



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | vi.williamsbay.wi.gov

Phone: 262-245-2700

NOTICE

JOINT MEETING OF THE VILLAGE BOARD COMMITTEE OF THE WHOLE & COMMITTEES

MONDAY, OCTOBER 2, 2023 AT 6:45 PM

Village Hall Council Room
250 Williams Street
Williams Bay, WI 53191

AGENDA

The following agenda items may be considered for Discussion, Consideration, or Action

- I. Village Board Committee of the Whole**
 - a. Call to Order
 - b. Roll Call
 - c. Village Board Committee of the Whole Meeting Minutes of September 5, 2023
- II. Streets & Highways Committee – D'Alessandro, Russell, Vlach (5 Min.)**
 - a. Call to Order
 - b. Roll Call
 - c. Streets & Highways Committee Meeting Minutes of September 5, 2023
 - d. Adjournment
- III. Protective Services Committee – Vlach, Russell, Jaramillo (5 Min.)**
 - a. Call to Order
 - b. Roll Call
 - c. Protective Services Committee Meeting Minutes
 - 1. September 5, 2023
 - 2. September 18, 2023
 - d. Fontana Emergency Medical Services (EMS) Monthly Numbers
 - e. Police Department Monthly Numbers
 - f. Adjournment
- IV. Building, Zoning & Ordinance Committee – Jaramillo, Wright, D'Alessandro (10 Min.)**
 - a. Call to Order
 - b. Roll Call

- c. Building, Zoning & Ordinance Committee Meeting Minutes of September 5, 2023
- d. Discussion of Increasing Village Treasurer Position Current One (1) Year Term
- e. Adjournment

V. Parks & Lakefront Committee – Russell, Wright, Umans (10 Min.)

- a. Call to Order
- b. Roll Call
- c. Parks & Lakefront Committee Meeting Minutes of September 5, 2023
- d. Lifeguard Services Agreement for the 2024 Summer Season
- e. Geneva Lake Water Safety Patrol request for a Defibrillator (AED) to be kept at the Williams Bay Public Beach
- f. Recreation Directors Report
- g. Adjournment

VI. Water & Sewer Committee – Umans, Jaramillo, Vlach (20 Min.)

- a. Call to Order
- b. Roll Call
- c. Water & Sewer Committee Meeting Minutes of September 5, 2023
- d. Clover Street and Williams Street Developments Agreements
- e. Public Works Department replacement of water leak/loss detection tool
- f. Public Works Directors Report
- g. Engineers Report
- h. Adjournment

VII. Finance & Personnel Committee – Wright, D'Alessandro, Umans (45 Min.)

- a. Call to Order
- b. Roll Call
- c. Finance & Personnel Committee Meeting Minutes
 - 1. September 5, 2023
 - 2. September 13, 2023
 - 3. September 14, 2023
 - 4. September 18, 2023
 - 5. September 27, 2023
- d. Clover Street and Williams Street Developments Agreements
- e. Draft 2024 Budget Status Review
- f. Public Works Department replacement of water leak/loss detection tool
- g. Lifeguard Services Agreement for the 2024 Summer Season
- h. Geneva Lake Water Safety Patrol request for a Defibrillator (AED) to be kept at the Williams Bay Public Beach
- i. Consideration of a Village Board Handbook
- j. Discussion of Tax Increment Financing
- k. Monthly Borrowings Status Report

l. Treasurer's Report

m. Adjournment

VIII. Possible Action on Matters Discussed in Committees

IX. Village Board Committee of the Whole

a. Adjournment

Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the Village Clerk's office in advance so the appropriate accommodations can be made.

Posted: 09/29/2023 5:00 PM



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | vi.williamsbay.wi.gov

Phone: 262-245-2700

UNOFFICIAL MINUTES JOINT MEETING OF THE VILLAGE BOARD COMMITTEE OF THE WHOLE & COMMITTEES

TUESDAY, SEPTEMBER 5, 2023 AT 6:45 PM

**VILLAGE HALL COUNCIL ROOM
250 WILLIAMS STREET
WILLIAMS BAY, WI 53191**

I. Village Board Committee of the Whole

a. Call to Order

President Duncan called the meeting to order at 06:47pm.

b. Roll Call

Present: Bill Duncan, Lowell Wright, George Vlach, Robert Umans, Jim D'Alessandro, Adam Jaramillo, Steven Russell

Also Present: Administrator Lothspeich, Police Chief Timm, Clerk Kolls, Brett Biwer, Baxter & Woodman

II. Streets & Highways Committee – D'Alessandro, Russell, Vlach (10 Min.)

a. Call to Order

Chairman Trustee D'Alessandro called the meeting to order at 06:48pm.

b. Roll Call

Present: Trustees D'Alessandro, Vlach, and Russell

c. Streets & Highways Committee Meeting Minutes of August 7, 2023

The motion to approve the Streets & Highways Committee Meeting Minutes of August 7, 2023 was initiated by Trustee Russell and seconded by Trustee Vlach. Unanimously carried.

d. Village Engineer Work Order - STH 67 Reconstruction: West Section - Design Utility Improvements

The motion to recommend to the Finance and Personnel Committee for a funding source the Village Engineer Work Order - STH 67 Reconstruction: West Section - Design Utility Improvements was initiated by Trustee Vlach and seconded by Trustee Russell. Unanimously carried.

e. Adjourn

The motion to adjourn was initiated by Trustee Vlach and seconded by Trustee Russell at 06:58pm. Unanimously carried.

III. Parks & Lakefront Committee – Russell, Wright, Umans (10 Min.)

a. Call to Order

Chairman Trustee Russell called the meeting to order at 06:58pm.

b. Roll Call

Present: Trustees Russell, Wright, and Umans

c. Parks & Lakefront Committee Meeting Minutes of August 7, 2023

The motion to approve the Parks & Lakefront Committee Meeting Minutes of August 7, 2023 was initiated by Trustee Wright and seconded by Trustee Russell. Trustee Umans abstained, motion carries.

d. Williams Bay Lions Club Edgewater Use and Policy Contract for Nick Caselli Rocking Car Show October 14, 2023

The motion to approve the Williams Bay Lions Club Edgewater Use and Policy Contract for Nick Caselli Rocking Car Show on October 14, 2023 was initiated by Trustee Umans and seconded by Trustee Wright. Unanimously carried.

e. Consideration of Accepting Bid for Geneva Lake Dredging at Southwick Creek re: Odling Construction to load the dewatered dredge sediment, haul it to their pit, and dispose of the material

The motion to recommend the Finance & Personnel Committee find a funding source for the Consideration of Accepting Bid for Geneva Lake Dredging at Southwick Creek re: Odling Construction to load the dewatered dredge sediment, haul it to their pit, and dispose of the material was initiated by Trustee Umans and seconded by Trustee Wright. Unanimously carried.

f. Adjourn

The motion to adjourn was initiated by Trustee Umans and seconded by Trustee Wright at 07:01pm. Unanimously carried.

IV. Protective Services Committee – Vlach, Russell, Jaramillo (20 Min.)

a. Call to Order

Chairman Trustee Vlach called the meeting to order at 07:01pm.

b. Roll Call

Present: Trustees Vlach, Russell, and Jaramillo

c. Special Protective Services Committee Meeting Minutes of August 7, 2023

The motion to approve the Special Protective Services Committee Meeting Minutes of August 7, 2023 was initiated by Trustee Jaramillo and seconded by Trustee Vlach. Unanimously carried.

d. Protective Services Committee Meeting Minutes of August 7, 2023

The motion to approve the Protective Services Committee Meeting Minutes of August 7, 2023 was initiated by Trustee Russell and seconded by Trustee Jaramillo. Unanimously carried.

e. Fontana Emergency Medical Services (EMS) Monthly Numbers

The Committee reviewed the July 2023 EMS Monthly Emergency Medical Services Numbers.

f. Police Department Monthly Numbers

The Committee Reviewed the July 2023 Police Department Monthly Numbers.

g. Police Chief's Monthly Report

Police Chief Timm gave a summary of recent events which included the following:

- The Corn & Brat fest went well. It was a safe event with only 10 open intoxicants and all coming to the event.
- The Police Department was working with the Lions Club on the Nick Casselli Car Show to ensure a safe traffic pattern.
- Officer Scurto will be gone for two weeks on Military Duty.
- The Police Department was working on the Drug Buy Back in Walworth County. We had 134 lbs of narcotics dropped into the green box in the hallway, which keeps it out of our sewers.

h. Williams Bay Lions Club Temporary Class "B" and "Class B" Retailer's License Application for October 14, 2023

The motion to recommend Village Board approval of the Williams Bay Lions Club Temporary Class "B" and "Class B" Retailer's License Application for October 14, 2023 was initiated by Trustee Vlach and seconded by Trustee Jaramillo. Unanimously carried.

i. Kishwauketoe Nature Conservancy - Friends of Kishwauketoe Temporary "Class B" Retailer's License

Application for October 14, 2023 and October 15, 2023

The motion to recommend Village Board approval of the Kishwauketoe Nature Conservancy - Friends of Kishwauketoe Temporary "Class B" Retailer's License Application for October 14, 2023 and October 15, 2023, with the fees waived, was initiated by Trustee Vlach and seconded by Trustee Jaramillo. Unanimously carried.

j. Walworth Avenue Speed Sign Report

Police Chief Timm discussed the findings of the Walworth Avenue speed sign the highlights being:

- The Maximum speed was 39 miles per hour.
- The average speed was 19-20 miles per hour.
- The results of the report did not appear to show an excess of speeding.

Trustee D'Alessandro requested that the report from the Walworth Avenue be compared to reports from the other streets that have been completed in the past to see if the percentage of speeding cars is the same.

Trustee Vlach explained that Walworth Avenue has more traffic than other streets and he thought that should be kept in mind when comparing it to other speed sign reports.

k. Authorizing the Police Department & Fire Department to Sell Surplus Equipment & Supplies

The motion to recommend Village Board approval Authorizing the Police Department & Fire Department to Sell Surplus Equipment & Supplies was initiated by Trustee Russell and seconded by Trustee Jaramillo. Unanimously carried.

l. Adjourn

The motion to adjourn was initiated by Trustee Jaramillo and seconded by Trustee Russell at 07:22pm. Unanimously carried.

V. Building, Zoning & Ordinance Committee – Jaramillo, Wright, D'Alessandro (20 Min.)

a. Call to Order

Chairman Trustee Jaramillo called the meeting to order at 07:22pm.

b. Roll Call

Present: Trustees Jaramillo, Wright, and D'Alessandro

c. Building, Zoning & Ordinance Committee Meeting Minutes of August 7, 2023

The motion to approve the Building, Zoning & Ordinance Committee Meeting Minutes of August 7, 2023 was initiated by Trustee Wright and seconded by Trustee D'Alessandro. Unanimously carried.

d. Village Code Amendment(s) - Tree Preservation Ordinance

The motion to recommend Village Board approval as amended of Village Code Amendment(s) - Tree Preservation Ordinance was initiated by Trustee Jaramillo and seconded by Trustee Wright. Unanimously carried.

e. Village Code Amendments - Ordinance Regulating Political Signs

The motion to recommend Plan Commission Approval as amended of Village Code Amendments - Ordinance Regulating Political Signs was initiated by Trustee Jaramillo and seconded by Trustee D'Alessandro. Trustee Wright No. Motion carries.

f. Ordinance #2023-09 Amending Village Code Section 22-1 Re: Municipal Judge Re: Oath

The motion to recommend the Village Board approval of Ordinance #2023-09 Amending Village Code Section 22-1 Re: Municipal Judge Re: Oath was initiated by Trustee Jaramillo and seconded by Trustee D'Alessandro. Unanimously carried.

g. Clover Street and Williams Street Developments Agreements

The Clover Street and Williams Street Developments Agreements were deferred to the October 2, 2023 Building, Zoning & Ordinance Committee Meeting.

h. Adjourn

The motion to adjourn was initiated by Trustee Wright and seconded by Trustee D'Alessandro at 07:45pm. Unanimously

carried.

VI. Water & Sewer Committee – Umans, Jaramillo, Vlach (20 Min.)

a. Call to Order

Chairman Trustee Umans called the meeting to order at 07:45pm.

b. Roll Call

Present: Trustees Umans, Jaramillo, and Vlach

c. Water & Sewer Committee Meeting Minutes of August 7, 2023

The motion to approve the Water & Sewer Committee Meeting Minutes of August 7, 2023 was initiated by Trustee Vlach and seconded by Trustee Jaramillo. Trustee Umans Abstained. Motion carries.

d. Village Engineer Work Order - STH 67 Reconstruction: West Section - Design Utility Improvements

The motion to recommend to the Finance and Personnel Committee for a funding source the Village Engineer Work Order - STH 67 Reconstruction: West Section - Design Utility Improvements was initiated by Trustee Umans and seconded by Trustee Vlach. Unanimously carried.

e. Public Works Directors Report

The Public Works Director had no report.

f. Engineers Report

The Committee reviewed the Engineers Report.

g. Adjourn

The motion to adjourn was initiated by Trustee Umans and seconded by Trustee Jaramillo at 07:57pm. Unanimously carried.

VII. Finance & Personnel Committee – Wright, D'Alessandro, Umans (60 Min.)

a. Call to Order

Chairman Trustee Wright called the meeting to order at 07:57pm.

b. Roll Call

Present: Trustees Wright, D'Alessandro, and Umans

c. Finance & Personnel Committee Meeting Minutes of August 7, 2023

The motion to approve the Finance & Personnel Committee Meeting Minutes of August 7, 2023 was initiated by Trustee D'Alessandro and seconded by Trustee Wright. Trustee Umans abstained. Motion carries.

d. Consideration of Accepting Bid for Tennis and Basketball Courts – Theater Road Park

The motion to recommend Village Board approval of the Bid for Tennis and Basketball Courts – Theater Road Park including the electrical wiring only with the funding to come from the theatre Road Concession was initiated by Trustee Wright and seconded by Trustee Umans. Unanimously carried.

e. Consideration of Accepting Bid for Lime Reactor Cleaning

The motion to recommend Village Board approval of the Bid for Lime Reactor Cleaning with the funding to come from the Southwick Creek Realignment was initiated by Trustee Wright and seconded by Trustee Umans. Unanimously carried.

f. Consideration of Accepting the Bid for Well 2 Pump Replacement

The motion to recommend Village Board approval of the Bid for Well 2 Pump Replacement with funding to come from the Southwick Creek Realignment was initiated by Trustee Wright and seconded by Trustee Umans. Unanimously carried.

g. Consideration of Accepting Bid for Geneva Lake Dredging at Southwick Creek

The motion to recommend Village Board approval of the Bid for Geneva Lake Dredging at Southwick Creek with the funding coming from the East Geneva Street Project was initiated by Trustee Wright and seconded by Trustee D'Alessandro. Unanimously carried.

- h.** Consideration of Accepting Bid for Geneva Lake Dredging at Southwick Creek re: Odling Construction to load the dewatered dredge sediment, haul it to their pit, and dispose of the material

The motion to recommend Village Board approval of the Bid for Geneva Lake Dredging at Southwick Creek re: Odling Construction to load the dewatered dredge sediment, haul it to their pit, and dispose of the material with the funding coming from the East Geneva Street Project was initiated by Trustee Wright and seconded by Trustee D'Alessandro. Unanimously carried.

- i.** Village Engineer Work Order - STH 67 Reconstruction: West Section - Design Utility Improvements

The motion to recommend Village Board approval of the Village Engineer Work Order - STH 67 Reconstruction: West Section - Design Utility Improvements with funding to come from the Chlorination Project was initiated by Trustee Wright and seconded by Trustee D'Alessandro. Unanimously carried.

- j.** Renewal of the Municipal Business Lease with TLS Windsled Inc. for the 2023 Season

The motion to recommend Village Board approval on Consent Agenda the Renewal of the Municipal Business Lease with TLS Windsled Inc. for the 2023 Season was initiated by Trustee Umans and seconded by Trustee D'Alessandro. Unanimously carried.

- k.** Authorizing the Police Department, Fire & EMS Department and Administrative Office to Sell Surplus Equipment & Supplies

The motion to recommend Village Board approval Authorizing the Police Department, Fire & EMS Department and Administrative Office to Sell Surplus Equipment & Supplies was initiated by Trustee Umans and seconded by Trustee D'Alessandro. Unanimously carried.

- l.** Approval of Amended Performance Appraisal Form for the Village Administrator

The committee reviewed the Performance Appraisal Form for the Village Administrator.

- m.** Draft Capital Improvement Program (CIP) Presentation - Baird

Adam Ruechel and Kevin Mullen of Baird gave a brief overview of the draft Capital Improvement Program (CIP) to the Committee.

- n.** Review budget process and salary increase parameters

The Committee discussed the budget process and the salary increase parameters.

- o.** Treasurer's Report

- p.** Monthly Borrowings Status Report

The Committee reviewed the Monthly Borrowings Status Report.

- q.** Adjourn

The motion to adjourn was initiated by Trustee Umans and seconded by Trustee D'Alessandro at 08:57pm. Unanimously carried.

VIII. Possible Action on Matters Discussed in Committees

There were no matters discussed.

IX. Village Board Committee of the Whole

- a.** Adjournment

The motion to adjourn was initiated by Trustee Wright and seconded by Trustee Vlach at 08:58pm. Unanimously carried.

