

§ 115-13. - Code of conduct.

A. *Application.*

- (1) This Code of Conduct Ordinance is applicable to those persons holding an elected office of the village. See Wis. Stat. §§ 61.32 & 61.34(1).
- (2) Statutes cited herein are incorporated into this Code of Conduct Ordinance by reference and as from time to time they are amended.

B. *Complaint procedure.*

- (1) Any elected official, appointed official, resident, or employee of the village may file a sworn written complaint regarding a person holding an elected office of the village at the office of the village clerk alleging one or more violations of this Code of Conduct Ordinance.
 - (a) "Resident" means a person who is an eligible elector of the village under the Wisconsin statutes.
- (2) The office of the village clerk shall determine whether a complaint is in order.
- (3) The office of the village clerk shall notify the village board of a submitted complaint that is found to be in order.
- (4) A complaint may be taken up by the village board in the sole discretion of the village board, subject to the following:
 - (a) The written assent of at least four village board members is required for a complaint to be taken up.
 - (b) A complaint expires if the village board fails to take it up within 60 days of its notice having been made to the village board by the office of the village clerk.

C. Violations may be any of the following:

- (1) For "cause," which means inefficiency, neglect of duty, official misconduct, or malfeasance in office under Wis. Stat. § 17.001.
- (2) Continued physical inability to perform the duties of office or gross neglect of duty under Wis. Stat. § 17.13.
- (3) Failure to maintain a fiduciary responsibility to the village.
- (4) Violations of the open meetings law under Wis. Stat. ch. 19 Subch. II.
- (5) Violation of the statutory ethics code for local officials under Wis. Stat. ch. 19 Subch. III.
- (6) Violations of the public records law under Wis. Stat. ch. 19 Subch. V.
- (7) Refusal to keep order at a meeting as directed by the person authorized to conduct the meeting.
- (8) The unauthorized disclosure of information discussed at a closed session or from records that are not subject to disclosure under the public records law under Wis. Stat. ch. 19 Subch. V.

- (9) Electioneering prohibited by Wis. Stat. § 12.03.
- (10) Intentionally fails or refuses to perform a known mandatory, nondiscretionary, ministerial duty of the officer's or employee's office or employment within the time or in the manner required by law. Wis. Stat. § 946.12(1).
- (11) In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity. Wis. Stat. § 946.12(2).
- (12) Whether by act of commission or omission, in the officer's or employee's capacity as such officer or employee exercises a discretionary power in a manner inconsistent with the duties of the officer's or employee's office or employment or the rights of others and with intent to obtain a dishonest advantage for the officer or employee or another. Wis. Stat. § 946.12(3).
- (13) In the officer's or employee's capacity as such officer or employee, makes an entry in an account or record book or return, certificate, report or statement which in a material respect the officer or employee intentionally falsifies. Wis. Stat. § 946.12(4).
- (14) Under color of the officer's or employee's office or employment, intentionally solicits or accepts for the performance of any service or duty anything of value which the officer or employee knows is greater or less than is fixed by law. Wis. Stat. § 946.12(5).
- (15) Misuse of this Code of Conduct Ordinance.

D. Violation procedures:

- (1) For removal from office because of continued physical inability to perform the duties of office or gross neglect of duty, by a majority vote of all the members of the village board under Wis. Stat. § 17.13.
- (2) For removal from office due to cause under Wis. Stat. § 17.16.
- (3) For all other matters, in the manner that the village board determines to proceed.

E. Penalties to be selected in the sole discretion of the village board:

- (1) No action.
- (2) A public censure.
- (3) A citation for a forfeiture in an amount to be determined by the village board of not less than \$25 nor more than \$200.
- (4) Removal from village committees, commissions, or other bodies under Village Code § 14.6.
- (5) Removal from elected office of the village under Wis. Stat. §§ 17.13 and/or 17.16.
- (6) Referral of a matter to the office of the district attorney and/or other law enforcement as appropriate.

§ 14-20. Administrative policy committee (APC).

