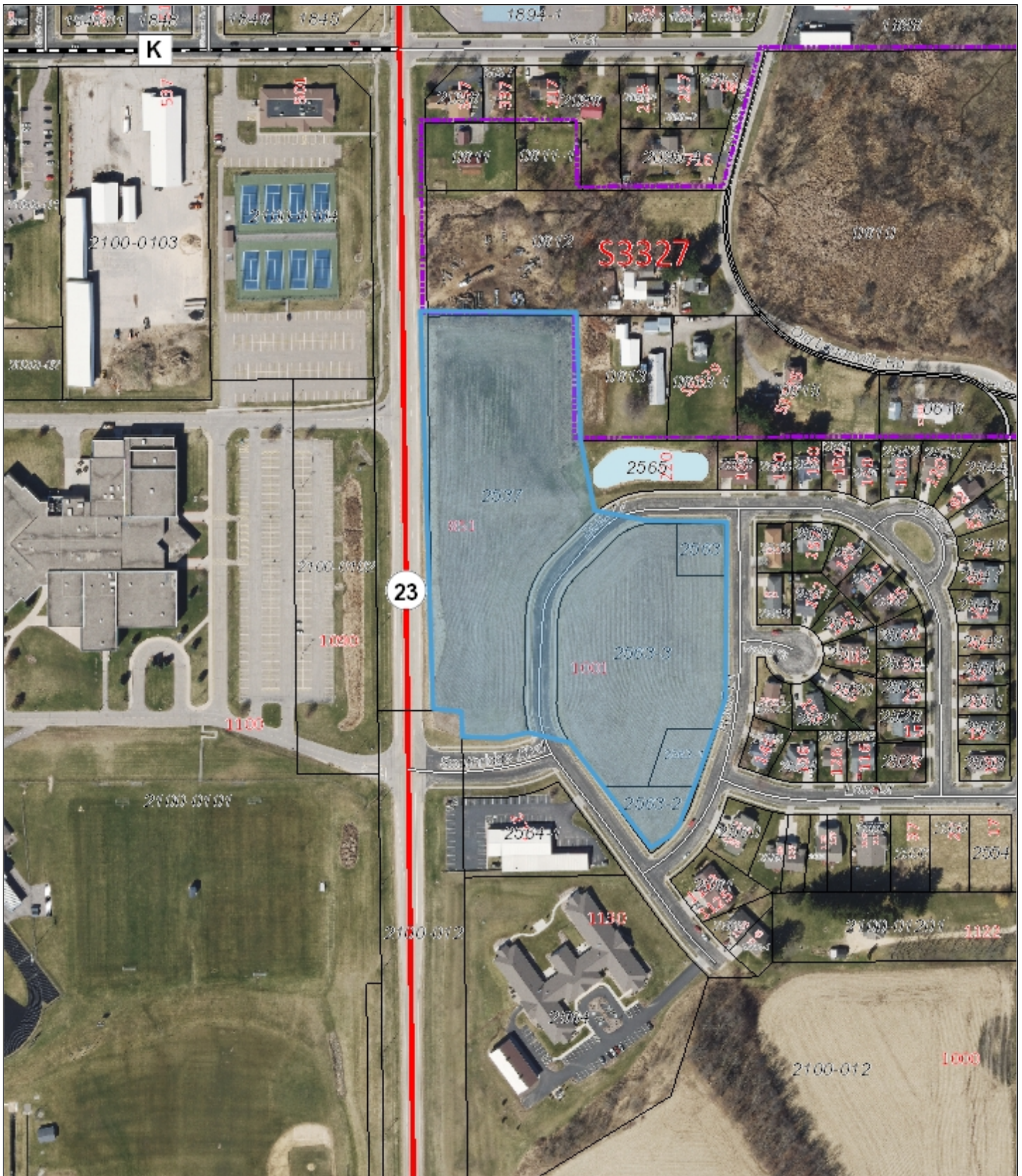
Extraterritorial Committee Date: _____
Plan Commission Date: _____
Board of Zoning Appeals Date: _____
City Council Action & Date: _____

Account #10-461500-00

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

Conditional Use \$200	_____
Cond. Use-Agriculture \$400	<u>X</u>
Variance \$125	_____
Zone Change \$200	_____
C.S.M. \$175	_____
Subdivision Plat \$610	_____
- w/ Stormwater Plan \$100	_____
Flood Plain Zone \$189	_____
Site Plan Review 175	_____
Comp Plan Amend \$200	_____

Date Paid 4-3-23
Receipt # 1.043585



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: 4/24/2023

ORDINANCE NO. 1956-23
(Zoning Change – Lot 12, Fawn Valley Court – Parcel 276-2046-12120)

The City of Reedsburg, Sauk County, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE.