These are not official Minutes until approved by the Governing Body.



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | vi.williamsbay.wi.gov

Phone: 262-245-2700

UNOFFICIAL MINUTES PROTECTIVE SERVICES COMMITTEE MEETING 9/18/2023 MEETING MONDAY, SEPTEMBER 18, 2023 AT 6:00 PM

I. Call to Order

Trustee Vlach called the meeting to order at 06:04pm.

II. Roll Call

Present: Trustees George Vlach, Adam Jaramillo, and Steven Russell

Also Present: Administrator David Lothspeich, Police Chief Justin Timm, Clerk Tina Kolls

III. First Review of Draft Department Budgets

The Committee reviewed the first draft of the department budgets.

IV. Part-Time Hiring Process

The motion to recommend to the Village Board that they suspend the posting process for the Part-Time Hiring Process but continue to follow the remainder of the process was initiated by Trustee Vlach and seconded by Trustee Jaramillo. Unanimously carried.

V. Adjourn

The motion to adjourn was initiated by Trustee Vlach and seconded by Trustee Russell at 06:22pm. Unanimously carried.

/s/ Tina Kolls, Village Clerk

These are not official Minutes until approved by the Governing Body.

Water Safety Patrol

Geneva Lake Water Safety Committee, Inc.

P.O. Box 548; 451 Outing St., Williams Bay, WI 53191

Phone: 262-245-6577

e-mail: wspatrol@sbcglobal.net; web: watersafetypatrol.org

Lifeguard Services Agreement for the 2024 Summer Season

The Geneva Lake Water Safety Patrol agrees to provide services to the Village of Williams Bay based on the following description:

Service Description:

***Weekdays:** Two Lifeguards (with staggered breaks). Hours of coverage: **10:00 am to 5:00 pm.**

***Weekends/Holidays:** Three Lifeguards (with overlapping shifts/staggered breaks). Hours of coverage: **10:00 am to 5:00 pm.**

***Dates of Coverage:** Daily beginning **June 1 through Aug. 25** PLUS Labor Day Wknd (**Aug. 31-Sept. 2**).

Note: After Aug. 18, weekday coverage will drop down to one guard with hours of 1:00pm to 5:00pm, and weekend/holiday coverage will drop down to two guards with hours of 10:00am to 5:00pm.

Weather: In cases of dangerous, questionable, rainy or cold (65 degrees or below) weather conditions, the lifeguard(s) may be dismissed early or temporarily at the discretion of the Water Safety Patrol management. A "Swim at Your Own Risk" policy is in effect whenever lifeguards are not present on the beach (Village to post signs to that effect). Also, if/when the Beach House closes, the Lifeguards may be dismissed.

Training: Lifeguard Services include ongoing training by Water Safety Patrol. All lifeguards will be certified, and will participate in regular training and practice drills both at the beach and off premises.

Costs:

Lifeguard Services for the above dates.....	\$20,842.00
Liability Insurance.....	\$3965.00
Workman's Compensation.....	\$ 580.00
Uniforms.....	\$ 480.00
First-Aid Supplies.....	\$ 385.00
Swimming Lessons.....	\$3980.00
New Megaphone.....	\$ 85.00

Total: \$30,317.00

Payment: Full payment due by May 1, 2024. Please use this document as your invoice.

Authorized Signatures:

Williams Bay Representative: _____ date: _____

Print: _____ title _____

Water Safety Patrol: _____ date: _____

Ted Pankau, Director

Please return this signed agreement to Water Safety Patrol by Dec. 15, 2023

RESOLUTION
R-64-23

A RESOLUTION ACCEPTING THE GENEVA LAKE WATER SAFETY COMMITTEE, INC. ANNUAL
LIFEGUARD SERVICES AGREEMENT FOR THE 2024 SUMMER SEASON

WHEREAS, the Geneva Lake Water Safety Committee, Inc. has submitted the attached Annual Lifeguard Services Agreement to the Village of Williams Bay; and

WHEREAS, the Agreement provides Lifeguard services to the Village of Williams Bay daily beginning June 1 through August 25 plus Labor Day Weekend (August 31 through September 2; and

WHEREAS, on October 2, 2023, the Village of Williams Bay Finance & Personnel Committee determined that it is in the best interests of the Village to recommend approval of the Lifeguard Services Agreement for the 2024 Summer Season; and

WHEREAS, on October 16, 2023, the Village of Williams Bay Village Board, as recommended by the Finance & Personnel Committee, has determined that it is in the best interests of the Village and its residents to approve the Agreement; and

NOW, THEREFORE, the Village Board of the Village of Williams Bay, County of Walworth, State of Wisconsin, do hereby ordain as follows:

Section I: Recitals. The foregoing recitals are hereby incorporated herein as findings of the Village Board of Trustees.

Section II: Approval. The President and Board of Trustees hereby approves the recommended agreement, therefore.

APPROVED by the Village Board of the Village of Williams Bay this 16th day of October, 2023.

VILLAGE OF WILLIAMS BAY

By: _____
William Duncan, President

Attest: _____

Tina Kolls, Clerk

Water Safety Patrol

Geneva Lake Water Safety Committee, Inc., est. 1920

P.O. Box 548; 451 Outing St.; Williams Bay, WI 53191; Phone: 262-245-6577

Email: wspatrol@sbcglobal.net; Web: www.watersafetypatrol.org

Date: September 19, 2023

To: Village of Williams Bay

From: Geneva Lake Water Safety Patrol

Re: AED Unit for Beach

In light of recent rescue calls, and the increased number of incidents involving pull-outs of swimmers at the beach, we would like to request that the Village of Williams Bay invest in an AED to keep at its Public Beach location. Our lifeguards are trained to use these devices, but currently must wait for one of our Boat Crews or a Rescue Squad to arrive before being able to apply this lifesaving measure.

We would suggest that the unit be mounted on a wall inside the Lifeguard Storage closet at the Beach House for quick access if and when needed.

This past summer there were at least a few occasions where our lifeguards had to perform CPR on near-drowning victims, and quick access to an AED unit could make a difference in saving lives.

Thank you for your consideration,

Ted Pankau
Director
Water Safety Patrol



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | vi.williamsbay.wi.gov

Phone: 262-245-2700

UNOFFICIAL MINUTES FINANCE & PERSONNEL COMMITTEE MEETING 9/13/2023 MEETING

WEDNESDAY, SEPTEMBER 13, 2023 AT 9:00 AM

VILLAGE HALL COUNCIL ROOM

250 WILLIAMS STREET

WILLIAMS BAY, WI 53191

There may be a quorum of Village Trustees present, no board business will be conducted.

I. Call to Order

Chairman Trustee Wright called the meeting to order at 09:00am.

II. Roll Call

Present: Trustees Lowell Wright, Jim D'Alessandro, and Robert Umans

Also Present: Administrator David Lothspeich, Public Works Director Wayne Edwards,

III. First Review of Draft Department Budgets

The committee reviewed the first draft of the department budgets.

IV. Adjourn

The motion to adjourn was initiated by Trustee D'Alessandro and seconded by Trustee Umans at 10:48am. Unanimously carried.

/s/ Tina Kolls, Village Clerk

These are not official Minutes until approved by the Governing Body.



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | vi.williamsbay.wi.gov

Phone: 262-245-2700

UNOFFICIAL MINUTES FINANCE & PERSONNEL COMMITTEE MEETING 9/14/2023 MEETING

THURSDAY, SEPTEMBER 14, 2023 AT 9:00 AM

VILLAGE HALL COUNCIL ROOM

250 WILLIAMS STREET

WILLIAMS BAY, WI 53191

There may be a quorum of Village Trustees present, no board business will be conducted.

I. Call to Order

Chairman Trustee Wright called the meeting to order at 09:00am.

II. Roll Call

Present: Trustees Lowell Wright, Jim D'Alessandro, and Robert Umans

Also Present: Administrator David Lothspeich, Recreation Director Dave Rowland, Public Works Director Wayne Edwards

III. First Review of Draft Department Budgets

The Committee reviewed the first draft of department budgets.

IV. Adjourn

The motion to adjourn was initiated by Trustee Umans and seconded by Trustee D'Alessandro at 10:49am. Unanimously carried.

/s/ Tina Kolls, Village Clerk

These are not official Minutes until approved by the Governing Body.



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | vi.williamsbay.wi.gov

Phone: 262-245-2700

UNOFFICIAL MINUTES FINANCE & PERSONNEL COMMITTEE MEETING 9/18/2023 MEETING

MONDAY, SEPTEMBER 18, 2023 AT 9:00 AM

VILLAGE HALL COUNCIL ROOM

250 WILLIAMS STREET

WILLIAMS BAY, WI 53191

There may be a quorum of Village Trustees present, no board business will be conducted.

I. Call to Order

Chairman Trustee Wright called the meeting to order at 09:00am.

II. Roll Call

Present: Trustees Lowell Wright, Jim D'Alessandro, and Robert Umans

Also Present: Administrator Lothspeich, Library Director Joy Schnupp, Library Board President Edgar Mosshamer, Rescue Captain Rich Gluth, Police Chief Justin Timm, Fire Chief Doug Smith, Dale Vavra

III. First Review of Draft Department Budgets

The Committee reviewed the first draft of the department budgets.

IV. Adjourn

The motion to adjourn was initiated by Trustee D'Alessandro and seconded by Trustee Umans at 11:52am. Unanimously carried.

/s/ Tina Kolls, Village Clerk

These are not official Minutes until approved by the Governing Body.



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | vi.williamsbay.wi.gov

Phone: 262-245-2700

UNOFFICIAL MINUTES FINANCE & PERSONNEL COMMITTEE MEETING 9/27/2023 MEETING

WEDNESDAY, SEPTEMBER 27, 2023 AT 9:30 AM

VILLAGE HALL COUNCIL ROOM

250 WILLIAMS STREET

WILLIAMS BAY, WI 53191

I. Call to Order

Chairman Trustee Wright called the meeting to order at 09:30am.

II. Roll Call

Present: Trustees Lowell Wright, Jim D'Alessandro, and Robert Umans

Also Present: Administrator Lothspeich, Interim Treasurer Ustich, Police Chief Justin Timm, Public Works Director Wayne Edwards, Library Director Joy Schnupp

III. Second Review of Draft Department Budgets

The Committee reviewed the draft department budgets.

IV. Adjourn

The motion to adjourn was initiated by Trustee D'Alessandro and seconded by Trustee Umans at 12:24pm. Unanimously carried.

/s/ Tina Kolls, Village Clerk

These are not official Minutes until approved by the Governing Body.

Water Safety Patrol

Geneva Lake Water Safety Committee, Inc.

P.O. Box 548; 451 Outing St., Williams Bay, WI 53191

Phone: 262-245-6577

e-mail: wspatrol@sbcglobal.net; web: watersafetypatrol.org

Lifeguard Services Agreement for the 2024 Summer Season

The Geneva Lake Water Safety Patrol agrees to provide services to the Village of Williams Bay based on the following description:

Service Description:

***Weekdays:** Two Lifeguards (with staggered breaks). Hours of coverage: **10:00 am to 5:00 pm.**

***Weekends/Holidays:** Three Lifeguards (with overlapping shifts/staggered breaks). Hours of coverage: **10:00 am to 5:00 pm.**

***Dates of Coverage:** Daily beginning **June 1 through Aug. 25** PLUS Labor Day Wknd (**Aug. 31-Sept. 2**).

Note: After Aug. 18, weekday coverage will drop down to one guard with hours of 1:00pm to 5:00pm, and weekend/holiday coverage will drop down to two guards with hours of 10:00am to 5:00pm.

Weather: In cases of dangerous, questionable, rainy or cold (65 degrees or below) weather conditions, the lifeguard(s) may be dismissed early or temporarily at the discretion of the Water Safety Patrol management. A "Swim at Your Own Risk" policy is in effect whenever lifeguards are not present on the beach (Village to post signs to that effect). Also, if/when the Beach House closes, the Lifeguards may be dismissed.

Training: Lifeguard Services include ongoing training by Water Safety Patrol. All lifeguards will be certified, and will participate in regular training and practice drills both at the beach and off premises.

Costs:

Lifeguard Services for the above dates.....	\$20,842.00
Liability Insurance.....	\$3965.00
Workman's Compensation.....	\$ 580.00
Uniforms.....	\$ 480.00
First-Aid Supplies.....	\$ 385.00
Swimming Lessons.....	\$3980.00
New Megaphone.....	\$ 85.00

Total: \$30,317.00

Payment: Full payment due by May 1, 2024. Please use this document as your invoice.

Authorized Signatures:

Williams Bay Representative: _____ date: _____

Print: _____ title _____

Water Safety Patrol: _____ date: _____

Ted Pankau, Director

Please return this signed agreement to Water Safety Patrol by Dec. 15, 2023

RESOLUTION
R-64-23

A RESOLUTION ACCEPTING THE GENEVA LAKE WATER SAFETY COMMITTEE, INC. ANNUAL
LIFEGUARD SERVICES AGREEMENT FOR THE 2024 SUMMER SEASON

WHEREAS, the Geneva Lake Water Safety Committee, Inc. has submitted the attached Annual Lifeguard Services Agreement to the Village of Williams Bay; and

WHEREAS, the Agreement provides Lifeguard services to the Village of Williams Bay daily beginning June 1 through August 25 plus Labor Day Weekend (August 31 through September 2; and

WHEREAS, on October 2, 2023, the Village of Williams Bay Finance & Personnel Committee determined that it is in the best interests of the Village to recommend approval of the Lifeguard Services Agreement for the 2024 Summer Season; and

WHEREAS, on October 16, 2023, the Village of Williams Bay Village Board, as recommended by the Finance & Personnel Committee, has determined that it is in the best interests of the Village and its residents to approve the Agreement; and

NOW, THEREFORE, the Village Board of the Village of Williams Bay, County of Walworth, State of Wisconsin, do hereby ordain as follows:

Section I: Recitals. The foregoing recitals are hereby incorporated herein as findings of the Village Board of Trustees.

Section II: Approval. The President and Board of Trustees hereby approves the recommended agreement, therefore.

APPROVED by the Village Board of the Village of Williams Bay this 16th day of October, 2023.

VILLAGE OF WILLIAMS BAY

By: _____
William Duncan, President

Attest: _____

Tina Kolls, Clerk

Water Safety Patrol

Geneva Lake Water Safety Committee, Inc., est. 1920

P.O. Box 548; 451 Outing St.; Williams Bay, WI 53191; Phone: 262-245-6577

Email: wspatrol@sbcglobal.net; Web: www.watersafetypatrol.org

Date: September 19, 2023

To: Village of Williams Bay

From: Geneva Lake Water Safety Patrol

Re: AED Unit for Beach

In light of recent rescue calls, and the increased number of incidents involving pull-outs of swimmers at the beach, we would like to request that the Village of Williams Bay invest in an AED to keep at its Public Beach location. Our lifeguards are trained to use these devices, but currently must wait for one of our Boat Crews or a Rescue Squad to arrive before being able to apply this lifesaving measure.

We would suggest that the unit be mounted on a wall inside the Lifeguard Storage closet at the Beach House for quick access if and when needed.

This past summer there were at least a few occasions where our lifeguards had to perform CPR on near-drowning victims, and quick access to an AED unit could make a difference in saving lives.

Thank you for your consideration,

Ted Pankau
Director
Water Safety Patrol



The Village of Williams Bay, WI

Village Board Member Handbook

Table of Contents

Chapter 1: Village of Williams Bay, Wisconsin	4
Introduction	4
Williams Bay's Form of Government	4
Roles Overview	5
William's Bay At a Glance	6
Boards, Commissions, & Committees	7
Public Meetings Calendar at A Glance	8
Village Departments	8
Chapter 2: Policies & Practices	9
Role of Village President Municipal Code Chapter 1-5 Village President and Board	9
Responsibilities of Village Board Members	9
Village Board Goals & Priorities	10
Agendas & Minutes	10
Village Board Meetings	11
Ethics	12
Other Policies & Protocols	17
Chapter 3: Staff	18
Staffing Highlights	19
Role of Village Administrator Williams Bay Municipal Code Chapter 1-6-2	19
Role of Village Attorney State Statutes 62.09(12)	20
Role of Village Clerk Municipal Code Chapter 1-6-3	20
Other Key Positions, Staff & Contracting Agencies	20
Communication with Staff Members	21
Communication and Supervision	21
Chapter 4: Finance	22
Financial Policies	23
Fund Explanation	23

Revenue Sources: Taxes, Licenses & Permit Fees, Charges for Services	23
Role of Intergovernmental Revenues	24
Tax Increment Districts (TIDs)	24
Capital Improvement Plan (CIP)	24
Chapter 5: Legal Issues	25
Village of Williams Bay Ordinances	25
Public Meetings	25
Public Records.....	26
Conflicts of Interest	26
Accepting Gifts.....	27
Chapter 6: Land	28
Planning & Zoning.....	28
Annexation.....	28
Variances	28
Chapter 7: Board Conduct.....	29
Effectiveness & Efficiency	29
Interacting with the Public.....	30
Dealing with the Media.....	31
Chapter 8: Directory	32
Departments.....	32
Additional Resources	33
Appendix A: Chapter 1-5 Village President and Board	35
Appendix B: Wisconsin Statute 19.59	42
Appendix C: Village Administrator Job Description.....	46
Appendix D: Quick Reference.....	49
Appendix E: Employee Organization Chart	50
Appendix F: Open Meetings/Public Records Training Materials.....	51

Chapter 1: Village of Williams Bay, WI

Introduction

Welcome to your exciting new position as an elected official of the Village of Williams Bay (Williams Bay) Village Board. Leadership positions in municipal government can be both rewarding and challenging and this handbook was created to assist in your transition to this position. The handbook provides an overview of Williams Bay and its government, as well as your primary responsibilities, and how elected and appointed officials as well as Village staff can work together in the most efficient and effective way to best serve the Williams Bay community. While the handbook is designed to answer many of the commonly asked questions of new Board members, it cannot begin to address all the topics and knowledge required for you to successfully fulfill your position. It is important that you develop relationships with both the elected and appointed officials of Williams Bay and feel free to ask any questions you may have.

