

Reedsburg Arts Committee Agenda
June 2, 2020
Reedsburg City Hall Council Chambers
12:15 PM

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 - ZOOM MEETING ONLY ZOOM.US/JOIN MEETING ID#875 0038 0474

APPROVAL OF MINUTES

I. APPROVE MINUTES FOR THE MEETING HELD ON MARCH 3, 2020.:

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. Sub-Committee Reports
 - Policy and Document oversight
 - Maintenance and Budget
 - Social Mean and Community Awareness
- B. Nishan Project Update.
- C. Grant Application Review and Process
 - Artslink - Harvest Park Crosswalk
- D. Revisit Artslink request for funding of "Ruminant" maintenance.
- E. Discuss resolution of Gnatzig video proposal.
- F. New Business
 - Discuss local artist Covid-19 support proposal
- G. Annual code of ethics review.

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 Arts Committee

Meeting Minutes

Date: March 3, 2020

Call to Order: 12:16 p.m.

Meeting Location: Reedsburg City Hall, 134 South Locust

Members Present:

Glen Slaats, Chair
Jenifer Stanek

Gatlin Fenwick
Katie Schofield

Lee Gnatzig

Members Absent: Beth Voigt, Michelle Zuelke

Others Present: Jacob Crosetto, Joann Mundth-Douglas

Motion by Stanek to approve the previous meeting minutes from February 4th, 2020. Stanek pointed out two name spelling errors. Second by Gnatzig. Approved.

General Business:

1. **Sub-Committee Reports – Maintenance & Budget and Social Media/Community Awareness**
 - a. No action taken. Discussion of setting up Maint & Budget meeting between sub-committee members. Stanek discussed actions taken with social media.
2. **Approve/Deny: Recommendation of grant application/info changes**
 - a. Motion to approve the changes by Stanek, Second by Fenwick. Deadline was changed from two to one date, June 1. Changed requirements – applicants must meet 2 of 3 requirements. 2-4 examples required instead of 4-6. In-Cahoots Grant deadline changed to the 15th of each month.
 - i. Motion Carried 4-0
3. **Approve/Deny: Ad-Hoc Committee Appointments to Slaats, Voigt, Fenwick**
 - a. Motion to approve appointments made by Stanek. Second by Schofield. Discussion that this is a temporary committee to join and collaborate with some members of the Parks & Rec Committee pursuant to Nishan Park project.
 - i. Motion Carried 4-0
4. **Approve/Deny: Participation in “Creative Wisconsin Day” – cover registration and mileage**
 - a. Motion to approve by Fenwick for participation of as many members who are willing. No one offered to attend. Stanek and Fenwick may be able to attend. Second by Gnatzig.
 - i. Motion Carried 4-0
5. **New Business Discussion**
 - a. Discussion of Municipal-Artists Partnership Guide and resources located at municipal-artists.org.
 - b. Discussion of Lee Gnatzig video project. It was discussed that Gnatzig will present funding proposal for the video project to the General Reedsburg City Council or the Room Tax Committee instead of funding it through the Arts Committee’s grant budget.
6. **Adjourn**
 - a. Motion to adjourn by Slaats. Second by Fenwick.
 - i. Motion carried 4-0. Meeting adjourned at 1:17 p.m.

Respectfully Submitted,

Gatlin Fenwick, Secretary, Reedsburg Arts Committee

City of Reedsburg Public Art Application Submission Guidelines

The Reedsburg Arts Committee is seeking ways to enhance the arts and culture of our community.

Do you have a piece of art you'd like to share with the City of Reedsburg or an idea or project you would like to create?