- A. *Composition.* The administrative policy committee shall consist of five members. Two members shall be village trustees. Three members shall be citizen members. Three members of the administrative policy committee shall constitute a quorum.
- B. *Appointment.* The village president appoints members to the administrative policy committee, with consultation and confirmation by the village board.
- C. *Organization.* The administrative policy committee shall select a chairperson and vice chairperson annually as described in §§ 14-10 and 14-11.
- D. *Recordkeeping.* The administrative policy committee shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the village clerk.
- E. *Meetings.* The APC shall meet quarterly or more often as determined by the committee, chairperson, village board, or administrator.
- F. *Duties to be verbally enumerated.* It shall be the responsibility of the village administrator to see to it that the duties in subsection G, below, shall be verbally enumerated and reviewed by the committee through discussion annually at the May committee meeting after the chairperson and the vice chairperson are selected. In the absence of the village administrator, this duty shall fall to the village clerk.
- G. *Duties.* The administrative policy committee is composed of sworn public officials assigned the responsibility of providing recommendations to the village board, and/or recommendations or memos to other committees on issues regarding administration, finances, and human resources for the short-term and long-term good of the village and its citizens. The village board recognizes and respects the fundamental importance of our committee structure and the weight of the citizen-member responsibilities as well as the value of well-considered and researched committee recommendations. Therefore, it is determined that the performance of these itemized duties shall not in any way be obstructed, curtailed, or bypassed by anyone either directly or by omission, except as deemed necessary by a majority vote of the village board. This committee's duties shall be liberally construed to include review, research, and recommendations regarding the following:
 - (1) Personnel policies;
 - (2) Staffing levels and changes to position descriptions and wage scales;
 - (3) Changes to policies of the village as they relate to personnel or financial matters;
 - (4) Proposed annual budgets for presentation to the village board;
 - (5) The monitoring of revenues and expenditures through regular reports, including the annual audit;
 - (6) Acquisition or disposition of village-owned property;
 - (7) Operational and capital budgets of all the departments of the village, including the village water utility and the village sewer utility;
 - (8) Grant applications;
 - (9) Financial review of capital projects and contracted services as defined in village policy FIN-004;
 - (10) Recruitment process for the village administrator or a department head position when a vacancy occurs in any of those positions;
 - (11) Review of internal financial controls and auditor's recommendations; and
 - (12) Any other matter the village board or administrator may refer.

(Ord. No. 10-04, 4-12-2010; Ord. No. 19-02, 2-12-2019; Ord. No. 21-08, 8-24-2021)


§ 14-21. - Community life, infrastructure and public properties committee (CLIPP).

- A. *Composition.* The community life, infrastructure and public properties committee shall consist of five members. Two members shall be village trustees. Three members shall be citizen members. Three members of the community life, infrastructure and public properties committee shall constitute a quorum.
- B. *Appointment.* The village president appoints members to the community life, infrastructure and public properties committee, with consultation and confirmation by the village board.
- C. *Organization.* The community life, infrastructure and public properties committee shall select a chairperson and vice chairperson annually as described in §§ 14-10 and 14-11.
- D. *Recordkeeping.* The community life, infrastructure and public properties committee shall keep a written record of its proceedings, to include all actions taken, a copy of which shall be filed with the village clerk.
- E. *Meetings.* The community life, infrastructure and public properties committee shall meet quarterly or more often as determined by the committee, chairperson, village board, or administrator.
- F. *Duties to be verbally enumerated.* It shall be the responsibility of the village administrator to see to it that the duties in subsection G, below, shall be verbally enumerated and reviewed by the committee through discussion annually at the May committee meeting after the chairperson and the vice chairperson are selected. In the absence of the village administrator, this duty shall fall to the village clerk.
- G. *Duties.* The community life, infrastructure and public properties committee is composed of sworn public officials assigned the responsibility of providing recommendations to the village board, and/or recommendations or memos to other committees on issues regarding community safety, quality of life, and recreation for the short-term and long-term good of the village and its citizens. It shall also provide recommendations relating to the maintenance and physical development of all municipal property, including parks, streets, and municipal buildings, for the short-term and long-term good of the village and its citizens. The village board recognizes and respects the fundamental importance of our committee structure and the weight of the citizen-member responsibilities as well as the value of well-considered and researched committee recommendations. Therefore, it is determined that the performance of these itemized duties shall not in any way be obstructed, curtailed, or bypassed by anyone either directly or by omission, except as deemed necessary by a majority vote of the village board. This committee's duties shall be liberally construed to include review, research, and recommendations regarding the following:
 - (1) Long-range and short-range plans in the areas of parks, streets, utilities, and municipal buildings;