Williams Bay's Form of Government

The Village of Williams Bay is a Municipal Corporation with authority vested in the Village Board and the Village President, who is the Chief Executive Officer (CEO) of the Village. The Village adopted the Village President- Board form of Government as provided for in Chapter 61 of Wisconsin State Statutes. Under the Village President-Board form, Williams Bay subsequently adopted an ordinance creating an administrator position that define the authority of that position and references a position description (**Attachment Appendix C**).

Williams Bay, like many other Wisconsin cities under the Home-Rule charter of Wisconsin, has the power to govern itself regarding local matters except where the State has specifically prohibited that power. Individual members of the governing body have no authority to make decisions on behalf of the Village unless they have been given specific authority from the governing body as a whole.

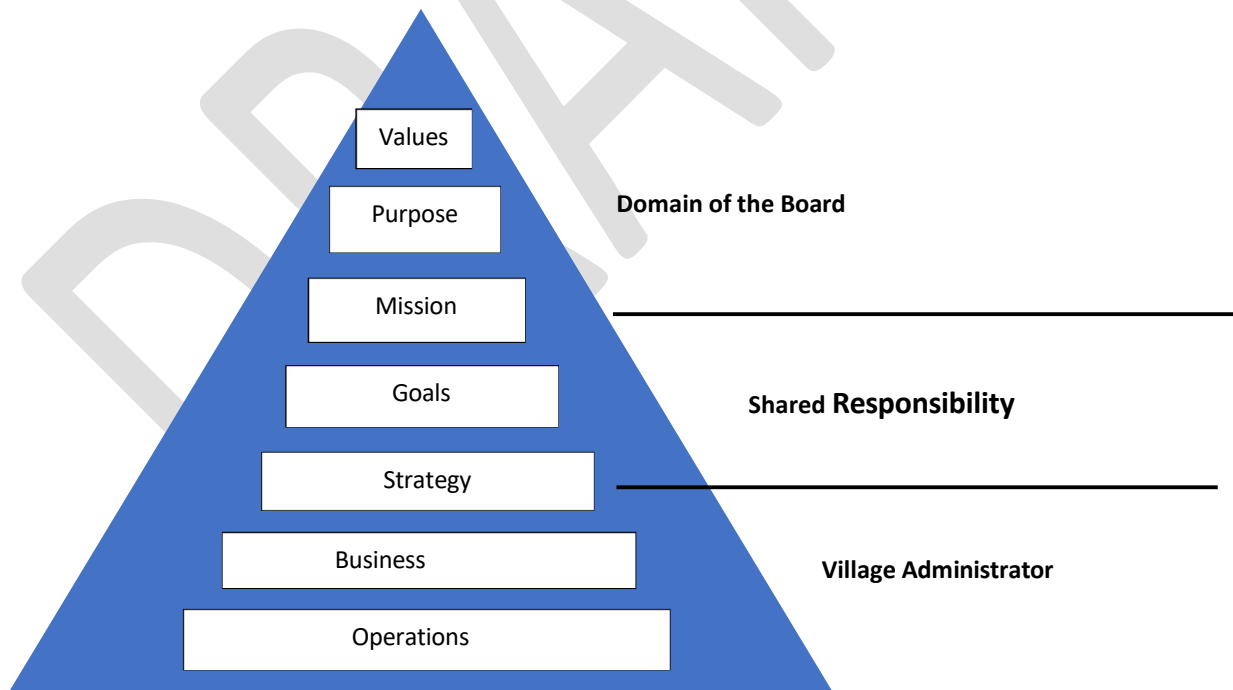
The Village President has the authority to perform many executive responsibilities. The Village President serves as the policy leader, holds veto power, they also frequently represent the Village with media relations, meetings and presentations to other governmental units. Unless otherwise expressly provided in the Village code or by law, standing committees shall be appointed, and the chairperson thereof designated, by the Village President annually at the time of the organization of the Board, and such appointments and chair designations shall not require confirmation by the Board. Unless otherwise expressly provided in the Village code or by law, special committees shall be appointed, and the chairperson thereof designated, by the Village President annually at the time of the organization of the Board, and such appointments and chair designations shall require confirmation by the Board (**Chapter 110 – 3, Village Board Committees**). State Law Reference: W.S.A. s. 61.20 and 61.325. § 62-3. Village President.

The Village Board has all the powers of the Village that have not been specifically given to another body or officer. The Board provides policy direction in the management and control of Village property, finances, streets, utilities, and public service. The Board may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, imposition of forfeiture and other necessary or convenient means.

The Village Administrator is appointed by the Village President and confirmed by the Village Board for a term of three years. The Village Administrator serves as the Administrative Officer of the Village, responsible for the proper administration of the business and affairs of the Village. In order to provide a more efficient and effective government a professional Administrator is responsible for the direction and coordination of all Village employees and operations. The Administrator reports directly to the Village President and Board with general areas of responsibility including: Financial, Administration, Legislative, Human Relations. **(Chapter 80 – 3, Village Administrator).**

Roles Overview

The following graphic visually represents the roles of the Village Board and Village Administrator.



Village Board

- Representing the interests of all residents
- Ensuring long-term success of the Village
- Revising and approving the purpose, mission and vision statements
- Identifying, providing input on, and prioritizing issues
- Allocating resources and approving the budget
- Asking for data to support positions
- Approving the strategic plan
- Evaluating the Village Administrator

Administrative Management

- Educating the Board on the need for planning, how the Board can participate, and emerging issues
- Presenting its assessment of the relative significance of emerging issues
- Developing the strategic and action plans
- Preparing studies that justify its recommendations
- Implementing approved initiatives
- Reporting on progress of goal attainment
- Supervision of employees
- Oversees daily operation

Village of Williams Bay – At A Glance.

The Village of Williams Bay was incorporated in 1919 located in southeastern Wisconsin (Walworth County) known for its abundant natural resources and picturesque location situated on the beautiful northwest shores of Geneva Lake. The Village is approximately 2.8 square miles in area with a population of 2,935, which roughly doubles during the summer months, is bordered by the Towns of Geneva, Linn, Delevan and Walworth border Williams Bay. Williams Bay School District grades PK, K-12 has 693 students. The Village of Williams Bay is a full-service community providing police, fire, public works, water and sewer, library, parks and recreation services. In addition to the services provided by the Village, other services, such as garbage, are contracted out to private companies.

Vision Statement - 2023 Comprehensive Plan. Williams Bay will be a small, friendly community of year-round and seasonal residents, businesses, and institutions developed in harmony with Geneva Lake, natural resources, and surrounding rural areas. The community culture will be that of a retreat from the more intense lifestyles of resort areas, enhancing leisure, opportunity for spiritual renewal, outdoor recreation, and contact with nature. Businesses, employment centers, and community services will be those which respond to the specific needs of residents and visitors and sustain the vitality of the community as a whole. A source of community pride will be the lakefront, enhanced natural areas, and the attractive design and maintenance of all man-made improvements respectful of their environment.

Boards, Commissions, & Committees

- Village Board shall be as follows: [\(Chapter 110 Village Board\)](#):
 - Six (6) Trustees and the Village President
- Standing Committees of the Village Board consisting of three (3) Board Members appointed by the Village President and approved by the Village Board as follows [\(Chapter 110-3. Village Board Committees\)](#):
 - Finance and Personnel Committee
 - Streets & Highways Committee
 - Protective Services Committee
 - Parks & Lakefront Committee
 - Building, Zoning & Ordinance Committee
 - Water & Sewer Committee
- Special boards, committees and commissions of the Village shall be as follows [\(Chapter 12. Boards, Commissions and Committees\)](#):
 - Board of Review. Seven-member Board composed of Village Board.
 - Library Board.
 - Plan Commission. Seven-member, composed of Village President, Trustee, Parks and Memorial Advisory Committee and four (4) citizens.
 - Civil Defense Commission. Seven-member, composed of Police Chief and six (6) citizens.
 - Election Board. Village Clerk and those elected officials appointed.
 - Harbor Commission. Five-members appointed.
 - Park and Memorial Advisory Committee. Five-members with Chair serving on Plan Commission.
 - Kishwaukee Nature Conservancy Board. Seven-members consisting of the Conservation District Commission members.
 - Geneva Lake Area Transportation Commission. Three members.
 - Board of Canvassers: Three-member Municipal Board.
 - Board of Park & Recreation Commissioners: Seven-member Board.
 - Plan Commission: Seven-member Commission.
 - Tax Incremental Finance District Joint Review Board: Five-member.
 - Zoning Board of Appeals: Five-member Board.

Public Meetings Calendar at A Glance

- Board of Canvassers: Meets after every election.
- Board of Police and Fire Commissioners: Meets as needed.
- Board of Review: Meets in July or as needed.
- Committees (Standing) - Meet 1st Monday of the month as needed at 6:30 PM.
 - Finance and Personnel Committee
 - Streets & Highways Committee
 - Protective Services Committee
 - Parks & Lakefront Committee
 - Building, Zoning & Ordinance Committee
 - Water & Sewer Committee
- Village Board: Meets 1st and 3rd Monday of the month at 6:30 PM.
- Plan Commission: Meets 2nd Tuesday of the month, as needed, at 6:30 PM
- Zoning Board of Appeals: Meets 2nd Tuesday of the month, as needed, at 6:30 PM

Village Departments

Administration

Building Inspection & Zoning

Clerk

Treasurer

Water & Sewer

Fire

Recreation

Police

Public Works

Harbor Master

Chapter 2: Policies & Practices

Much of the responsibility of serving as an elected official lies in learning what is expected of you. This chapter defines the primary duties associated with elected positions and provides a detailed guide to some of the most basic operations you will encounter.

Roles of Village President. Chapter 110 Village Board

The Village President shall perform the following duties as part of the office:

- The Village President shall be by virtue of the office a trustee and preside at all meetings of the board and have a vote as trustee, sign all ordinances, rules, bylaws, regulations, commissions, licenses and permits adopted or authorized by the board and all orders drawn on the treasury except as provided by s. 66.0607. The president shall maintain peace and good order, see that the ordinances are faithfully obeyed, and in case of disturbance, riot or other apparent necessity appoint as many special marshals as the president shall deem necessary, who for the time being shall possess all the powers and rights of constables.
- In municipalities with administrators, the Village President exercises the executive responsibility indirectly by monitoring the activities of the administrator and the various departments of Village government. The administrator is responsible for day-to-day operations of government, including the supervision of department heads.
- Other specific duties of the Village President include:
 - The Village President shall serve as the policy leader for the community, providing policy information and recommendations to the Village Board and preside over Village Board meetings.
 - The Village President, as Trustee, may vote on all voting matters before the Village Board but does not have veto power.
 - Village Presidents, as Trustee, are counted in determining whether a quorum is present at the meeting.
 - The Village President may represent the Village in meetings with and presentations to other governmental units, businesses, community groups, and other groups.
 - The Village President shall work with residents of the community in receiving their comments and complaints and seeking appropriate responses in conjunction with the administrator and, if necessary, the Village Board.
 - The Village President shall not serve on standing committees and may serve on special committees of the Village as well as on boards and commissions to which they are appointed or elected in accord with the law.
 - The Village President shall perform any other duties not specified here that are defined in other ordinances of the Village.

Roles of Village Board Members

Powers and Duties - The Trustees and Village President shall constitute the Village Board and shall have such powers and duties as are enumerated in [Ch. 61, Wis. Stats.](#), and elsewhere in the statutes.

Powers of the Village Board - The Village Board shall have all powers of the Village not specifically given to some other body or officer. Except as otherwise provided by law, the Village Board shall have the management and control of the Village property, finances, highways, streets, utilities and the public service, and may act for the government and good order of the Village, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, imposition of forfeiture and other necessary or convenient means. The Village Board may appoint such officers from time to time as may be deemed necessary for the benefit of the community. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language. Additional Powers of the Village Board including: cooperation with other municipalities; acquisition and disposal of property, including acquisition of easements and property rights and Village finances.

Board Trustees

- There shall be one (1) Village President and six (6) Trustees elected to the Village Board.
- Election of Trustees:
 - Elected at large. Trustees shall be elected at large for a two-year term in the annual spring election. The Village President and three (3) Trustees shall be elected in each of the odd- numbered years and three (3) Trustees in each of the even-numbered years.

Village Board Goals & Priorities

A comprehensive plan is a local government's guide to community physical, social, and economic development. Comprehensive Plans are not meant to serve as land use regulations in themselves instead they provide a rational basis for local land use decision **with** a 20-year vision for future planning and community decision.

The Wisconsin Comprehensive Planning Law does not mandate how a local community should grow, but it requires public participation at the local level in deciding a vision for the community's future. The uniqueness of individual comprehensive plans reflects community-specific and locally driven planning processes. According to [s.66.1001\(2\)\(i\)](#), comprehensive plans must be updated no less than once every 10 years. However, the law does not define "update".

While a local government may choose to include additional elements, a comprehensive plan must include at least all of the seven elements below as defined by the Comprehensive Planning Law ([s.66.1001](#)).

- Issues and Opportunities
- Housing
- Transportation
- Utilities and Community Facilities
- Agricultural, Natural and Cultural Resources
- Economic Development
- Intergovernmental Cooperation
- Land Use
- Implementation

The 2023 Williams Bay Comprehensive Plan was collaboratively developed by community members in order to create a vibrant, thriving, and resilient Williams Bay for the 20 years to come. This extensive public input included Visioning Boards, a Visioning Kickoff Meeting, Topic Meetings. A copy of the most recent comprehensive plan is available on the Village's website: <https://www.williamsbay.org/>

Meeting Agendas & Meeting Minutes

Village Board meeting agendas and the supporting materials are an important element in preparing for a Board meeting. Items may be placed on a Village Board agenda by the Village President **as Chair of the Village Board. Request(s) to add items to an agenda are to be submitted to the Village President.** Village staff will compile the agenda, gathering all pertinent information that should be considered by the Village Board. It is important that Village Board members notify the Village Administrator of any particular topics that they would like included on an agenda. Discussions and decisions may only be made at public meetings of items specifically listed on the agenda.

Staff is responsible for originating the agenda and providing supporting documents. The Village Board Agenda and Packet are compiled electronically and posted to the Village's website no later than the Friday prior to a Village Board meeting <https://www.williamsbay.org/home/pages/meetings-minutes>. At that time, the agenda is also posted at Village Hall and the Village of Williams Bay website. It is required by Wisconsin State Law that any item on an agenda be posted at least twenty-four (24) hours prior to a public meeting. The agendas and materials will also be provided on your Village-issued iPad through a program called CivicPlus. The Village Clerk will also send copies of the agenda and back up materials to members through their official Village email address.

An important part of your role as a member of the Village Board is to review agenda materials prior to the meeting so that you are adequately informed of the topics to be discussed and can ask questions prior to the meeting and make decisions in an educated manner. In order to provide Village Board members, the opportunity to review and be informed of the topics in a timely manner the agenda and materials are provided the Wednesday prior to the upcoming

meeting. This advance review time is also intended to provide Village Board members the opportunity to ask questions about agenda items before the agenda is published the Friday prior to the meeting. In order to provide time to review and provide a response, Village Board members are encouraged to review the agenda/agenda materials and provide questions or comments to the Village Administrator before Noon, the Monday prior to the meeting.

Following each Board meeting, the Village Clerk will compose the minutes from that meeting. The minutes are a way of recording attendees' present and document important decisions that took place at the meeting. At the beginning of each Board meeting, you will be asked to approve the minutes from the previous meeting. Meeting minutes will be posted to the Village website and made public after they are approved by the Village Board.

Village Board Meetings

Provisions for the proceedings of Village Board meeting can be found in [110-5 Village Board bylaws](#) of Village Code, which is included as **Appendix A**.

Quorums & Open Public Meetings

It is important that a quorum, or minimum number of four Board members, is present at any Board meeting so that votes can take place. Additionally, for some issues such as annexations or budget matters, a larger number of Board members may need to be present in order to vote on the items. The Board is encouraged to notify the Village Administrator by the Friday prior to the upcoming meeting, the sooner the better, if they have unable to attend in order to confirm a quorum for the upcoming meeting. Any decision made by Board for certain agenda items with fewer than four is not so, or the alternate required number of members present, is not considered valid. All meetings of the Board must be open and public, no matter where or when they are held, and all of their proceedings must be recorded by the Staff (**Appendix E**). Therefore, talking with Board members about Village business outside of a Board meeting is discouraged in order to avoid a **walking quorum**.