Please complete the application form on the following page. Applications will be reviewed by the Reedsburg Arts Committee monthly based on the following criteria:

- **Artistic Quality** (The strength of the artist's concept, vision and execution of the artwork.)
- **Artistic Merit** (The extent to which the project deepens and extends the appreciation of the arts)
- **Context** (The architectural, historical, geographical, geological, and socio-cultural context of the site where the artwork will be installed or displayed.)
- **Structural Soundness** (The resistance to theft, vandalism, weathering, and/or excessive maintenance or repair costs.)
- **Public Safety** (Artwork shall not present a hazard to public safety.)
- **Diversity** (A range of style, scale, and exploratory as well as established art forms.)
- **Feasibility** (Evidence of the artist's ability to successfully complete the work as proposed)

Applications are due to the Reedsburg Arts Committee by the 1st of each month and will be accepted until all available funds for this program are awarded. Awards may not exceed \$5000.

Not sure whether your project is a good fit? Have questions about the application process? Send us a short 3-5 sentence description of your project via email (not your full proposal) to: arts@ci.reedsburg.wi.us. We will get back to you after the next meeting, if not sooner.

The Reedsburg Arts Committee (RAC) was formed in March 2017 and receives funding through a Percent for Art program tied to the City's capital spending. The committee, made up of citizens nominated by the City Council & Mayor, is seeking ways to use some of these resources for the development of more arts & culture in the City.

City of Reedsburg Public Art Application

Applicant Information

Name: Reedsburg ArtsLink

Street Address: 129 E. Main Street

City / State / Zip: Reedsburg, WI 53959

Phone: 608-393-2795

Email: reedsburgartslink@gmail.com

Applicant status:

- ☒ 501(c)(3) not-for-profit organization
- ☐ Tax Exempt Unit of Local Government (includes school districts)
- ☐ Other IRS recognized not-for-profit organization
- ☐ Individual

Project Title: Harvest Park Crosswalk

Amount requested from Reedsburg Arts Committee (up to \$5000 *if applicable*): \$ \$1300

Describe the Applicant: Please provide a concise summary of yourself or organization (250 words or fewer)

Please see attached.

Project Description: Please include concept, dimensions, materials, timeline, location if known, etc. (500 words or fewer)

Please see attached.

Project Partners: List project partners and how you will work with them (if applicable). (200 words or fewer)

Please see attached.

How would this project benefit the City of Reedsburg and / or engage the community? (250 words or fewer)

Please see attached.

Project Budget:

If you are requesting funds from the RAC, provide a concise summary of the project budget including revenues, expenditures and in-kind contributions (or attach a summary). Ideally revenues will equal expenditures.

Revenues: Other grants, donations, sales or admissions received (if any)

Expenditures: Cost associated with the project such as artist fees, supplies, transportation, marketing

In-Kind: Donations other than cash - volunteer time, supplies or services such as printing or marketing, etc.

Please see attached.

Do you have the necessary insurance coverage

☒ Yes ☐ No ☐ I'm not sure

This project will be (Please check one):

- ☐ Loaned to City of Reedsburg
☒ Donated to City of Reedsburg

Comments:

The ArtsLink Director is a volunteer position. The director's volunteer hours anticipated for this project are 30. These hours are not included in the calculation of in-kind volunteer hours indicated in the application.

By submitting this application, the undersigned hereby certifies and affirms that:

1. They are an authorized representative of the applicant organization;
2. This application has received the approval of the applicant organization's governing board or chief administrative official (*if applicable*);
3. The information contained in this application and its attachments is true and correct to the best of his/her knowledge.

Applicant's Signature: Joann Mundt Douglas **Date:** 2/27/20

Submission Requirements:

Submit at least two of the following, along with the application form. If submitted digitally, files should be saved as pdf or jpg:

- Artist resume (s) (Resumes or bios for lead artists and organizers)
- 4-6 examples of previous work or the artist's website
- Anything that demonstrates applicant's ability to realize the project

Email materials to arts@ci.reedsburg.wi.us or drop off a paper copy to the attention of Reedsburg Arts Committee at Reedsburg City Hall: 134 S Locust Street.

Applications are due to the RAC by the 1st of each month and will be accepted until all available funds for this program are awarded. Questions? Email us at arts@ci.reedsburg.wi.us.