- (2) Research related to the acquisition or disposition of property;
- (3) Operational and capital properties and infrastructure budgets of the community development, public works, parks, police, and fire departments;
- (4) Grant applications in terms of the scope of the committee;
- (5) Policies and procedures regarding the use, maintenance, or improvements of public property;
- (6) Requests for proposals and bidding documents for capital infrastructure projects;
- (7) Recreation opportunities, such as park programming, bike and pedestrian paths, community events, and any other matters regarding general quality of life within in the village;
- (8) Community outreach, and citizen involvement, and any matter of resident complaints or concern;
- (9) Police department, fire department, streets and public works operations;
- (10) Village inspection services;
- (11) Village forestry and agricultural programs;
- (12) Traffic and pedestrian safety matters;
- (13) Refuse collection activities;
- (14) Long- and short-range planning, preparation, and procedure for the village emergency operation plan; and
- (15) Any other matter the village board or administrator may refer.

(Ord. No. 19-02, 2-12-2019; Ord. No. 21-08, 8-24-2021; Ord. No. 21-23, 11-23-2021)

Editor's note— Ord. No. 19-02, adopted February 12, 2019, amended the Code by repealing former § 14-21, which pertained to the properties and infrastructure committee (PIC), and adding a new § 14-21.

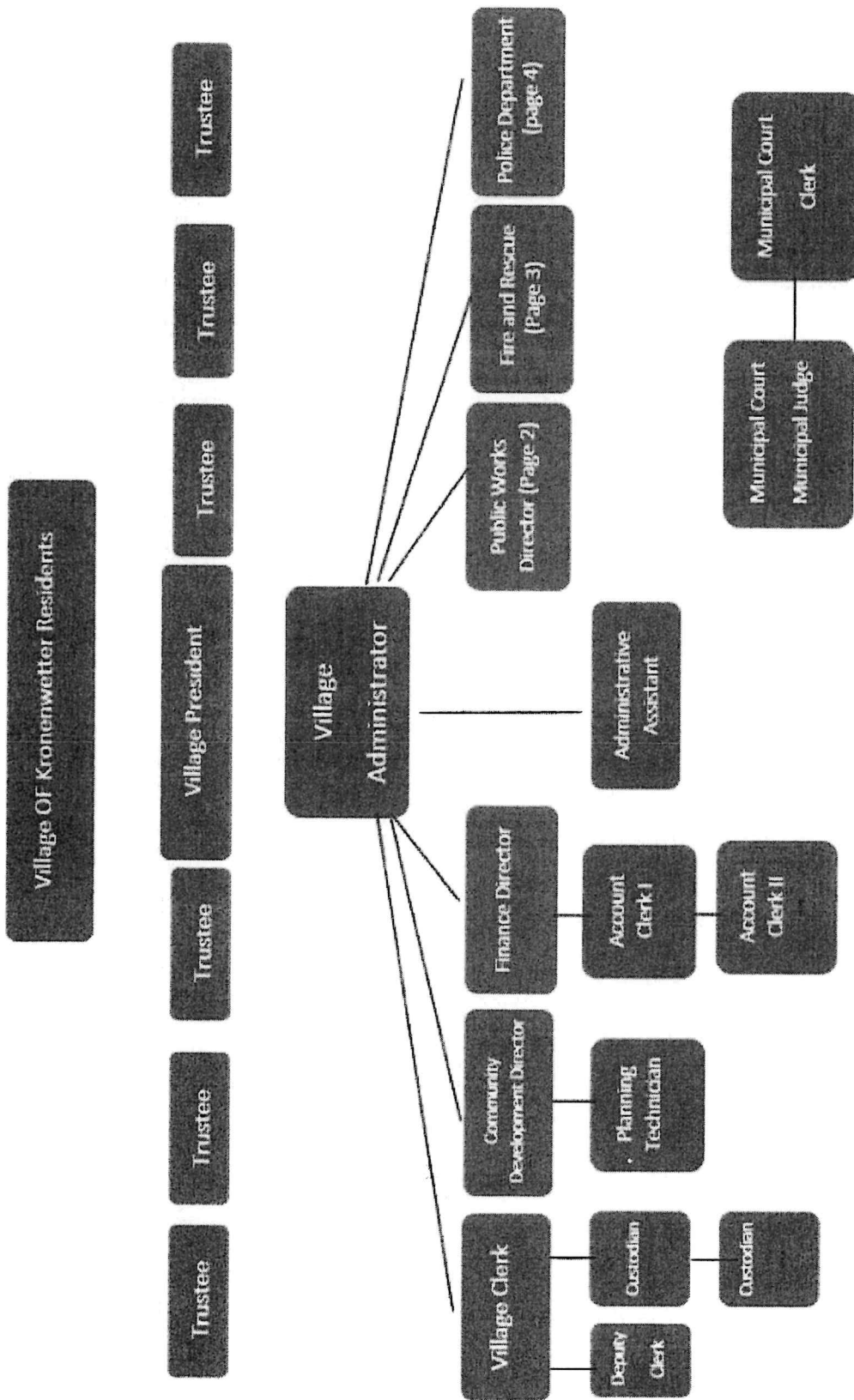
POLICY ID: GEN-012		TITLE: <i>Complaints to the Village</i>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION EFFECTIVE DATE: <i>Immediate</i>		APPROVED BY VILLAGE BOARD:  Village Clerk	DATE: 05/23/22 & 01/23/23
APPLIES TO:		<input checked="" type="checkbox"/> FLSA EXEMPT	<input checked="" type="checkbox"/> FLSA NON-EXEMPT
<input checked="" type="checkbox"/> REPRESENTED EMPLOYEES		<input checked="" type="checkbox"/> Non-REPRESENTED EMPLOYEES	
<i>This policy applies to all Village of Kronenwetter employees in the categories checked in this section. Provisions within individual personal contracts or a collective bargaining agreement may supersede certain parts of this policy.</i>			