What is a Walking Quorum?

Answer: First, it is helpful to define "quorum." A quorum is the minimum number of a governmental body's membership necessary to act. One governmental body may define what constitutes a quorum differently than another governmental body. For example, a quorum for a seven-member town Board may be a simple majority of four members while a quorum for a neighboring town's seven-member Board may be a super majority of five members.

A "walking quorum" is a series of gatherings among separate groups of members of a governmental body, each less than quorum size, who agree, tacitly or explicitly, to act uniformly in sufficient number to reach a quorum. A walking quorum may produce a predetermined outcome and thus render a publicly-held meeting a mere formality. The Wisconsin Supreme Court has commented that any attempt to avoid the appearance of a meeting through the use of a walking quorum is subject to prosecution under the open meetings law. Furthermore, the requirements of the open meetings law cannot be circumvented by using an agent or surrogate to poll the members of governmental bodies through a series of individual contacts. The series of gatherings need not be face-to-face. For

example, phone calls, email exchanges, and other electronic messaging may suffice.

The essential feature of a “walking quorum” is the element of agreement among members of a body to act uniformly in sufficient numbers to reach a quorum. Where there is no such tacit or express agreement, exchanges among separate groups of members may take place without violating the open meetings law. Thus, the signing, by members of a body, of a document asking that a subject be placed on the agenda of an upcoming meeting likely does not constitute a “walking quorum” where the signers have not engaged in substantive discussion or agreed on a uniform course of action regarding the proposed subject. In contrast, where a majority of members of a body sign a document that expressly commits them to a future course of action, a court could find a walking quorum violation.

Walking quorum issues are complex and fact specific. If a member of a governmental body or a citizen has questions or concerns regarding a possible walking quorum, they should consult with their legal counsel.

Type of Board Meetings

In addition to the regularly scheduled Board meetings on the first and third Mondays of each month, Special Village Board meetings may be called by the President or any two trustees in writing filed with the Clerk. If at least 24 hours remain before such meeting, the Clerk shall notify each member of the Board of the time, place and purpose of such special meeting by mailing a written notice thereof to each member of the Board and by telephoning him, if possible. If less than 24 hours but at least six hours remain before such meeting, the Clerk shall give notice to each trustee by personal service and by telephone, if possible. No special meeting shall be called upon less than six hours' notice except with the unanimous consent of all members of the Board expressed orally or in writing ([Chapter 110-5 Village Bylaws](#)).

Village Board Meeting Dates and Times.

Regular meetings. The regular meetings of the Village Board shall be held in the Village Hall on the first and third Mondays of each month at 6:30 p.m., unless noticed otherwise. The Board may adjourn any regular meeting to any future date at which new business may be introduced as well as unfinished business completed.

[Amended 7-5-2022 by Ord. No. 2022-11]

Order of Business

Order of business. The business of the Board shall be transacted in the following order:

[Amended 6-6-2016 by Ord. No. 2016-6]. Chapter 110-5. Village Board bylaws.

- (1) Roll call.
- (2) Reading the minutes of the preceding meeting, making any corrections and approving.
- (3) Consent agenda.
- (4) Presentation of accounts and petitions.
- (5) Plan Commission.
- (6) Public comments. *The public may speak on any item that is not included on this agenda as a "Public Hearing or Forum." Anyone who wishes to comment should identify himself or herself and provide his or her local address. Board members may discuss any matter raised by the public. However, the Board will refrain from extensive dialogue and should not take action on matters raised by the public during a public comment period. Referrals to committees or staff members might be made. Members may ask the commenter to clarify his or her remarks. The Board President or the presiding officer will maintain control of the meeting.*
- (7) President's remarks.
- (8) Ordinances and resolutions.
- (9) Committee reports.
- (10) Public comments.
- (11) Adjournment.

Presiding officer. The President or presiding officer shall preside at all meetings and preserve order, deciding all questions of order, subject to an appeal to the Board.

Calling meetings to order. The President shall take the chair at the hour appointed and immediately call the meeting to order. In the absence of the President, the Clerk or, in the Clerk's absence, any member of the Board may call the meeting to order, and thereupon the Board shall appoint one of its members President Pro Tempore. In the absence of the Clerk, the Board may appoint one of the members present to serve as Clerk during the session. The Chair shall confirm public notice compliance with the Clerk or other Village staff representative.

[Amended 1-15-2018 by Ord. No. 2018-1]

Passage of ordinances.

- (1) Every proposed ordinance shall have two separate readings previous to its passage but shall not be read at any other time than regular sessions except by unanimous consent. The second reading may be waived by vote of the Board.
- (2) The second reading of an ordinance shall be by section at which time amendments may be offered. If no amendments are made, the question shall be, "Shall the ordinance pass?" If amendments are offered and made, the chair shall so report and the ordinance shall be so read as amended before the question of its passage is taken.

Rules of procedure. The rules of parliamentary practice embraced in Robert's Rules of Order, Newly Revised, shall govern the Board where applicable and where not inconsistent with the standing rules, bylaws and order of the Board.

Approval Methods

There are several ways in which the Board can make decisions during a public meeting. The subject of discussion determines which method should be used.

Voting Procedures

1. Form of questions for voting. Where a roll call vote is taken the question shall be stated by the presiding officers as follows: "As many as are in favor answer 'yes', those opposed will answer 'no' and the clerk will call the roll."; and in doubtful cases, the presiding officer may direct or any member may call for a division.
2. Order of voting for recorded votes. Commencing with the first meeting of the Board after the regular election and qualification of new members, the Village clerk shall determine the order of roll call voting based on the seniority of unbroken service of the Trustees. The board member with the longest seniority of unbroken service on the Board as an board member shall be the first board member called to cast their vote on a question for which a roll call vote has been called. If two or more Trustees share the same seniority of unbroken service, then the board member with the total service on the Board shall be deemed to have the higher priority and if there is still a tie, then it shall be determined alphabetically based on the board member whose last name starts closest to the letter "A." The Trustees shall vote in descending order of seniority. Thereafter, for each subsequent roll call vote, the board member who voted second in the previous roll call vote shall be the first to cast their vote and the board member who voted first in the previous roll call vote shall cast their vote last.
3. Recording votes. The ayes and naves shall be taken and recorded upon any question before the Board upon the call of any two members.
4. Votes. Every person present when a question is put shall vote, unless the presiding officer shall excuse them for good cause.
5. Tie votes. **The presiding officer shall, in all cases, be entitled to vote.** It shall be in order for any member who voted in the majority on any question or for any member who voted in the negative when the Board was equally divided, to move a reconsideration vote on the same or next succeeding regular meeting of the Board. A motion to reconsider, having been put and lost, shall not again be in order.

Motions

When a motion is made and seconded, it shall be in possession of the Village Board and shall be stated by the presiding officer, or being in writing shall be delivered to the Village Clerk to be read previous to debate. After a motion is stated by the presiding officer, it shall not be withdrawn except by consent of the Village Board. When a member is about to speak to a question or make a motion, he or she shall address the presiding officer, and the presiding officer shall pronounce the name of the member entitled to the floor, and the member shall confine themselves to the question under consideration. **No member shall speak more than twice on any question nor more than 10 minutes at any one time without leave of three-fourths of the members present.** A motion to adjourn shall always be in order, unless the Village Board is engaged in voting, and shall be decided without debate.

Formal Motions are used to approve policy, establish procedures, or provide direction to staff members relating only to topics listed on the agenda. Village Board members may make a motion by stating, “I move that...” Most formal motions need to be “seconded.” This is done when a board member other than the one who made the motion states, “I second that motion,” or “second.” A motion can be amended or withdrawn during discussion by the board member that originally made the motion. Before moving on to a new topic, the current topic must be closed in one of three ways: 1) The original author of the motion may withdraw their motion at any time during the discussion. 2) The motion may be “tabled.” Tabling a motion is a procedural act (see below) that requires a Village Board vote. A tabled item can be brought back into debate with a motion to remove it from the table. 3) The Village Board can take a vote on the motion. See the discussion below on voting procedures.

Procedural Motions are made to determine the proceedings of a meeting. They, like formal motions, require a “second” and can order the adjournment of a meeting, the tabling a motion for later discussion, a temporary recess, or a number of other procedural events. The officially recognized guide to meeting procedures is the book *Robert’s Rules of Order*, which further explains procedural motions and other rules of public meetings.

Village Board Voting is required to finalize the opinions of the Village Board. Generally, a roll call vote on a formal or procedural motion can take place under one of two conditions. First, the Village President may call for a vote regarding a motion when it is clear that debate over the matter has stopped. Second, during debate, a Village Board member may call for a vote on an open item by making a motion to vote on the measure on the floor. If this motion is seconded, then the Village Board takes a vote *on whether to vote on the original motion*. If a majority votes “yes,” THEN the main motion (with any accepted amendments) can be voted upon. The process of making motions and voting can be a bit confusing at first, but over time, you will become more familiar with the process. If you are ever confused as to the action being requested in a motion or vote, take the time to ask the Village President to explain what is taking place.

Lawmaking

Final decisions of the Village Board are conveyed to the public through the adoption of ordinances and resolutions.

Closed Sessions

Closed sessions of the Board may only be held for a select number of reasons as set forth in [Section 19.85 of the Wisconsin State Statutes](#). While the public is prohibited from attending these sessions, unless specifically invited to attend by the Village Board, notice must still be made of their existence. Closed meetings are only allowed to discuss personnel matters, litigation, or for some strategic reasons (such as when the discussion of purchase of a piece of real estate could be reasonably expected to increase the price the governmental body would have to pay for that property). Either part or all of a Village Board meeting may be closed to the public (**Appendix F**).

Abstaining from a Vote

Every Village Board member should vote on all matters and abstain from voting whenever there is a conflict of interest.

Tie Votes

In the event of a tie vote the motion does not pass.

Consent Agenda

A consent agenda is a practice by which the mundane and non-controversial board action items are organized apart from the rest of the agenda and approved as a group. Individual Board members may pull any item from the consent agenda if they wish it to be separately considered by asking the presiding officer to take them up separately.

The Public's Role in the Meeting

It is important that the public play an active role in the legislative process. During Board meetings, they have several opportunities to do so.

Public Hearing

Hearings are held on matters required by law or ordinance, such as adoption of the annual budget and amending the zoning ordinance. They may be held as standalone meetings, or as part of a regularly-scheduled Village Board meeting. Public hearings are opportunities to inform the general public and for any individual to speak on the topic while the hearing is open. Once the public hearing is closed, the public will no longer be able to comment on the topic during the meeting unless approved to do so by the Village President or Chairperson.

Public Comments

This is the public's opportunity to address the Village Board on any item not listed on the agenda. The Village Board cannot take action on any matter not listed on the agenda for the meeting. Topics may, however, be placed on future agendas for Village Board action. Particularly if multiple individuals wish to speak regarding the same topic, the Village President may request that comments be limited to a particular time limit, which the Village President shall determine. Public comment period is scheduled for each Board meeting.

Ethics

As elected public officials, it is required that you act in an independent and impartial way that is responsible to the people that elected you. Ethical conduct is an extremely important part of your role as a representative of the Village, so please ask your fellow Board members or the Village Administrator if any issues arise. Several State of Wisconsin statutes define the manner in which publicly elected officials should act. Village Code Chapter 40 Ethics and Section 19.59, the State Ethics Law for Local Government Officials, Employees, and Candidates are attached at the end of this handbook (**Appendix B**) and should be carefully reviewed. Village Code and State Statutes prohibit using your office for private gain, exerting illegal influence, and taking action in a matter that you have invested interest in. If you have a question about ethics, you may contact the Village Attorney or Village Administrator,

Other Policies & Protocols

Paychecks

Each board member is paid on a quarterly basis with board members paid an annual salary of \$2,950 and the Village President paid an annual salary of \$4,350. Your check will be direct-deposited.

Opportunity for Training and Outside Meetings

The Village of Williams Bay will pay for workshops, meetings, training and other events for the purpose of improving knowledge of duties of said office. Compensation can include the following, with some restrictions, but is not limited to: transportation, lodging, meal entertainment and miscellaneous expenses. If an official attends Village functions, they will need to make sure they have met travel reimbursement requirements prior to finalizing payment and complete an expense report upon their purchase or completion of course. Board members are encouraged to share the knowledge gained from attending.

Vacancies in Municipal Office

Vacancies in elected or appointed offices can be caused by death, removal, resignation, if the individual ceases to be a resident of the Village of Williams Bay, when an individual's term expires, or when an individual is convicted and sentenced by a state or federal court for treason, felony or other crime of any nature punishable by imprisonment in any jail or prison for one year or more, or for any offense involving a violation of the incumbent's official oath.

Resignations must be made in writing and delivered to the Village Clerk, who is responsible for informing other Board members and the Village President. The effective date of resignation should be included in the letter.

When filling any vacancy in the office of the Village President or in the Office of the Village Trustees, § 17.23 of the Wisconsin Statutes shall control. The procedure for appointment for any vacancy shall be as follows:

- The Village Clerk shall post the vacancy and the deadline established by the Board for any person desiring to be considered for the vacancy on the Village's website, on three public places within the Village and shall publish a Class 2 notice of the vacancy in its official newspaper.
- All qualified individuals desiring to be considered for the vacancy must submit a written application to the Village Clerk, together with nomination papers with the same number of signatures of Village residents required to run for such office by ballot by the deadline established by the Board.
- Appointment to fill the vacancy shall be by majority vote of the Board from those eligible individuals that have complied with subsection (B) herein. If no individual receives a majority vote, then Board may reopen the vacancy and restart the process stated above.

Chapter 3: Staff

While the Village Board, boards, and committees of Williams Bay make a majority of policy decisions and guide the actions of staff members, those staff members take on the responsibility of implementing decisions of the Board. It is important that the Board understands and respects the role staff plays and that an open line of communication exists between all parties.

Staffing Highlights

The Village employs approximately 20 full-time employees and over 60 part-time/seasonal employees.

Village Administrator Williams Bay - Municipal Code [Chapter 80-3](#)

The Village Attorney shall be appointed by the Village President, subject to confirmation by the Board. The Village Administrator shall be the administrative officer of the Village, responsible for the proper administration of the business and affairs of the Village, subject to those limitations imposed by the statutes of the State of Wisconsin, the ordinances of the Village of Williams Bay, and the resolutions and directions of the Village Board with power and duties as outline in Chapter 80-3 of Village of Williams Bay Code (**Appendix C**).

Village Attorney

The Village Attorney shall be appointed by the Village President, subject to confirmation by the Board. The Attorney's duties include attending all Board meetings, providing legal advisement to Village Board and staff, representing the Village in all court cases, and assisting in drafting and reviewing proposed ordinances.

Village Clerk - Municipal Code Chapter 61.25

The Village Clerk shall be appointed by the Village President, subject to confirmation by the Board. The Village Clerk shall have the powers and duties provided by [Section 61.25, Wis. Stats.](#), and such other duties as may be adopted in the form of a job description.

Village Treasurer - Municipal Code Chapter 61.26

The Village Treasurer shall be appointed by the Village President, subject to confirmation by the Board. The Village Clerk shall have the powers and duties provided by [Section 61.26, Wis. Stats.](#), and such other duties as may be adopted in the form of a job description.

Other Key Positions, Staff & Contracting Agencies

Department Heads

Working under the direction of the Village Administrator, Department Heads lead Village staff in carrying out the directives of the Village President and Board and daily administrative functions and assist the Administrator in the hiring process for employees in their departments. Department heads include Police Chief, Public Works Director, Treasurer, Recreation Director, Library Director, Harbormaster and Fire Chief.

Village Assessor

In 2017, the Village Board appointed Associated Appraisal for annual full value maintenance assessment services. Associated Appraisal is responsible for assessing and reassessing the value of land and property located within Village Limits. The Village is currently operating under an optional auto renewal agreement extension that will be available for each of the 2021, 2022, and 2023 assessment year. In 2023, the Village Board approved changing the Village Assessor from Associated Appraisal to Accurate Appraisal for years 2024, 2025 and 2026.

Existing Bargaining Units

The Williams Bay Professional Police Association union is the bargaining agent for all full-time sworn police officers in the Village. The Police Chief Lieutenant and part-time are excluded.

Note: [2011 Wisconsin Act 10](#) significantly altered the Village's relationship with bargaining units. For more information on the current labor/management environment, see the Village Administrator.

Communication with Staff Members

While Village Board is responsible for determining the policy of the Village and providing direction for Village Administrator action, the Village Administrator is the Chief Administrative Officer for the Village and is responsible for supervision and accountability of all Village Staff. Though Board requests and direction play an important role in determining employees' work plans, it is important that the Village Administrator be able to coordinate and monitor work efforts of all staff members. For this reason, Board requests for staff action and task assignments should be conveyed to the Village Administrator except in cases of emergency. In this way, Board requests will be fulfilled while the Administrator maintains his supervisory position with staff. This distinction is important as Board members may not be aware of the most appropriate staff member to direct requests towards or the current workload of individual employees. It helps in making sure that efficiency and order are maintained in Village operations.

Similarly, Board should communicate with the Village Administrator any concerns about individual employees, and should not directly address performance problems with employees. In this way, Board can maintain an active role in municipal government while allowing the proper chain of command to remain intact.