Consider rezoning property from R-2 Residential to R-3 Residential in the City of Reedsburg.

SECTION II: PROVISION AMENDED.

The zoning map for the City of Reedsburg as set forth in the official map provided for in the Ordinances for the City of Reedsburg is hereby permanently amended so as to zone the territory listed below in the manner set forth below.

SECTION III: PROPERTY ZONING

Lot 12 of Fawn Valley Estates subdivision, Parcel 276-2046-12120
Reedsburg, Wisconsin, is hereby zoned R-3 Residential, multiple-family

A property map may be obtained or accessed from the City Clerk at Reedsburg City Hall, 134 S. Locust St, Reedsburg, WI; (608) 524-6404; www.reedsburgwi.gov .

SECTION IV: VALIDITY.

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED.

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE.

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VII: PART OF CODE:

This Ordinance becomes part of the City of Reedsburg Code, Chapter 690.

Dated this 26th day of June, 2023.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer

1st Reading at Council:
Public Hearing Noticed:
2nd Reading at Council/Public Hearing:
Published, Enactment Date:

May 22, 2023
June 1 & June 8, 2023
June 26, 2023
July 6, 2023

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: Travis Schenk
ADDRESS: E9039 Briar Bluff Rd CITY: Reedsburg STATE: WI
ZIP: 53959 PHONE: 608-393-3912 FAX: _____
E-MAIL: tschenk@yahoo.com
PROPERTY OWNER: (if different from Applicant) _____

LOCATION: Fawn Valley Dr PARCEL #: Lot 12
2046-12120

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: R-2 To: R-3

- ☐ Site Plan Review: (See "B" on back page) _____
☐ Zoning Appeal / Interpretation: _____
☐ Zoning Variance: _____

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

- ☐ Other: _____

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.

[Signature] 4/11/23

Applicant Signature / Date

1
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.**

Conditional Use \$200	_____
Cond. Use-Agriculture \$400	_____
Variance \$125	_____
Zone Change \$200	<u>X</u>
C.S.M. \$175	_____
Subdivision Plat \$610	_____
- w/ Stormwater Plan \$100	_____
Flood Plain Zone \$189	_____
Site Plan Review 175	_____
Comp Plan Amend \$200	_____

Date Paid 4-12-23
Receipt # 1.0431056

Staff Report

DATE: 5/9/2023

APPLICANT: Travis Shrank

LOCATION: Lot 12, Fawn Valley Ct – Parcel 276-2046-12120

ZONING: R-2 Residential

PROPOSED LAND USE CHANGE: Rezoning

DESCRIPTION OF PROPERTY/IMPROVEMENTS: Consider rezoning property from R-2 Residential to R-3 Residential

General Findings

SURROUNDING LAND USES:

- North – Multi-family residential
- West – Commercial
- South – Vacant
- East – Single-family residential

ZONING:

- North – R-3
- West – B-2
- South – B-2
- East – R-2

TOPOGRAPHY: Slopes up to south

STREET R.O.W./TRAFFIC/ACCESS: Fawn Valley Ct; 66' ROW

ENVIRONMENTAL HAZARDS/CONDITIONS: None known

COMPREHENSIVE PLAN DESIGNATION: High density residential

COMMENTS

POLICE:

FIRE:

PUBLIC WORKS:

UTILITIES:

AMBULANCE:

ADMINISTRATOR:

SCHOOL:

Staff Comments

This property was previously zoned R-3 as part of the Fawn Valley condos. When the remaining property was platted into individual lots, the lots were rezoned to R-2.

The new owner proposes to build two duplexes onsite, and thereof needs to go back to R-3 zoning. We discussed townhomes and bungalow courts, which could be done as a conditional use in R-2, but he favors regular duplex development. Future land use map indicates high density residential.