(For Staff/Committee Use Only)

Date/Time Received: _____ Received By: _____

Reedsburg Arts Committee Grant Application

Harvest Park Crosswalk

2/27/20

Describe the Applicant

Reedsburg ArtsLink, founded in 2014, is a local arts nonprofit serving all disciplines and serving the Reedsburg area. ArtsLink was the brainchild of 2 local artists and an arts advocate seeking to grow the culture of creativity in the Reedsburg Area.

ArtsLink functions both as a cultural anchor and a catalyst for creative endeavors within the Reedsburg community by maximizing existing arts activities and creating its own free or low-cost programming. In addition, it advocates for local art and artists, and function as a liaison between stakeholders in government, business and education. Our first major initiative was Ruminant/Harvest Park Project which began in 2014 and brought a nationally recognized, award-winning sculpture to Reedsburg's downtown and established it as the focal point of a new city park, Harvest Park.

Since then, ArtsLink has initiated multiple permanent and temporary public art projects including murals, crosswalks and large-scale participatory public art installations. Additional programming has included Youth Arts Programming, Artist Socials, 2nd Sundays @ The Painted Forest in partnership with Edgewood College, and the Reedikulus Arts Crawl.

Mission: Reedsburg ArtsLink works to unify, enrich and enliven its community via the arts.

Vision: The Reedsburg Area is vibrant with creative activity year-round and increasingly recognized as an arts hub in South Central Wisconsin.

For more information about Reedsburg ArtsLink, visit www.reedsburgartslink.org.

Project Description

The goal of this project is to create a charming, harvest-related crosswalk mural that connects Reedsburg's Chamber of Commerce and Harvest Park on Railroad Street. The dimensions of the crosswalk will be the length of the street and otherwise standard and as required by the City of Reedsburg for a "zebra" style crossing. The materials required for this project are simply the artists design, street paint and brushes.

The purposes of this project are multi-faceted. The street mural builds upon the harvest theme of Harvest Park and strengthens Reedsburg's identity as a community with strong agricultural roots. It also creates a themed connection between what functions as Reedsburg's visitors' center and a park designed to help welcome them.

This project builds upon the success of a mural ArtsLink commissioned for this location in 2016 and dubbed "the corncob crosswalk", please see image attached. It also answers a call from community

members for the renewal of the crosswalk, as noted in Distinctly Downtown Reedsburg meetings and during a 2019 Reedsburg ArtsLink listening session.

The 2020 Harvest Park Crosswalk project will be managed by Reedsburg ArtsLink. Baraboo-based artist Laura Annis has been invited to design and lead the painting of the crosswalk. Laura was selected for a variety of reasons; she's a local artist who's completed many outstanding community projects, her aesthetic is fitting, she has an excellent reputation, and charges a price that is more than fair. Working with Reedsburg ArtsLink, Laura designed the 400 Trail Mural in 2015. Please see image attached.

The actual painting of the mural is expected to take one 8-hour day, with the support of at least 3 painters in addition to the artist. Since painting must occur when conditions are dry, multiple rain dates will be planned. Because Railroad is a busy street, barricades will be set up along with volunteer traffic controllers on each end and one lane of traffic will remain open at all times.

The crosswalk walk mural is expected to wear naturally over the years. Based on our experience with the last mural installed there, we expect the mural to have a life of approximately 2 years before significant fading. Laura's preliminary design draft is attached for your review. This design will be refined by the artist with input from all stakeholders once funding is approved. Please see attached the artist's preliminary design.

Timeline

March-May 2020

Working with the artist, the Reedsburg Arts Committee, the Chamber and the Public Works Department, finalize the crosswalk design.

May-June 2020

Recruit 5-10 volunteers to help with traffic control and painting.