While active communication between staff and Board is important and encouraged, discussions regarding Village policy matters should be kept between Board members and the Village Administrator to assure that the Village Administrator is best able to manage operations as well as assemble any information required to make sound policy decisions or bring those matters

before Board for consideration.

The following policies can also be found in the employee handbook:

- [Anti-harassment and Retaliation Policy.](#)
- [Electronic Communications & Information Systems Policy.](#)
- [Workplace Violence and Threats Prevention Policy.](#)

Communication and Supervision

Placeholder, graphic to be provided before finalization.

Chapter 4: Finance

The budget acts as a policy tool with which to identify the community's priorities and is intended to implement the work plan for the upcoming year. This chapter is a good starting point and will offer you the basic knowledge to ask thoughtful questions regarding the budget process. You should review the current budget and any other financial plans as you learn about your role as a board member and use these documents in your decision-making process.

Chapter 46. Finance and Taxation § 46-6. Budget.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

A. Departmental estimates. On or before September 15 of each year, each officer, department and committee shall file with the Administrator an itemized statement of disbursements made to carry out the powers and duties of such officer, department or committee during the preceding fiscal year, and a detailed statement of the receipts and disbursements on account of any special fund under the supervision of such officer, department or committee during such year, and of the conditions and management of such fund; also detailed estimates of the same matters for the current fiscal year and for the ensuing fiscal year. Such statements shall be presented in the form prescribed by the Clerk and shall be designated as "Departmental Estimates," and shall be nearly uniform as possible for the main divisions of all departments.

B. Finance and Personnel Committee to prepare.

(1) Budget to include. On or before October 28 each year, the Finance and Personnel Committee of the Village Board shall prepare and submit to the Board a proposed budget presenting a financial plan for conducting the affairs of the Village for the ensuing calendar year. The budget shall include the following information:

(a) The expense of conducting each department and activity of the Village for the ensuing fiscal year and corresponding items for the current year and last preceding fiscal year, with reasons for increase and decrease recommended as compared with appropriations for the current year.

(b) An itemization of all anticipated income of the Village from sources other than general property taxes and bonds issued, with a comparative statement of the amounts received by the Village from each of the same or similar sources for the last preceding and current fiscal year.

(c) An estimate of the amount of money to be raised from general property taxes which, with income from other sources, will be necessary to meet the proposed expenditures.

(d) Such other information as may be required by the Board and by state law.

(2) The Village shall provide a reasonable number of copies of the budget thus prepared for distribution to citizens.

C. Hearing. The Finance and Personnel Committee shall submit to the Board at the time the annual budget is submitted the draft of an appropriation resolution providing for the expenditures proposed for the ensuing fiscal year. Upon the submission of the proposed appropriation resolution to the Board, it shall be deemed to have been regularly introduced therein. The Board shall hold a public hearing on the budget and the proposed appropriation resolution as required by law. Following the public hearing, the proposed appropriation resolution may be changed.

Financial Policies

State-Mandated Policies

The State of Wisconsin imposes many requirements for preparing the annual budget and managing the finances of the Village. For instance, the State requires that an annual or biannual budget be created listing all revenues and expenditures, that the public hearing notice include certain information, and that the public hearings are held regarding the proposed budget. The Village's fiscal year begins on January 1 and ends on December 31.

Municipally-Adopted Policies

The Village has also adopted several policies with regard to financial management, investment Policy. Village Staff also rely on industry best practices to guide financial decisions when policies are not already established by the State or Board. Occasionally, the Village Treasurer, Village Administrator, or auditors may recommend additional financial management policies be reviewed and approved.

Fund Explanation

The Village's finances are divided into several separate fund types to facilitate proper management and use. Below is a basic description of each fund.

General Fund accounts for all revenues and expenditures that are not required to be accounted for in other funds. The General fund includes major property-tax based services such as general government, public safety, public works and culture, recreation and education.

Special Revenue Funds account for proceeds from revenue sources that are legally restricted to expenditures for specified purposes. The solid waste fund, tourism fund and the airport fund are all accounted for in the special revenue funds.

Debt Service Fund is used to account for the annual principal and interest payments relating to the Village's general obligation long-term debt.

Capital Projects Fund accounts for the financial resources to be used for the acquisition or construction of major capital assets.

Enterprise Funds account for operations that are financed and operated in a manner similar to a private business. The operations of the Water, Sewer, and Stormwater Utilities are accounted for in the Village's enterprise funds.

Revenue Sources: Taxes, Licenses & Permit Fees, Charges for Services

A large percentage of the Village's annual revenue comes from local taxes and from fees charged for services provided by the Village where people are directly benefited. The property tax is levied on the value of real and personal property located in the Village. Municipalities in Wisconsin have been granted very little authority to levy other types of taxes, such as sales or income tax.

The Village also collects revenues through licenses and permits, and charges for services. Fees are charged for Village services such as the use of recreational facilities and the processing of building permits so that the users of those services are directly responsible for covering costs of providing the service.

Role of Intergovernmental Revenues

The most significant non-property tax revenue source in the annual budget is the amount received in intergovernmental appropriations, particularly from the State. The following are revenues that the Village receives annually from the State.

State Shared Revenues This includes the "Shared Revenue" program for general operating aid and the "Expenditure Restraint" program that rewards communities for fiscal restraint of the general fund.

The State reallocates money collected through the personal income tax back to municipalities through the Shared Revenue program. Revenue is distributed among municipalities using a formula that consists of four components:

1. *Aid able Revenue Component*: This component of the formula aims to offset variances in taxable property wealth across the state.
2. *Per Capita Component*: This component is more broad-based and is allocated based on population.
3. *Public Utility Component*: This component provides payments to replace property tax revenues lost because utilities are exempt from property taxation.
4. *Minimum Guarantee & Maximum Growth Component*: This component is designed to prevent large annual shifts in payments.

Transportation Aid This program allocates State revenue to the Village to offset the Village's related street expenditures and is based on the miles of road in each municipality.

Tax Increment Districts (TIDs)

Tax Increment Financing (TIF) is an economic development tool that helps promote local tax base expansion by using property tax revenues to fund site improvements to attract new development or eliminate blight. A TID (Tax Incremental District) is the actual area designated for expansions and where improvements are being made. Owners of property in a TID pay the same rate of taxes that owners outside the TID pay. TID is neither a tax freeze nor a tax increase, but a special allocation method for taxes collected on property value increases within the district.

Property tax rates for the school, county, technical college, and municipality are based on the total taxable value of the property located in the TID at the time it is created (base year). Those organizations continue to receive this amount of property tax revenue during the life of the TID. As the value of the property increases due to development, the additional property tax revenue created is allocated to the municipality for a set number of years. Development costs are paid from these revenues before the added tax base is shared with other taxing entities.

The Village of Williams Bay currently does not have any Tax Increment Districts (TIDs).

Capital Improvement Plan (CIP)

The Village has a Capital Improvement Plan (CIP) as a planning document to anticipate future large expenditures. It is a tool to chart both capital revenue (including bonds, grants, interest payments, and transfers from the General Fund) and expenditures. Capital items are placed in the CIP so that the Village can plan for future funding needs and coordinate major construction and purchasing projects.

Chapter 5: Legal Issues

The Village Code establishes local law which governs matters of local concern within the Village and pertaining to its governance. In addition, the Village is a creature of state law and statutes adopted by the State Legislature together with state administrative code also apply and to the extent that the legislature has determined that certain state enactments are to be of statewide concern or that the courts have concluded that state law has primacy even with respect to local affairs, state law prevails. Ordinances and applicable statutes not only govern the actions of residents and visitors, but also the manner in which the Village and its elected and appointed officers and employees conduct business. Listed below are some of the more important legal topics of which you should be aware. However, it is important that you ask the Village Attorney or Village Administrator if you have questions on particular topics.

Village of Williams Bay Ordinances

The Village's Code constitutes a set of permanent rules of order and regulation of conduct within the Village. The Village Board is responsible for adopting, amending and repealing Village ordinances to meet the best interests of the Village. The Village Code addresses many aspects of local government, including but not limited to appointment and empowerment of committees, boards and commissions but also Village finance and taxation procedures, traffic and health and welfare regulations, the public peace and order and the procedural and substantive frameworks for local licenses and permits, the operation of public utilities, establishment of zoning, subdivision and building codes and rules governing the conduct of business by the Village Board, committees, boards, commissions and officers and employees of the Village. The code book can be found by visiting <https://ecode360.com/WI3949>

Public Meetings

All business transacted by the Village Board, its committees, commissions and boards on behalf of the Village must be undertaken in the course of a duly posted meeting. All meetings shall be open to the public in locations which are accessible to those who are interested in attending. Public notice and other criteria pertaining to the holding of meetings and the [transaction of business are governed by Wisconsin's Open Meetings Law, Subch. V, Ch. 19, Wis. Stats. To transact business, a quorum of a governmental body must be present. Closed](#) sessions, from which the public is excluded, are the exception to open meetings and must be conducted strictly in accord with [State Statute 19.85, Wis. Stats.](#), and interpreting case law.

Public Records

Wisconsin law holds that all persons are entitled to the greatest possible information about governmental affairs as well as pertaining to official acts undertaken by the officers and employees of a governmental body. Accordingly, Wisconsin has adopted a Public Records Law, [found at Subch. II, Ch. 19, Wis. Stats.](#), which defines and applies not only each of the physical forms of records subject to public review but, additionally, the type of records which may be accessed by the public. Interested persons may request access to and the making of copies of any public record without the necessity of expressing a reason; therefore, subject to certain exceptions. Questions pertaining to the application of the Public Records Law to a specific request for access should be referred to the Village Attorney. **Board members, when communicating in any manner on Village business, should be aware that ALL Village communication, with few exceptions, are subject to public records law.** [Additional information can be found in Chapter 1-16 Public Records.](#)

Conflicts of Interest

State law and local ordinances define the proper course of action to take when there is or may be a conflict of interest on the part of an officer or employee. In particular, state and local ethics codes provide guidelines for dealing with questions concerning potential or actual conflicts of interest.

A Village Board member with a personal or financial interest in proposed action should disclose to the Board the nature of their interest prior to debate or, in some circumstances, before action is taken in the form of a vote. Because both elected and appointed officers and employees may influence the Village Board in matter in which they have a personal or financial interest, such interests should be disclosed to avoid either the appearance of or actual impropriety.

Sometimes, it is not clear whether or not a conflict of interest, as defined by law, is present. Even though it may be legal to act on a matter, it may give the appearance of impropriety to do so. Questions regarding conflict of interest can be directed to the Village Attorney.

- 1. Financial and Personal Interest Prohibited.** No official or employee, whether paid or unpaid, shall engage in any business or transaction, nor shall such official or employee act in regard to financial or other personal interest, direct or indirect, when such actions are incompatible with the proper discharge of their official duties or when such actions impair their independence of judgment or action in the performance their official duties.
- 2. Definitions:**
 - a. "Financial interest" means 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.
 - b. "Personal Interest" means any interest arising from blood or marital relationships or from business or political associations, whether or not any financial interest is involved.
 - c. "Person" means any person, corporation, partnership or joint venture.

3. Specific Conflicts Enumerated:

- a. Incompatible Employment. No official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair their independence of judgment or action in the performance of their official duties, unless otherwise permitted by law and unless disclosure is made as herein provided.
- b. Disclosure of Confidential Information. No official or employee shall disclose confidential information concerning the property, government or affairs of the Village nor shall they use such information to advance the financial or other private interest of themselves or others.
- c. Representing Private Interests Before Village Agencies or Courts. No officer or employee shall appear on behalf of any private person, other than himself or herself, his or her spouse or minor children, before any Village agency or municipal court. However, a member of the Board may appear before Village agencies on behalf of his or her constituents in the course of his or her duties as a representative of the electorate or in the performance of public or civic obligations.

Accepting Gifts

Neither officers nor employees of the Village should accept gifts, favors or hospitality where it could be expected that they may be offered to influence official actions or be considered as a reward for an official act or which might impair the independence of your judgment. Per the *Code of Ethics for Local Government Officials, Employees and Candidates*: If a Village Official, other than a Village Employee, receives anything of value not authorized by the ethics code the Village Official shall not retain it, but shall deposit the money or the equivalent cash value or anything of value with the Village Treasurer or return the payment or thing to the payer or giver. The Village Attorney should be consulted if questions related to acceptance of gifts arise.

Chapter 6: Land Uses

Planning & Zoning

Planning and zoning are methods of achieving the orderly physical development of a community. Planning lays out the intended path of development for a Village and is typically done through a formal comprehensive plan. The Village Board, makes decisions regarding the planned development of public infrastructure in the Village through the adoption of the 2023 Comprehensive Plan, Capital Improvement Plan, and other long-range plans, such as an economic development plan. Community Planning also prepares trend reports, which provides a statistical snapshot of development changes in the Village of Williams Bay throughout the previous calendar year. This helps in considering the future needs of residents and businesses and how current decisions will affect that future.

The Village has adopted extensive Zoning Ordinance Regulations ([Chapter 390. Zoning](#)) to promote the health, safety, morals, prosperity, aesthetics, and general welfare of the community. These zoning ordinance regulations provide the legal basis for facilitating thoughtful development and also aids long-range plans. The zoning ordinance regulates use of land and structures, lot coverage, population distribution and density, and the size and location of structures to promote the safety of citizens and efficient use of public infrastructure. Zoning districts permit various uses. Property owners must apply for a zoning permit and pay any applicable fees whenever a change or update in zoning is requested. Their request for a zoning designation or change will first be brought before the Plan Commission, who will make a recommendation to the Board.

Annexation

Annexation is a way for municipalities to expand and protect their borders. In some instances, Village's may wish to annex neighboring land in order to gain additional land for development. In other cases, residents living outside Village limits may request that they be annexed so that they may receive Village services such as water and sewer. Below is a brief description of several ways in which annexation can take place. There are several methods to accomplish annexation, including: 1) direct annexation by unanimous approval (the most widely-used practice), 2) direct annexation, 3) annexation by residents' referendum, 4) annexation of owned territory, and 5) annexation on Village initiative by referendum and court order. Further questions regarding annexation may be directed to the Village Administrator or Zoning Administrator.

Variances

Residents and business owners are able to apply for accessory uses permitted by right, conditional use and temporary use permits from the Zoning Ordinance when they desire to use land or buildings in a way that doesn't conform to the Ordinance. This application is to be filed with the Zoning Administrator.

Chapter 7: Board Conduct

Ultimately, you are elected by the citizens, and are responsible solely to them. However, you may wish to consider the following advice with respect to your conduct as a representative of the Village of Williams Bay.

Effectiveness & Efficiency

Because of the complex nature of municipal government, it can sometimes seem difficult to make decisions and act in an efficient and effective manner. It is important to work as both a leader and a team member in making decisions that affect the Village. Keeping these suggestions in mind can help to ensure that each board member, as well as the Board as a whole, is able to most effectively accomplish their goals.

Respect

Each Village Board member and member of the public provides a unique perspective. It may be helpful, as you join the Village Board, for you to share with your colleagues your background and special interests, and to learn as much about their perspectives as you can.

This mutual learning will assist in the development of both your professional and personal relationships. The best Village Board is one in which members have strong individual identities but work effectively as a team while always showing each other the utmost respect.

Compromise

All Village Board members have a responsibility to represent a diverse community. Being able to pass any legislation requires that individuals are tolerant of other's viewpoints. Part of the democratic process is the difference in opinion of our representatives; it is ineffective, however, to allow that difference to halt the decision-making process. The art of compromise is very important in Village Board discussions, as it takes a majority vote to achieve anything.

When facing opposition, try to understand the values that are driving the individual. Work for creative solutions that may or may not be the first choice of the parties involved, but address the core needs and values of each party. Remember, all formal actions of the Village Board require over half of the attending members, unless it is an issue that requires a two-third majority, affirmative votes. Also, remember that if one of your fellow Village Board members opposes you on a specific issue, they may be your biggest supporter on the next one.

Trustees as Leaders

As a Village Board member, you are asked to be a leader. While it is your job to represent your constituents, it is also your job to help them see the bigger picture. Sometimes, government issues are complicated and not easily understood by the general public. During those times, you should work to help your constituents understand the issue. Occasionally, you may even need to take a leadership role contrary to the view of your constituents based on your position as an educated Board person looking out for the best interests of the community as a whole.

Process vs. Product

Village Board members must balance the value of public input in meetings with the value of decision making. Though it is important to allow public comment, drawn out or repetitive comments prolong Board discussion and may leave little time for productive discussion on items found later in the agenda.

Conflict Management

Although certain topics may ignite personalities and anger both Village Board members and members of the public, little is accomplished when there is a lack of courtesy for others. It is important that the Village President maintain control of meetings and that Board not get drawn in by emotional members of the public.

Personal Attacks

Attacks on individuals, whether Village Board members, staff, or the general public, are never appropriate. If an individual does or says something wrong, you should not hesitate to address it. Most often, however, the appropriate time and place to address problems is not during a public meeting. This includes addressing work product issues with staff.

This Too Shall Pass

During times of high conflict, it is sometimes hard not to take problems personally, take them home or take them out on others. Keep in mind that these issues will fade and will be replaced by new ones. While it is your job to address difficult issues, it is understood that you will never be able to completely solve many of them. The key is to keep a positive perspective and work with the other members of your team.