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, May 9, 2023, Plan Commission Agenda
- D. Land Use Change Application
- E. Staff Report
- F. Notice of Public Meeting



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" = 69'

CITY OF REEDSBURG

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

Print Date: 4/25/2023

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: Grasse Funeral & Cremation Service
ADDRESS: 312 N. Park St. CITY: Reedsburg STATE: WI
ZIP: 54959 PHONE: 608-524-2337 FAX: 608-524-6970
E-MAIL: elliott.grassefuneral@gmail.com
PROPERTY OWNER: (if different from Applicant) _____

LOCATION: 311 3rd Street, Reedsburg PARCEL #: 0839-00000

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: Residential (R1) To: Commercial (X)

☐ Site Plan Review: (See "B" on back page) _____

☐ Zoning Appeal / Interpretation: _____

☐ Zoning Variance: _____

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

☐ Other: _____

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.

[Signature] 14/24/2023
Applicant Signature / Date

[Signature] 14/24/2023
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.**

Conditional Use \$200	_____
Cond. Use-Agriculture \$400	_____
Variance \$125	_____
Zone Change \$200	<u>X</u>
C.S.M. \$175	_____
Subdivision Plat \$610	_____
- w/ Stormwater Plan \$100	_____
Flood Plain Zone \$189	_____
Site Plan Review 175	_____
Comp Plan Amend \$200	_____

Date Paid _____
Receipt # _____

Staff Report

DATE: 5/9/2023

APPLICANT: Grasse Funeral & Cremation Service

LOCATION: 311 3rd St; Parcel 276-0839-00000

ZONING: R-1 Residential

PROPOSED LAND USE CHANGE: Rezoning

DESCRIPTION OF PROPERTY/IMPROVEMENTS: Consider rezoning of property from R-1 Residential to B-1, B-2, or B-3 Business. The Plan Commission may also consider rezoning from B-2 to B-1 or B-3 Business the adjacent parcel at 312 N Park St; Parcel 276-0838-00000.

General Findings

SURROUNDING LAND USES:

- North – Single-family residential
- West – Single-family residential
- South – City Park
- East – Single-family residential

ZONING:

- North – R-1
- West – R-1
- South – G
- East – R-1

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: 3rd Street; 66' ROW

ENVIRONMENTAL HAZARDS/CONDITIONS: None known

COMPREHENSIVE PLAN DESIGNATION: Low density residential

COMMENTS

POLICE:

FIRE:

PUBLIC WORKS:

UTILITIES:

AMBULANCE:

ADMINISTRATOR:

SCHOOL:

Staff Comments

The owner of Grasse funeral home (previously Hoof) has an opportunity to buy the adjacent property. His plan would then be to raze the house and add a new parking lot. Therefore he needs to rezone that property to Business.

As we recently had with First Presbyterian, the past practice has been to rezone this area's lots to B-3, although those were currently used as residential. However that would make the funeral business a conditional use. Rezoning to B-1 would have less stringent zoning standards than B-2 and is located near the downtown, but this would require rezoning of the current funeral lot as well.

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, May 9, 2023, Plan Commission Agenda
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- E. Staff Report
- F. Notice of Public Meeting

ORDINANCE NO. 1957-23
(Zoning Change – 311 3rd Street; Parcel 276-0839-00000)

The City of Reedsburg, Sauk County, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE.

Consider rezoning property from R-2 Residential to B-2 Residential in the City of Reedsburg.

SECTION II: PROVISION AMENDED.

The zoning map for the City of Reedsburg as set forth in the official map provided for in the Ordinances for the City of Reedsburg is hereby permanently amended so as to zone the territory listed below in the manner set forth below.

SECTION III: PROPERTY ZONING

311 3rd St; Parcel 276-0839-00000
Reedsburg, Wisconsin, is hereby zoned B-2 Business

A property map may be obtained or accessed from the City Clerk at Reedsburg City Hall, 134 S. Locust St, Reedsburg, WI; (608) 524-6404; www.reedsburgwi.gov .

SECTION IV: VALIDITY.

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED.

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE.

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VII: PART OF CODE:

This Ordinance becomes part of the City of Reedsburg Code, Chapter 690.