June-July 2020

Complete the installation of the mural

Project Partners

Reedsburg Arts Committee: funding and approval of final design

Reedsburg Public Works Department: review of any needed street repairs for the section of street to be painted, approval of final design for safety; donation of paint; use of city barricades and cones, possible use of city pressure washer for painting prep

Reedsburg Police Department: notification of street painting and traffic disruption; use of water spicket on police building

Reedsburg Chamber of Commerce: input on design concept, promotion as part of city's cultural attributes, as appropriate
85 words

Discussions with project partners will begin once project is approved by the arts committee

Benefits to the City of Reedsburg/Community Engagement

The Harvest Park Cross Walk will enhance the streetscape on the Railroad Street corridor, which is transitioning from industrial to commercial/residential in its downtown segment. The new, beautiful and modern Walnut Street Flat Apartments have just been completed and are renting. The crosswalk creates visual interest and reflects further investment in that neighborhood. It also helps draw attention to the Chamber of Commerce, which welcomes so many of Reedsburg's visitors. In addition, it serves the greater Reedsburg community by adding to Reedsburg's growing cultural assets and making it a more vibrant place to visit and live. Communities that feel authentic are more likely to make a positive—and lasting—impression. The crosswalk strengthens Reedsburg's identity by reflecting its agricultural roots, which remain strong. Reedsburg is one of very few communities of its size that still supports a working feed mill; ours located just half a block west of Harvest Park.

The 400 Trail is already drawing thousands of visitors each year, and each of those visitors will decide whether they'd like to return at some point in the future, as a guest, or even as a new resident. A rich cultural environment supports a stronger connection to our community for them, and for those who currently call Reedsburg home.

Laura Annis, Artist

Laura Annis grew up in Trevor, WI and studied art at Columbia College in Chicago. After college, she remained in Chicago to work for 10 years. Her first introduction to Reedsburg was as a resident artist at the Wormfarm Institute in 2011. As part of her residency, she participated as a Farm Art DTour artist, and in the same year, relocated to Baraboo with her husband John, where she established a studio. She has produced a body of work that includes paintings, installations, set design and murals. Her murals are featured locally and internationally. She exhibits regularly within and beyond the Baraboo community and has been a Fall Art Tour artist since 2014. She is a member of Walldogs, a group of sign and mural artists from all over the globe, and the Global Mural Association.

To view samples of Laura's work, visit www.lauraannis.com

Joann Mundth Douglas, Project Manager

Joann co-founded Reedsburg ArtsLink in 2014 and is currently the volunteer Director. Since then, she has managed multiple large and medium scale public art projects in Reedsburg including the award-winning Ruminant/Harvest Park project, the Blue Wing Mural project (in collaboration with Little Eagle Arts Foundation), the 400 Trail Community Mural, City Park's *To Re-Wild*, The Wishing Tree, and the Reedikulus Polychrome Walleye and Wildflower. She has a B.S. from UW Eau Claire and a certificate in Rural Arts Management awarded by Arts Wisconsin.



Corn Cob Crosswalk by Austen Weymueller, 2017



400 Trail Mural by Laura Annis, installed in downtown Reedsburg 2015-2017.



Preliminary rendering of 2020 Harvest park Crosswalk featuring a stalk of ripe wheat laid across thick zebra crossing lines. According to the artist, this rendering is offered as a “jumping off point”.

Harvest Park Crosswalk Budget

2/27/20

Income						
	Cash					
		Grants	RAC Grant			\$1,300
		Earned Income				0
					Total Cash	\$1,300
	In-kind					
		Materials	Paint	\$100/5 gallons X 2		\$200
		Labor	10 volunteers	x 4 hrs/vol. @ \$7.25/hour		\$290
					Total In-kind Income	\$490
					Total Income	\$1,790
Expenses						
	Cash					
		Artist Design & Labor				\$1,000
		Supplies		Lunch/snacks for 10 volunteers		\$50
		ArtsLink Admin. Fee		10% of project value + discount		\$100
		Materials				\$100
		Miscellaneous				\$50
					Total Cash Expenses	\$1,300
	In-kind				Total In-kind Expenses	\$490
					Total Expenses	\$1,790



City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

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 Chapter 55. (*Wisconsin Statutes §946.10 through §946.13; and §19.41 et seq.)

Reviewed this _____ of May 2020 by _____
Printed Name

Signature Date: _____ 2020.

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.