Interacting with the Public

You have been elected by the public to represent the public. Both in formal meetings and daily life on the street, a large component of your job is to be attentive to their concerns. These are opportunities for you to inform them about what the government is doing and gather their opinion on matters that concern the Village government.

This document already addressed the public's role during Village Board meetings and public hearings. In addition to these circumstances, you will have the opportunity to interact with the public as you make public appearances and talk to individuals on a daily basis. At such appearances, you are representing the Village. They are opportunities for you to explain your position on issues, respond to citizen complaints, test new ideas, or ask for citizen involvement on a project. It is also important to keep in mind that what you say make influence what people will think about the Village for years to come.

As a Village Board member, you can expect many questions and complaints from the public. By answering honestly and being available to provide information whenever possible, you can make your life, as well as other Village officials' and staff members', much easier. Often you will be able to answer a question or complaint yourself. If you need to pass the question on to

another individual, follow up to make sure that that person adequately addressed the citizen's needs. When addressing citizen requests for action, it is always appropriate to offer to look into the situation personally or discuss with staff.

No matter what the issue, you should welcome all questions and/or complaints. They often provide valuable insights and help you to better represent citizens. While you may occasionally be inclined to dismiss some complaints, it is almost always in the Village's best interest for you to remain attentive and professional when interacting with the public.

Dealing with the Media

Especially if considering a controversial decision, working with the media can be one of the most challenging aspects of your position as a board member. Expect media representatives to be present at many Village functions. Keep in mind that it is their job to get the news that you are making to the rest of the community. Building a positive relationship with journalists can help you both to attain your goals.

Establishing good relations with local newspapers, radio stations, and TV channels is a big step toward these goals. By welcoming reporters and sharing relevant information with the media, you will be building a relationship that can benefit you when news coming from Village Hall may be controversial. Whenever, possible, avoid using the phrase "no comment" or refusing to answer questions, as it breaks down Media-Board relationships and often pushes a reporter to look harder for Board faults. "I don't have the answer right now, but I can follow up and get back to you," is always an appropriate way to answer a question that you don't have the answer to at the moment. Remember that you can always refer media inquiries to the Village Administrator's office.

Make sure that when you talk with reporters, they receive all of the facts and fully understand the details of a situation. Sometimes, governmental procedures can be complex; the additional time that it takes to explain something is well worth it. If necessary, follow up with reporters. If you feel it is appropriate, volunteer to review an article before it goes to print in order to check its accuracy. Don't be afraid to contact them if there is an inaccuracy in information they provide to the public.

Chapter 8: Directory

Village of Williams Bay Contact

250 Williams Street, PO Box 580

Williams Bay, WI 53191

(262) 245-2700

Departments

Village Hall: 262-245-2700

David Lothspeich, Village Administrator	Ext. 402	Cell: 847-421-7715
Tina Kolls, Village Clerk	Ext. 405	Cell: 262-949-5024
Lori Peternell, Treasurer	Ext. 403	Cell: 262-210-4419
Cynthia Stanek, Utility/Admin Asst.	Ext. 404	Cell: 815-201-4872

Police Department: 262-245-2710

Justin Timm, Police Chief	Ext. 410	Cell: 262-581-3061
---------------------------	----------	--------------------

Public Works/Streets/Water:

Wayne Edwards, Public Works Director		Cell: 262-903-1764
--------------------------------------	--	--------------------

Recreation Department:

Dave Rowland, Recreation Director		Cell: 262-215-7129
-----------------------------------	--	--------------------

Library: 262-245-2709

Joy Schnupp, Library Director		Cell: 262-325-2985
-------------------------------	--	--------------------

Fire Department: 262-245-2712

Doug Smith, Fire Chief		Cell: 262-949-2203
------------------------	--	--------------------

Emergency Medical Services (EMS) Department:

Rich Gluth, Rescue Squad Captain		Cell: 262-325-0048
----------------------------------	--	--------------------

Harbor/Boat Launch: 262-581-7872

Jay Blincoe, Harbor Master		Cell: 480-518-5954
----------------------------	--	--------------------

Building (contracted): 262-245-2704

Mike Moore (Safebuilt), Building Inspector	Ext. 415	Cell: 262-202-4358
--	----------	--------------------

Zoning (contracted):

Bonnie Schaeffer, Zoning Administrator	Ext. 407	Cell: 262-492-5272
--	----------	--------------------

Additional Resources

League of Wisconsin Municipalities

122 W Washington Ave, Suite 300

Madison WI 53703 608-267-2380

www.lwm-info.org

The League is a voluntary not-for-profit association that works with local governments and provides legal resources, conference and networking opportunities, educational handbooks and publications for elected officials and appointed staff, assistance on a multitude of topics via their website, lobbying for municipalities at the state and federal level, and opportunities for municipalities to participate in insurance and investment pools to strengthen bargaining and buying power.

Legislative Bulletin

The League provides a weekly update covering proposed legislation at the State level on their website. It is a helpful way to remain up-to-date on State legislation that may affect Williams Bay residents. You can subscribe to the [Legislative Bulletin and Capitol Buzz](#) for weekly updates.

UW-Extension, Local Government Center

111 Pyle Center, 702 Langdon Street

Madison, WI 53706

608-262-9961

<https://localgovernment.extension.wisc.edu/>

The Government Center provides a variety of educational options to assist municipalities, including: workshops, conferences, online and print educational materials, research, and assistance in special requests from governments.

Walworth County, Wisconsin

Government Center

100 W Walworth Street

Elkhorn, WI 53121

Phone: 262-741-4241

<https://www.co.walworth.wi.us/>

Stay up to date with news and announcements happening at the Walworth County Level. Subscribe to *Alert Sense* for updates including, but not limited to: emergency notifications, government jobs, new flash, calendars, upcoming meetings and agendas, and posted meeting minutes. <https://www.co.walworth.wi.us/291/Emergency-Notification-Alerting-System>

State of Wisconsin

Listed below are some of the potentially helpful resources and contact information for various State agencies.

Department of Revenue	(608) 266-2772	https://www.revenue.wi.gov/
Department of Natural Resources	(608)266-2621	www.dnr.state.wi.us
Department of Transportation	(715) 836-2891	www.dot.state.wi.us
Bureau of Transit & Local Roads	(608) 266-2350	Website
State Ethics Board	(608)266-8123	https://ethics.wi.gov/
Wisconsin Elections Board	(608) 266-8005	www.elections.state.wi.us

Appendix A:

Chapter 110 Village Board

Village President and Board

Chapter 110. Village Board

§ 110-1. Composition.

The Village Board shall consist of the Village President, who shall be elected in odd-numbered years for a two-year term, and six trustees, three of whom shall be elected in even-numbered years for two years, and three of whom shall be elected in odd-numbered years for two-year terms.

§ 110-2. Compensation and expense reimbursement.

[Added 4-2015]

Salaries and expense reimbursement levels as well as the manner of their payment for the Village President and Village Trustees will be established by resolution of the Village Board and reviewed annually in January by the Village Board.

§ 110-3. Village Board committees.

The committees of the Village Board shall be appointed annually by the Village President at the organization meeting and shall comprise the following committees:

A. Finance and Personnel. This Committee is responsible for the formulation of the annual budget and annual tax levy and all personnel concerns including collective bargaining agreements. All contracts with the Village will be reviewed and endorsed by this Committee.

B. Streets and Highways. This Committee administrates all matters concerning Village streets, highways, sidewalks and stormwater drainage. This Committee works closely with Director of Public Works on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Finance and Personnel Committee. This Committee is responsible for the maintenance of all public works buildings.

C. Protective Services. This Committee administrates all matters concerning Village Fire Department, Police Department, Emergency Medical Service (Rescue) Squad, and Dive Team. This Committee works closely with the Chiefs of the above-mentioned departments on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Finance and Personnel Committee.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

D. Parks and Lakefront.

(1) This Committee administrates all matters concerning Village parks, lakefront and Park District. This Committee works closely with Director of Public Works and the Park District on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Finance and Personnel Committee.

(2) This committee is also responsible for the maintenance of the following buildings: Village Hall, Field House, Lakefront Concession Building, Library Hall, Beach House, Horvath Building and the pavilion at Edgewater Park.

E. Building, Zoning and Ordinance. This Committee works closely with the Building Inspector on all matters regarding the issuance of building and zoning permits and zoning issues. This Committee also is responsible for ordinance development, adoption and codification.

F. Water and Sewer. This Committee administrates all matters concerning the Water Utility and Sewer Department within the Village. This Committee works closely with Director of Public Works on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Village Board for its approval. This Committee is also responsible for the maintenance of all the buildings owned by the Water Utility and Sewer Department.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

§ 110-4. Residency required.

[Amended 8-31-2020 by Ord. No. 2020-03]

All members of Village Board Committees established pursuant to § 110-3 of this chapter shall reside within the corporate limits of the Village of Williams Bay.

§ 110-5. Village Board bylaws.

A. Regular meetings. The regular meetings of the Village Board shall be held in the Village Hall on the first and third Mondays of each month at 6:30 p.m., unless noticed otherwise. The Board may adjourn any regular meeting to any future date at which new business may be introduced as well as unfinished business completed.

[Amended 7-5-2022 by Ord. No. 2022-11]

B. Presiding officer. The President or presiding officer shall preside at all meetings and preserve order, deciding all questions of order, subject to an appeal to the Board.

C. Calling meetings to order. The President shall take the chair at the hour appointed and immediately call the meeting to order. In the absence of the President, the Clerk or, in the Clerk's absence, any member of the Board may call the meeting to order, and thereupon the Board shall appoint one of its members President Pro Tempore. In the absence of the Clerk, the Board may appoint one of the members present to serve as Clerk during the session. The Chair shall confirm public notice compliance with the Clerk or other Village staff representative.

[Amended 1-15-2018 by Ord. No. 2018-1]

D. Order of business. The business of the Board shall be transacted in the following order:

[Amended 6-6-2016 by Ord. No. 2016-6]

(1) Roll call.

(2) Reading the minutes of the preceding meeting and approving same if correct, correcting mistakes if any occur.

(3) Consent agenda.

(4) Presentation of accounts and petitions.

(5) Plan Commission.

(6) Public comments. *The public may speak on any item that is not included on this agenda as a "Public Hearing or Forum." Anyone who wishes to comment should identify himself or herself and provide his or her local address. Board members may discuss any matter raised by the public. However, the Board will refrain from extensive dialogue and should not take action on matters raised by the public during a public comment period. Referrals to committees or staff members might be made. Members may ask the commenter to clarify his or her remarks. The Board President or the presiding officer will maintain control of the meeting.*

(7) President's remarks.

(8) Ordinances and resolutions.

(9) Committee reports.

(10) Public comments.

(11) Adjournment.

E. Passage of ordinances.

(1) Every proposed ordinance shall have two separate readings previous to its passage but shall not be read at any other time than regular sessions except by unanimous consent. The second reading may be waived by vote of the Board.

(2) The second reading of an ordinance shall be by section at which time amendments may be offered. If no amendments are made, the question shall be, "Shall the ordinance pass?" If amendments are offered and made, the chair shall so report and the ordinance shall be so read as amended before the question of its passage is taken.

F. Rules of procedure. The rules of parliamentary practice embraced in Robert's Rules of Order, Newly Revised, shall govern the Board where applicable and where not inconsistent with the standing rules, bylaws and order of the Board.

G. Special meetings.

(1) How called. Special meetings may be called by the President or any two trustees in writing filed with the Clerk. If at least 24 hours remain before such meeting, the Clerk shall notify each member of the Board of the time, place and purpose of such special meeting by mailing a written notice thereof to each member of the Board and by telephoning him, if possible. If less than 24 hours but at least six hours remain before such meeting, the Clerk shall give notice to each trustee by personal service and by telephone, if possible. No special meeting shall be called upon less than six hours' notice except with the unanimous consent of all members of the Board expressed orally or in writing.

(2) Statutes adopted. Section 19.85, Wis. Stats., is hereby adopted and by reference made a part of this section as if fully set forth herein. Any act required to be performed or prohibited by the provisions of any statute incorporated by reference herein is required or prohibited by this section.

H. Business to be presented by Trustee. No business shall be considered by the Board unless presented by a member of the Board.

I. Approval of claims. Every account presented to the Board shall, if required, be verified by affidavit as provided by law and shall not be allowed or directed to be passed until it shall have been examined and certified as correct by the proper committee and reported to and audited by the Board.

J. Amendment of bylaws. These bylaws may be amended, stricken out or added to at any regular meeting of the Board upon a majority vote of all the members, provided that notice thereof shall be given at the regular meeting of the Board immediately preceding the one in which such amendment is to be acted upon.

K. Consent agenda.

[Added 6-6-2016 by Ord. No. 2016-6]

(1) Criteria. The Village Clerk may create a subsection on any Board agenda entitled "consent agenda." In a consent agenda, the Clerk shall place matters that, in the Clerk's judgment, are routine and noncontroversial and do not require a super majority vote or separate action by the Board.

(2) Procedure. The following procedure shall apply when a consent agenda is used:

(a) No separate discussion or debate may be permitted on any matter listed on the consent agenda except as provided in Subsection K(2)(b).

(b) A single motion, seconded and adopted by a majority vote of the Board shall be required to approve, adopt, enact or otherwise favorably resolve all matters listed on the consent agenda.

(c) Any member of the Board may request removal of any item included in the consent agenda. At the time the consent agenda is considered, any such item shall be removed without debate or vote.

(d) If any item has been removed from the consent agenda in accordance with this subsection, that item shall be considered by the Board under the appropriate heading of the regular agenda of the Board.

Appendix B:

Village Code Chapter 40 – Ethics

Chapter 40. Ethics

§ 40-1. Declaration of policy.

A. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; government decisions and policy be made in the proper channels of the government structure; public office not be used for personal gain; and 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 Village officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the Village. The purpose of the 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 Village and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the Village.

B. The Village Board recognizes that the representatives of the Village are drawn from society and therefore cannot and should not be without all personal and economic interest in the decisions and policies of government and that citizens who serve as Village officials and employees retain their rights as citizens to interest of a personal and economic nature. The standards of ethical conduct for Village officials and employees need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society and those conflicts which are substantial and material and that Village officials and employees may need to engage in employment, professional or business activities other than official duties in order to support themselves or their families and to maintain investments which activities or investments do not conflict with the specific provisions of this code. The provisions and purpose of this code and such rules and regulations as may be established are hereby declared to be in the best public interest. It is the intent of the Village Board that in its operations the Board of Ethics shall protect to the fullest extent possible the rights of individuals affected.

§ 40-2. 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 to carry out impartially the laws of the nation, State and Village and thus to foster respect of all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern.

§ 40-3. 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, honorariums and expenses which are permitted and reported under § 19.56, Wis. Stats., and political contributions which are reported under Ch. 11, Wis. Stats.

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.

PERSON

Any person, corporation, partnership or joint venture.

§ 40-4. Conflict of interest.

A. No official or employee shall accept anything of value, whether in the form of a gift, service, loan or promise, from any person which may tend to impair his independence of judgment or action in the performance of his official duties.

B. It is not a conflict of interest for any public employee or official to receive a gift or gratuity that is an unsolicited item of nominal intrinsic value.

C. No public official or employee shall engage in any business or transaction or shall act in regard to any financial interest, direct or indirect, which is incompatible with the proper discharge of his official duties for the benefit of the public, contrary to the provisions of this Code or which would tend to impair his independence of judgment or action in the performance of his official duties.

D. No public official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties unless otherwise permitted by law, unless disclosure is made as hereinafter provided.

E. No public official or employee and no business in which a Village official or public employee holds a 10% or greater interest may enter into a contract with the Village involving a payment or payments of more than \$3,000 within a twelve-month period unless such official or employee has first made a written disclosure of the nature and extent of such relationship or interest to the Board and to the department acting for the Village in regard to such contracts. This subsection does not affect the application of § 946.13, Wis. Stats.

F. No official or employee shall disclose confidential information concerning the property, government or affairs of this Village nor shall he use such information to advance the financial or other private interest of himself or any other person.

G. Any member of the Village Board who has financial interest in any proposed legislation before the Village Board shall disclose on the records of the Board the nature and extent of such interest prior to or during the initial discussion on such legislation. Any other official or employee who has a financial interest in any proposed legislative action of the Village Board and who participates in discussion with or gives an official opinion or recommendation to the Village Board shall disclose on the records of the Board the nature and extent of such interest.

§ 40-5. Ethics Board.

A. There is hereby created an Ethics Board consisting of three members and one alternate who shall serve without compensation unless the Village Board otherwise provides. The members of the Board of Ethics shall be residents of the Village and shall not be elected officials, full-time appointed officials, or Village employees nor shall they be currently serving on any other Village board or commission.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

B. Each member shall be appointed by the President and subject to the confirmation by the Village Board. The Village Attorney shall furnish the Board whatever legal assistance necessary in carrying out its functions. Terms of office shall be three years, except that when the initial appointments are made one member shall be appointed for one year, one for two years and one for three years.

C. The alternate shall serve on the Board when one of the members of the Board is unavailable. The term of the alternate shall be for three years. The Ethics Board shall elect its own Chairperson and Vice Chairperson.