Purpose – As part of the Village’s Mission Statement, the Village Board has determined that the Village will meet service demands through high-quality customer service, innovation, a positive work environment, and a commitment to excellence. Therefore, complaints of the Village should be handled administratively by Village staff. The Community Life Infrastructure and Public Property Committee will review them to ensure that if policy changes need to occur, the elected officials of the Village can address them promptly.

Policy – Village staff will log any verbal or written complaint received by the Village related to non-Police or Fire associated matters. Village staff will address the complaints promptly to the best of their ability and within the adopted policies, ordinances, and state statutes.

Village staff shall place a copy of that log on the regular schedule of the Community Life, Infrastructure, and Public Property (CLIPP) for review and discussion by the committee. The committee will review the complaints and summarize the actions that staff took administratively to address the complaints. Suppose the committee feels that a change in the policies, or ordinances of the Village needs to occur. In that case, they shall either place the item on a future CLIPP agenda or recommend that staff take the thing to another committee of the Village for recommendation by that committee to the Village Board. For example, water quality complaints would go to the Utility Committee of the Village, Tax Assessments would go to the Board of Review, etc.

Village of Kronenwetter Organizational Chart



Wisconsin Ethics Commission

Citizen's Guide

Standards Of Conduct For Local Government Officials

Wisconsin Statutes establish standards of conduct for all of our state's governmental officials, including local officials. These legal requirements apply to elected and key appointed officials of our state's counties, cities, villages, towns, school boards, and sewerage and other special districts.¹

Standards of conduct. In general, a local public official should not:

- **ACT OFFICIALLY IN A MATTER IN WHICH THE OFFICIAL IS PRIVATELY INTERESTED**
- **USE GOVERNMENT POSITION FOR PRIVATE FINANCIAL BENEFIT**
- **ACCEPT TRANSPORTATION, LODGING, FOOD, BEVERAGES, OR ANYTHING ELSE OF MORE THAN TOKEN VALUE OFFERED BECAUSE THE OFFICIAL HOLDS A GOVERNMENT POSITION**
- **SOLICIT OR ACCEPT REWARDS OR ITEMS OR SERVICES LIKELY TO INFLUENCE THE OFFICIAL**
- **OFFER OR PROVIDE INFLUENCE IN EXCHANGE FOR CAMPAIGN CONTRIBUTIONS**
- **BE FINANCIALLY INTERESTED IN A GOVERNMENT CONTRACT THE VALUE OF WHICH EXCEEDS \$15,000 AND FOR WHICH THE OFFICIAL IS AUTHORIZED TO TAKE SOME DISCRETIONARY ACTION (EVEN IF THE OFFICIAL ABSTAINS)**²