Dated this 26th day of June, 2023.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer

1st Reading at Council:
Public Hearing Noticed:
2nd Reading at Council/Public Hearing:
Published, Enactment Date:

May 22, 2023
June 1 & June 8, 2023
June 26, 2023
July 6, 2023



City of Reedsburg GIS

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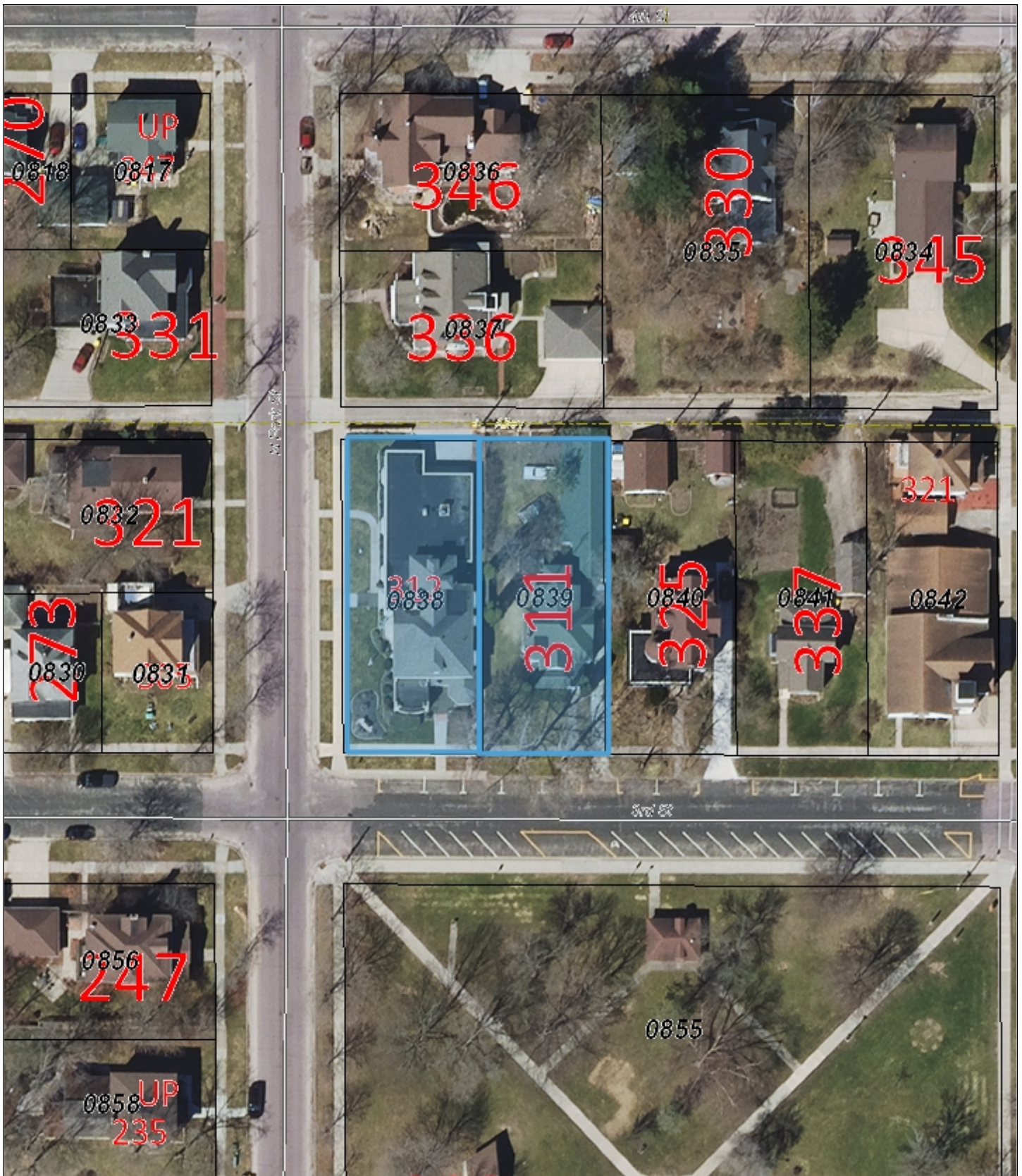


SCALE: 1" = 69'

CITY OF REEDSBURG

134 S. Locust Street
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608-524-6404

Print Date: 4/25/2023



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Print Date: 4/25/2023

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.)

Date: _____

Printed name

Signature