§ 40-6. Duties of Ethics Board.

A. The Ethics Board shall adopt and develop written rules which shall be submitted to the Village Board for approval. A copy of such rules shall be filed with the Village Clerk.

B. Any person to whom this chapter applies may apply to the Ethics Board for an advisory opinion and shall be guided by the opinion rendered. Such person shall have the opportunity to present his interpretation of the facts at issue and of the applicability of provisions of the Code before the advisory decision is rendered. The Board's

deliberations and action upon such applications shall be in meetings not open to the public. Records of the Board's opinions, opinion requests and investigations of violations shall be closed to public inspection. The Board, however, may make such records public with the consent of the individual requesting the advisory opinion.

C. The Board shall investigate any complaint properly filed with it.

D. The Board shall accept from any person or make upon its own motion a verified complaint in writing which shall state the name of the officer or employee alleged to have committed a violation of this chapter and which shall set forth the particulars thereof. The Board shall forward within 10 days a copy of the complaint to the officer or employee who is accused. If no action on the verified complaint is taken by the Board within 60 days, the complaint shall be void.

E. Following the receipt or motion of a verified complaint, the Board may make preliminary investigations with respect to alleged violation of this chapter. No preliminary investigation of the activities of any officer or employee may be initiated unless such officer or employee is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific actions or activities to be investigated and a statement of such person's due process rights.

F. If after such investigation the Board finds that probable cause exists for believing the allegations of the complaint, it shall conduct a hearing on the matter which shall be held not more than 30 days after such finding. The Board shall give the accused at least 20 days' notice of the hearing date. Such hearings shall be at open session unless the accused petitions for a hearing closed to the public. The rules of criminal evidence shall apply to such hearings. All evidence, including certified copies of records and documents which the Board considers, shall be fully offered and made part of the record in the case. Every party shall be afforded adequate opportunity to rebut or offer countervailing evidence.

G. During all stages of any investigation or proceeding conducted under this section, the accused or any person whose activities are under investigation shall be entitled to be represented by counsel of his own choosing.

H. The accused or his representative shall have an adequate opportunity to examine all documents and records to be used at the hearing under Subsection F at a reasonable time before the date of the hearing as well as during the hearing; bring witnesses; establish all pertinent facts and circumstances; and question or refute any testimony or evidence, including opportunity to confront and cross-examine adverse witnesses.

I. The Board shall have the power to compel the attendance of witnesses and to issue subpoenas granted other boards and commissions under § 885.01(3), Wis. Stats.

J. Upon conclusion of the hearing, the Board shall file its decision within five days in writing signed by all participating Board members with findings of fact and conclusions of law concerning the propriety of the conduct of the officer or employee and, if appropriate, refer the matter to the Village Board or other proper authority with a recommendation for suspension, removal from office or employment or other disciplinary action.

K. The affirmative vote of a majority of the Board shall be required for any action taken by the Board, with the exception that action taken by the Board pursuant to a hearing conducted under Subsection F shall require a unanimous vote.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

Wisconsin Statute 19.59.

Codes of ethics for local government officials, employees and candidates

- (1)
- (a) No local public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. A violation of this paragraph includes the acceptance of free or discounted admissions to a professional baseball or football game by a member of the district board of a local professional baseball park district created under subch. III of ch. 229 or a local professional football stadium district created under subch. IV of ch. 229. This paragraph does not prohibit a local public official from using the title or prestige of his or her office to obtain campaign contributions that are permitted and reported as required by ch. 11. This paragraph does not prohibit a local public official from obtaining anything of value from the Wisconsin Economic Development Corporation or the department of tourism, as provided under s. 19.56 (3) (f).
- (b) No person may offer or give to a local public official, directly or indirectly, and no local public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the local public official's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the local public official. This paragraph does not prohibit a local public official from engaging in outside employment.
- (br) No local public official or candidate for local public office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of, or upon condition that, any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, any committee registered under ch. 11, or any person making a communication that contains a reference to a clearly identified local public official holding an elective office or to a candidate for local public office.
- (c) Except as otherwise provided in par. (d), no local public official may:
1. Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.
 2. Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.
- (d) Paragraph (c) does not prohibit a local public official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses, or prohibit a local public official from taking official action with respect to any proposal to modify a county or municipal ordinance.

- (f)** Paragraphs (a) to (c) do not apply to the members of a local committee appointed under s. 289.33 (7) (a) to negotiate with the owner or operator of, or applicant for a license to operate, a solid waste disposal or hazardous waste facility under s. 289.33, with respect to any matter contained or proposed to be contained in a written agreement between a municipality and the owner, operator or applicant or in an arbitration award or proposed award that is applicable to those parties.
- (1m)** In addition to the requirements of sub. (1), any county, Village, village or town may enact an ordinance establishing a code of ethics for public officials and employees of the county or municipality and candidates for county or municipal elective offices.
- (2)** An ordinance enacted under this section shall specify the positions to which it applies. The ordinance may apply to members of the immediate family of individuals who hold positions or who are candidates for positions to which the ordinance applies.
- (3)** An ordinance enacted under this section may contain any of the following provisions:
- (a)** A requirement for local public officials, other employees of the county or municipality and candidates for local public office to identify any of the economic interests specified in s. 19.44.
- (b)** A provision directing the county or municipal clerk or board of election commissioners to omit the name of any candidate from an election ballot who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.
- (c)** A provision directing the county or municipal treasurer to withhold the payment of salaries or expenses from any local public official or other employee of the county or municipality who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.
- (d)** A provision vesting administration and civil enforcement of the ordinance with an ethics board appointed in a manner specified in the ordinance. A board created under this paragraph may issue subpoenas, administer oaths and investigate any violation of the ordinance on its own motion or upon complaint by any person. The ordinance may empower the board to issue opinions upon request. Records of the board's opinions, opinion requests and investigations of violations of the ordinance may be closed in whole or in part to public inspection if the ordinance so provides.
- (e)** Provisions prescribing ethical standards of conduct and prohibiting conflicts of interest on the part of local public officials and other employees of the county or municipality or on the part of former local public officials or former employees of the county or municipality.
- (f)** A provision prescribing a forfeiture for violation of the ordinance in an amount not exceeding \$1,000 for each offense. A minimum forfeiture not exceeding \$100 for each offense may also be prescribed.
- (4)** This section may not be construed to limit the authority of a county, Village, village or town to regulate the conduct of its officials and employees to the extent that it has authority to regulate that conduct under the constitution or other laws.
- (a)** Any individual, either personally or on behalf of an organization or governmental body, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit, an advisory opinion regarding the propriety of any matter to which the person is or may become a party. Any appointing officer, with the consent of a prospective appointee, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit an advisory opinion regarding the

propriety of any matter to which the prospective appointee is or may become a party. The county or municipal ethics board or the county corporation counsel or attorney shall review a request for an advisory opinion and may advise the person making the request. Advisory opinions and requests therefor shall be in writing. It is prima facie evidence of intent to comply with this section or any ordinance enacted under this section when a person refers a matter to a county or municipal ethics board or a county corporation counsel or attorney for a local governmental unit and abides by the advisory opinion, if the material facts are as stated in the opinion request. A county or municipal ethics board may authorize a county corporation counsel or attorney to act in its stead in instances where delay is of substantial inconvenience or detriment to the requesting party. Except as provided in par. (b), neither a county corporation counsel or attorney for a local governmental unit nor a member or agent of a county or municipal ethics board may make public the identity of an individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion.

- (b)** A county or municipal ethics board, county corporation counsel or attorney for a local governmental unit replying to a request for an advisory opinion may make the opinion public with the consent of the individual requesting the advisory opinion or the organization or governmental body on whose behalf it is requested and may make public a summary of an advisory opinion issued under this subsection after making sufficient alterations in the summary to prevent disclosing the identities of individuals involved in the opinion. A person who makes or purports to make public the substance of or any portion of an advisory opinion requested by or on behalf of the person waives the confidentiality of the request for an advisory opinion and of any records obtained or prepared by the county or municipal ethics board, the county corporation counsel or the attorney for the local governmental unit in connection with the request for an advisory opinion.
- (5)** Any county corporation counsel, attorney for a local governmental unit or statewide association of local governmental units may request the commission to issue an opinion concerning the interpretation of this section. The commission shall review such a request and may advise the person making the request.
- (6)**

 - (a)** Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation, and, if the court determines that the accused has violated sub. (1) (br), the court may, in addition, order the accused to forfeit an amount equal to the amount or value of any political contribution, service, or other thing of value that was wrongfully obtained.
 - (b)** Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation, and, if the court determines that a local public official has violated sub. (1) (br) and no political contribution, service or other thing of value was obtained, the court may, in addition, order the accused to forfeit an amount equal to the maximum contribution authorized under s. 11.1101 (1) for the office held or sought by the official, whichever amount is greater.
- (7)**

 - (a)** Subsection (1) shall be enforced in the name and on behalf of the state by action of the district attorney of any county wherein a violation may occur, upon the verified complaint of any person.
 - (b)** In addition, and supplementary to the remedy provided in sub. (7), the district attorney may commence an action, separately or in conjunction with an action brought to obtain the remedy provided in sub. (7), to obtain such other legal or equitable relief, including but not limited to mandamus, injunction or declaratory judgment, as may be appropriate under the circumstances.

- (c)** If the district attorney fails to commence an action to enforce sub. (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the district attorney refuses to commence such an action, the person making the complaint may petition the attorney general to act upon the complaint. The attorney general may then bring an action under par. (a) or (b), or both.
- (cm)** No complaint alleging a violation of sub. (1) (br) may be filed during the period beginning 120 days before a general or spring election, or during the period commencing on the date of the order of a special election under s. 8.50, and ending on the date of that election, against a candidate who files a declaration of candidacy to have his or her name appear on the ballot at that election.
- (cn)** If the district attorney for the county in which a violation of sub. (1) (br) is alleged to occur receives a verified complaint alleging a violation of sub. (1) (br), the district attorney shall, within 30 days after receipt of the complaint, either commence an investigation of the allegations contained in the complaint or dismiss the complaint. If the district attorney dismisses the complaint, with or without investigation, the district attorney shall notify the complainant in writing. Upon receiving notification of the dismissal, the complainant may then file the complaint with the attorney general or the district attorney for a county that is adjacent to the county in which the violation is alleged to occur. The attorney general or district attorney may then investigate the allegations contained in the complaint and commence a prosecution.
- (d)** If the district attorney prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the county wherein the violation occurs. If the attorney general prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the state.

Appendix C: Village Administrator

Chapter 80. Officers and Employees

§ 80-3. Village Administrator.

A. Village Administrator creation and purpose. In order that the various officers, officials and employees executing policies and administering the affairs of the Village of Williams Bay be operated as efficiently as possible under a system of part-time President and part-time Trustees, and to better insure confident, expeditious, efficient and harmonious administration in action and in respect to any activity, of any one or more of the Village's officers, officials and employees, and in order that there may be uniform administration of policy, there is hereby created the office of Village Administrator for the Village of Williams Bay.

B. Functions of Village Administrator.

(1) The Village Administrator shall be the administrative officer of the Village, responsible for the proper administration of the business and affairs of the Village, subject to those limitations imposed by the statutes of the State of Wisconsin, the ordinances of the Village of Williams Bay, and the resolutions and directions of the Village Board.

(2) Nothing herein shall be construed to conflict with the duties of the Village Board and other Village officers otherwise provided by statute and the ordinances of the Village of Williams Bay.

C. Appointment. The Village Administrator shall be appointed by the Village President and confirmed by the Village Board for a term of three years from the date of initial hire (or at the expiration of the term of an incumbent Village Administrator appointed prior to April 20, 2021) on the basis of merit, with due respect to training, experience, administrative ability and general fitness and knowledge of administrative and operational functions of municipal government. The Village Administrator shall be an officer of the Village of Williams Bay. Compensation therefor shall be as determined by the Village Board from time to time. Should the Village President decline to reappoint an incumbent Village Administrator, the Village Board may reappoint the incumbent Village Administrator to that office. [Amended 1-17-2022 by Ord. No. 2021-11]

D. General duties. The Village Administrator shall have the following general duties: [Amended 1-17-2022 by Ord. No. 2021-11]

(1) Board relations.

(a) Carry out directives of the Village Board which require administrative implementation, reporting promptly to the Village Board any difficulties encountered therein.

(b) Attending all meetings of the Village Board, assisting the President and the Village Board as required in the performance of their duties.

(c) Keep the President and Village Board regularly informed about the activities of the Administrator's Office and the current fiscal position of the Village by oral or written report at regular and special meetings of the Village Board.

(d) The Village Administrator shall make recommendations from time to time to the Village Board for improving the quality and efficiency of services performed by the Village and for improving the health, safety and welfare of the Village.

(2) Financial.

- (a)** Serve as the primary staff person in establishing and monitoring the annual operating budget in accordance with all statutory requirements.
- (b)** Oversee the work of the Treasurer and serve as the primary staff person responsible for monitoring the budget and answering budget inquiries of staff and elected officials. Perform certain accounting tasks to ensure separation of duties to the extent possible, including reviews, approve journal entries, approve all Village encumbrances, review and approve bank deposits.
- (c)** Serve as the purchasing agent for the Village, supervising all purchasing and overseeing the contracting for supplies and services. Prepare Village contracts for execution.

(3) Administration.

- (a)** Administer all day-to-day operations of the Village government, including the monitoring of all Village ordinances, resolutions, Village Board meetings and state statutes.
- (b)** Administer and direct the operation and maintenance of all Village-owned property, lands, buildings, improvements and equipment, and all public ways, ditches, drains and storm sewers, and where such duties are otherwise given to other officials, officers and employees of the Village, the Village Administrator shall assist the above officials, officers and employees as the Village Board may from time to time direct.
- (c)** Create drafts of administrative procedures, subject to review by the Village Board, to increase the effectiveness and efficiency of Village government.
- (d)** Oversee the engagement of outside consultants through drafting RFPs or bid requests, review bids and proposals and make a recommendation to the Village Board.
- (e)** Ensure the thorough and satisfactory completion of all contracted and consultant work.

(4) Legislative.

- (a)** Keep informed concerning current federal, state and county legislation and administrative rules affecting the Village.

(5) Human relations.

- (a)** Serve as personnel officer for the Village with responsibilities to ensure that complete and current personnel records, including specific job descriptions for all Village employees, are maintained; evaluate, in conjunction with department directors, the performance of all employees on a regular basis, recommend salary and wage scales for Village employees not covered by collective bargaining agreements, ensure that the Village employees have proper working conditions, and work closely with department heads to promptly resolve personnel problems or grievances.
- (b)** Administer or direct a designee to ensure that all employees, new and sustained, have had their benefit package fully explained and implemented.
- (c)** The Village Administrator shall work closely with department heads to ensure that employees receive adequate opportunity for training in order to maintain and improve their job-related knowledge and skills.
- (d)** Recommend to the Village Board the appointment, promotion and, when necessary, for the good of the Village, the suspension or termination of department directors.
- (e)** In consultation with the appropriate department director, be responsible for the appointment, promotion and, when necessary for the good of the Village, the suspension or termination of employees below the department director level.

E. [1] Change of duties. The Village Board may, from time to time, increase, decrease, change or otherwise modify the duties of the Village Administrator as the Village Board may, in its sole discretion, determine appropriate.

[1] Editor's Note: Former Subsection E , regarding personnel, and Subsection F, regarding budget and purchasing, as amended, were repealed 1-17-2022 by Ord. No. 2021-11. This ordinance also renumbered former Subsection G as Subsection E.

DRAFT

Appendix D: Quick Reference

Swearing-In: Prior to organizational meeting on the 3rd Tuesday in April, you must be sworn into your newly elected position.

Village Mail: Your mail is available for pick-up at Village Hall each day. The mailboxes are located in the main office.

E-mail/Tablet: You will be given a Village email account and a Village-issued tablet to use during your term. When your elected service has ended, the tablet needs to be returned to the Village. Please note: any information in your email account is considered public information. Please make an effort to check your email frequently as both staff and your constituents will use this as a means to contact you.

Paycheck and HR Forms: You are paid on a monthly basis. Your check will be direct- deposited. The Village Treasurer will assist you in completing the appropriate paper work to receive pay.

Municipal Code Book: The Williams Bay Village Code is available online on the Village's website.

Village Website: Village information, including Board packets, can be found on the Village website at <https://www.williamsbay.org/>

Meeting Schedules: Village Board meetings are held the 1st and 3rd Mondays of the month at 6:30 p.m.

Appendix E: Employee Organization Chart

For a clear image please double click the pdf link.



Williams Bay
Organizational Char

Appendix F: Open Meetings/Public Records Training Materials

Double click any document for a larger PDF version.

Placeholder, modify for Williams Bay

OPEN MEETINGS TRAINING
Monroe Common Council
August 2, 2020
Daniel R. Bartholf, City Attorney

POLICY OF OPEN MEETINGS LAW

Section 19.81 of the Wisconsin Statutes provides:

- (1) In recognition of the fact that a representative government of the American type is dependent upon an informed electorate, it is declared to be the policy of this state that the public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of governmental business.
- (2) To implement and ensure the public policy herein expressed, all meetings of all state and local governmental bodies shall be publicly held in places reasonably accessible to members of the public and shall be open to all citizens at all times unless otherwise expressly provided by law.
- (3) In conformance with article IV, section 10, of the constitution, which states that the doors of each house shall remain open, except when the public welfare requires secrecy, it is declared to be the intent of the legislature to comply to the fullest extent with this subchapter.
- (4) This subchapter shall be liberally construed to achieve the purposes set forth in this section, and the rule that penal statutes must be strictly construed shall be limited to the enforcement of forfeitures and shall not otherwise apply to actions brought under this subchapter or to interpretations thereof.