Financial disclosure. Some local governments make available a list of the employers and financial interests of their government's officials.³ Most do not. The decision to collect this information is one that the legislature has left to each unit of government. To learn if your county, municipality, or town provides this information, ask your county or municipal clerk.

Addressing issues before they become problems. To deal with a conflict between a private interest and governmental responsibilities before an official takes a vote or enters into discussions on a matter, the official can either resolve the matter by relinquishing the private interest or mitigate the problem by temporarily withdrawing from exercise of governmental responsibilities. By seeking advice beforehand, an official can determine whether statutory restrictions permit the official to participate in a matter or to accept items or services of value.

Ordinarily, the legal advisor for the unit of government of which the official's position is a part is in the best position to advise the government official about a matter involving ethical standards of conduct. Sometimes, a statewide association of local governments will advise an official.⁴

If, after studying the legal standards and gathering the pertinent facts, the legal counsel is uncertain about what advice to offer, the lawyer may direct a letter to the Wisconsin Ethics Commission stating the pertinent facts and law, tentative conclusion, and basis for it, and ask that the Wisconsin Ethics Commission issue an opinion concerning the interpretation of §19.59, the Code of Ethics for Local Government Officials, Employees and Candidates. Written requests for advice are confidential. No

¹ §19.59, *Wisconsin Statutes*.

² §946.13, *Wisconsin Statutes*. See text of statutes for exceptions to general rule.

³ Among the local governments requiring their officials to identify information about their sources of income and investments are the cities of Madison and Milwaukee and the counties of Dane, Milwaukee, and Wood.

⁴ Examples include Wisconsin Counties Association, League of Wisconsin Municipalities, Wisconsin Towns Association, Wisconsin Association of School Boards.

This is a guide. For authoritative information consult Wisconsin Statutes.

member or employee of the Ethics Commission may make public the identity of anyone requesting an advisory opinion or of persons mentioned in an opinion. Periodically, the Commission publishes summaries of its opinions after making sufficient alterations to prevent the identification of the requestor and persons mentioned in the opinions. The *Statutes* do not authorize the Commission to issue an opinion to a citizen or to an official or representative of a local government other than the local government's legal counsel.

Complaints. If you believe that an official of a county, city, village, town, school board, or special purpose district has violated a standard of conduct that state law requires the official to observe, you may file a complaint with the Commission, or with the district attorney for the county in which the activity occurred.

Your complaint should describe the pertinent facts succinctly. State that you swear or affirm that the information you are providing is true to the best of your knowledge, information, and belief. Have a notary or other person authorized to administer an oath witness your signature to the complaint. Deliver the complaint to the Commission or district attorney, in person, or by mail, or other appropriate way you find convenient.

Allow the Commission or district attorney a reasonable length of time to look into the matter. It may take several weeks to look into the facts and law in order to make a good decision about how to proceed.

If the complaint about a local public official is filed with the Wisconsin Ethics Commission, the Commission's policy is to refer it to the local district attorney. If the district attorney has not responded to a complaint within 60 days of a referral, the Commission may refer the matter to the Attorney General.

Individuals may also file a complaint directly with the district attorney. If the district attorney has not filed a complaint or replied to you within 20 days of your filing a complaint with that office, you may send a copy of your complaint to the Attorney General's Office, explaining that the district attorney, after considering your complaint for 20 days or more, has not begun an action against the person you complained about, and ask the Attorney General to enforce the complaint. If the Attorney General also declines to prosecute the matter, you will at least have the satisfaction that two law enforcement agencies have had the opportunity to review your complaint and act upon it. The Wisconsin Ethics Commission cannot overturn the decisions of the district attorney or Attorney General or, independent of them, enforce standards of conduct for local government officials.