OPEN MEETINGS LAW APPLIES TO "MEETINGS" OF "GOVERNMENTAL BODIES"

Governmental bodies include:

- Monroe Common Council
- Subunits - separate smaller body created by and consisting entirely of members of a parent body.
 - All committees of the council.
- Boards and commissions created by ordinance, resolution, rule or order. Examples [not inclusive]:

➤ Board of Review ➤ Board of Police and Fire Commissioners ➤ Plan Commission ➤ Zoning Board of Appeals ➤ Board of Park and Recreation Commissioners ➤ Board of Health ➤ Housing Authority ➤ Senior Citizens Board	➤ Airport Board of Management ➤ Visitors and Promotion Board ➤ Fair Housing Committee ➤ Business Improvement District Board ➤ Ethics Board ➤ Monroe Redevelopment Authority ➤ Ad hoc Committees appointed by Common Council
---	---

VOEGELI, EWALD & BARTHOLF LAW OFFICES, S.C.

Monroe Professional Center
www.voegli-ewald.com

Paul W. Voegli
Rox A. Ewald
Daniel R. Bartholf
—
Jordan W. Foerst

Daniel R. Bartholf
dbartholf@voegli-ewald.com
(608) 329-9617

1750 10th Street, P.O. Box 56
Monroe, Wisconsin 53566

Reception: (608) 328-2000
Facsimile: (608) 329-9613

MEMORANDUM

DATE: November 17, 2016
TO: Phil Rath
FROM: Daniel R. Bartholf
RE: Alderpersons Attending Closed Session of Committees that they are not a member

Question: The question is whether alderpersons can attend closed session portions of committees that they are not a member.

Legal Opinion: It is my recommendation that alderpersons should not attend closed sessions of those committees that they are not a member. It is further recommended that alderpersons who attend open session of a committee to which they are not a member should not participate, even by asking questions or making statements, when the general public is not provided the same opportunity (i.e. public hearing).

Basis for Opinion: Pursuant to Open Meeting Laws § 19.82(2), a “meeting” is defined as “the convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body. **If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purpose of exercising the responsibilities, authority, power or duties delegated to vested in the body.** The term does not include any social or chance gathering or conference which is not intended to avoid this subchapter ...” The bolded language above which refers to one-half of the members present relates to negative quorum situations. A negative quorum will exist when there are enough members present to prevent the formation of a majority of the parent body. By way of example, if four salary & personnel members are meeting in closed session and one other non-committee alderperson sits in the closed session to listen, then that would be rebuttably presumed to be a negative quorum because five alderpersons could prevent the passing of any motion at a council meeting. Certainly, if two or more of the non-committee alderpersons are present, then that would be rebuttably presumed to constitute a quorum of the council and would be required to be noticed up with its separate agenda. This is part of the Eckstein ruling in which the Judge ruled against us.

The “rebuttable presumption” does allow the members of the council to overcome the presumption by proving that they did not discuss any subject that was within the realm of the council’s authority. However, in closed session situations this presents significant challenges because those portions of meetings are not generally recorded. Testimony from the alderpersons themselves involved in the closed session would be viewed as self-serving and not likely to carry the burden of proving that he or she did not participate. Even testimony from the City Clerk or other City employees involved in the closed session would likely be questioned due to the significant policy decision by the State Legislature that all meetings should be open to its citizens and with appropriate notice. In contrast, those alderpersons that are present for open session committees that they are not members have a much better ability to prove that he or she did not participate in the meeting. Audio and video recording of the meetings and even testimony of general public would carry significant weight. The fact that the meeting was held in open session would not require heightened review by the courts. It would be my recommendation to those non-committee alderpersons not to participate in making statements or even asking questions as this would be viewed as exercising his or her duties of a council member. Finally, I would encourage, but not require, alderpersons to not sit at the committee table to avoid even the appearance that he or she is participating in the meeting (especially those meetings that are videotaped).

PUBLIC RECORDS TRAINING

Monroe Common Council
August 2, 2020
Daniel R. Bartholf, City Attorney

PUBLIC RECORDS LAW

Sections 19.31 through 19.39 of the Wisconsin Statutes constitute the Wisconsin Public Records Law.

Monroe Code 1-16 Public Records [incorporates by reference Sections 19.31 through 19.39 Wis. Stats.]

A. What is a record?

Wis. Stat. § 19.32(2)

“Record” means any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. “Record” includes:

- a. Handwritten, typed, or printed documents.
- b. Maps and charts.
- c. Photographs, films, and tape recordings.
- d. Computer tapes and printouts, CDs and optical discs.
- e. Electronic records and communications.

To constitute a “record” the material must be created or kept in connection with official purpose or function of the agency. 72 Op. Att’y Gen. 99, 101 (1983); *State ex rel. Youmans v. Owens*, 28 Wis. 2d 672, 679, 137 N.W.2d 470 (1965). Content, not medium or format, determines whether or not a document is a “record” within the meaning of the public records law.

“Authority” is defined in § 19.32(1) and it includes state or local office, elective official, agency, board, commission, committee, council, department or public body created by the constitution or by any law or ordinance, or any formally constituted subunits of the aforementioned.

B. Who is the custodian of a record?

Wis. Stat. § 19.33

Legal custodians:

(1) An elected official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.

(2) The chairperson of a committee of elected officials, or the designee of the chairperson, is the legal custodian of the records of the committee.

(4) For all other authorities, the authority must designate one or more persons as its legal custodian, but if no designation is made, the default is the authority’s highest ranking officer and its chief administrative officer (if applicable). (i.e., absent other designations, see special rule under (5) below, then the committee or board can designate a legal custodian or its highest-ranking member which usually will be the chair if no designation is made).

(5) Special Rule: If members of an authority are appointed by another authority, then the appointing authority may designate a legal custodian. (i.e., Monroe Council appoints members to certain committees like plan commission, then the Council can also designate someone as the commission’s legal custodian).

Eligible/Ineligible Project Costs

Eligible costs include, but not limited to:

- **Capital costs**, including public infrastructure
- **Cash grants to developers** with appropriate development agreements
- **Property assembly/relocation costs**
- **Demolition/site preparation costs**
- **Planning/engineering/legal** for preparation of project plan
- **Marketing and project concepts** for projects with a TID district
- **Prorated capital and administrative costs** per % necessitated by TID



Eligible/Ineligible Project Costs

Ineligible costs include, but not limited to:

- **General operating expenses** unless planning/legal/engineering for creation of TID
- **Capital and administrative costs** beyond % necessitated by TID
- **Constructing or altering** administrative, police, fire, libraries, recreational & school buildings
- **Cost of expanding** a facility generally funded by user fees
- **Cash grants to owners, lessees or developers WITHOUT** a signed development agreement sent to JRB (if existing) or kept on file in the community



General Management Requirements

- **Segregated account** within municipality's accounting
- **Annual report** filed by municipality in May
- **Audits** at statutorily-identified times



"But For" Test

- **Public purpose/benefit:**
 - Eliminate blight
 - Diversify tax base
 - Create jobs
 - Remove social hazards
 - Environmental clean-up
 - Improve transportation/utility services



Meeting the “But For” Criteria

- **Business cannot afford** utility extensions – TID created, increment/jobs guaranteed
- **Business bringing 200 jobs** can finance 90% = 10% needed as gap financing – adopt developer agreement with increment/repayment guarantee
- **Extraordinary development costs** like site demolition – adopt developer agreement with increment/repayment guarantee
- **Available increment $\neq$ project need**



Financing Strategies

- **Pay as you go vs. up-front municipal bonding**
Which to use?
 - Policy
 - Risk
 - Developer guarantees
 - Project needs
 - Interest costs
 - Nature of what's being funded/public benefit



Considerations for What & When to TIF?

- Process is onerous; number of parcels doesn't make much difference
- Most parcels should have development/tax growth potential
- At least one parcel should have short-term, significant development potential; TID clock is ticking
- Types & locations of needed improvements
- Potential revenues need to cover proposed expenses; timing and amount are both important



Key Ideas

- TIF is a tool; creating a TIF does not obligate the Village to do anything
- Think of TIF as a revenue stream, not a cash box
- Authorized expenses and cash flow are two different things
- Availability of TIF revenue and developer needs are not the same thing
- Need to actively manage and work TID project plans to achieve the greatest benefits



FAB 41



VANDEWALLE & ASSOCIATES INC.

June 6, 2014

Village of Williams Bay; Work Order Number 0001 - Village Center Redevelopment TIF Creation.

This Work Order is made under the terms and conditions established in the Agreement for Downtown TIF Feasibility Study Services (Agreement), dated February 4, 2014, between "Client", Village of Williams Bay, Williams Bay, Wisconsin, and VANDEWALLE & ASSOCIATES, INC. All capitalized terms contained herein have the meaning set forth in the Agreement.

Section A Scope of Services

This Work element consists of preparing all of the documents and draft notices and conducting all of the required meetings necessary to establish a TIF District in full compliance with state statutes.

VANDEWALLE & ASSOCIATES agrees to provide the following tasks:

Task 1: Meeting to Define General TIF Boundaries and Projects

VANDEWALLE & ASSOCIATES will meet with the Village officials and others as appropriate to discuss: the area of the proposed District; potential redevelopment projects and the types of TIF participation they may require; potential public improvement projects and other TIF-eligible costs; the pros and cons of "blighted" and "mixed-use" districts and determination of the best fit for Williams Bay.

120 East Lakeside Street • Madison, Wisconsin 53715 • 608.255.3988 • 608.255.0814 Fax
342 North Water Street • Milwaukee, Wisconsin 53202 • 414.421.2001 • 414.732.2035 Fax
www.vandewalle.com

Shaping places, shaping change

Task 2: TIF Creation Schedule

VANDEWALLE & ASSOCIATES will prepare and maintain a detailed TIF creation schedule and task list including dates for all required meetings/hearing and notices, data gathering, and related administrative tasks.

Task 3: Blight Study

VANDEWALLE & ASSOCIATES will conduct for the Village a parcel-by-parcel blight analysis documented on a table and map if the Village decides to pursue a “blighted” district.

Task 4: Preparation of Draft TIF Project Plan

VANDEWALLE & ASSOCIATES will assemble information and prepare a draft project plan document with all related appendices in conformance with state law for Village review and discussion. Based on that, the document will then be revised for Plan Commission, Village Board, and Joint Review Board approvals. Consistent with statutory requirements, the project plan will include, among other items:

- TIF boundary map
- Existing and future land use and zoning maps
- Table of parcels, owners, addresses, uses and values
- Property-by-property blight analysis table and map (if applicable)
- Projected assessed property values and tax revenues
- Proposed schedule of projects and their associated costs
- Potential financing methods
- Financial feasibility analysis

Task 5: Draft Notices

VANDEWALLE & ASSOCIATES will prepare draft letters, notices, taxing jurisdiction letters, and agendas for all public meetings pertaining to the creation of the District for the Village to finalize and post or transmit as required.

Task 6: Draft Resolutions

VANDEWALLE & ASSOCIATES will prepare draft adoption resolutions for the Plan Commission, Village Board, and Joint Review Board and reports with related findings for Village review and finalization.

Task 7: Document Delivery

VANDEWALLE & ASSOCIATES will provide one paper copy and an electronic file of each version of the project plan and all other documents to the Village for reproduction and distribution. Additional hard copies can be provided for an additional cost.

Task 8: Meetings and Hearings

VANDEWALLE & ASSOCIATES will attend and participate in all required Plan Commission, Village Board and Joint Review Board meetings.

Task 9: Final Plan Assembly

VANDEWALLE & ASSOCIATES will organize the final project plan and all appendices for submittal to DOR. Appendices will include all notices, meeting minutes, resolutions, legal description, and attorney opinion.

Task 10: Draft DOR Forms

VANDEWALLE & ASSOCIATES will prepare a draft of the Village Clerk and Assessor's TIF Creation forms for their respective review, signatures and transmittal to the Department of Revenue.

Additional Provisions

For the greatest cost efficiencies to the Village and as may be required by law, VANDEWALLE & ASSOCIATES recommends the Village Staff, Village Engineer, Financial Advisor, and Attorney provide the following given their extensive knowledge of the community, access to existing records and/or expertise. However, to the extent that the Village does not have individuals available to perform these, VANDEWALLE & ASSOCIATES can help identify other professionals who can:

- A. Provide information to VANDEWALLE & ASSOCIATES to assist in preparation of the project plan. Information may include: tax parcel information; TIF boundary mapping; TIF boundary legal description; proposed public improvement project descriptions and estimated costs; TIF financial statements and revised projections; and other information needed to complete the project plan. (Village Staff and County)
- B. Preparation of a legal description of the TID boundary. (Village Engineer)
- C. Review of financial forecasts (Village Financial Advisor)
- D. Reproduction and distribution of all documents and correspondence to the Joint Review Board, Plan Commission, and Village Board with appropriate attachments. (Village Staff)
- E. Finalization and transmittal of Class 2 notices to the local newspaper and securing Proofs of Publication. (Village Staff)
- F. Finalization of all resolutions. (Village Attorney)
- G. Making copies of the plan available for public review and providing copies as requested. (Village Staff)
- H. Assistance in the presentation of the project plan to the Joint Review Board, Plan Commission, and Village Board. (Village Staff)

- I. Preparation of a legal opinion as to compliance of the State of Wisconsin statutory process. (Village Attorney)
- J. Final submittal of all required documents to DOR with addresses and formatting instructions to be provided by VANDEWALLE & ASSOCIATES. (Village Clerk and Assessor)

VANDEWALLE & ASSOCIATES shall be provided a written copy of a Village of Williams Bay disclosure indicating that Client has retained a registered Municipal Advisor to provide advice for the TID #1 Project Plan. Client understands that although VANDEWALLE & ASSOCIATES may provide advice for this Project that may be considered to be Municipal Advisor advice as defined in Securities and Exchange Rule 15Ba1-1, VANDEWALLE & ASSOCIATES is not a Municipal Advisor and is not subject to the fiduciary duty required of a Municipal Advisor when providing advice on municipal financial products or issuance of municipal securities. Any advice provided by VANDEWALLE & ASSOCIATES with respect to municipal financial products or issuance of municipal securities shall be discussed with Client's registered Municipal Advisor before taking any action. Should there be questions or concerns about VANDEWALLE & ASSOCIATES' role in this Project, Client shall talk immediately with Client's registered Municipal Advisor and/or seek appropriate legal assistance.

Section C Schedule

Services in this Work Order shall commence from May 21, 2014, and be in effect six months.

Section D Costs

All work will be completed on a time and materials basis with the budget for this Work Order not to exceed \$20,000.

June 6, 2014

6

Except to the extent modified herein, all terms and conditions of the original Agreement shall continue in full force and effect.

Village of Williams Bay

By:

Date

VANDEWALLE & ASSOCIATES, INC.

By:

Nonna Anderson

6/6/2014

Nonna Anderson, Business Manager

Date

no one was studying these cases," Turner said. "I was skeptical when I found the first case. If it had really happened, why wasn't this being studied? I was frustrated that I hadn't heard of these cases before. It's irresponsible to not study something because you don't understand it."

PLEASE SEE TURNER PAGE 3B

Bay investigates creating downtown TIF

By Chris Schultz
cschultz@lakegenenews.net

WILLIAMS BAY — Village board trustees want to know if a Tax Incremental Finance (TIF) district would be a good fit in the village's business district.

On Tuesday morning, members of the board's Building, Zoning and Ordinance Committee met with planners from Vandewalle & Associates, Madison, to begin looking at the village's downtown and determining whether a TIF district would work.

Trustee Greg Trush said he at first did not believe a TIF would

help Williams Bay. But he said he began to realize that the village had to find a way to create incentives for property owners to renovate their buildings.

He said there are a number of historic buildings in Williams Bay that are beautiful on the outside, but with problems on the inside.

In January, the board voted to hire Vandewalle to do a TIF district feasibility study for an amount not to exceed \$15,000.

Vandewalle is the village's planner. The company helped the village develop its recent master plan.

The Vandewalle team includes

planners Scott Huntington, Dan Johns and Jeff Maloney. They produced a map showing the study area. The study area is almost entirely commercial. It centers on Geneva Street and the Intersections of Elkhorn Road and Walworth Street.

Mostly, however, they listened. The planners were also scheduled to meet with village staff and property and business owners throughout the day.

Village trustees said they wanted the TIF district to be largely business, with as little residential as possible.

The kinds of businesses the

TIF district attracts and supports will be a balancing act for the village.

"Our village has a unique character, we don't want to be like Lake Geneva," Village President John Marra said. "We want to attract businesses that compliment the village's unique character."

Retail doesn't seem to do too well in Williams Bay, trustees said. That's primarily because Williams Bay residents don't seem to mind driving to Elkhorn or Lake Geneva to do their shopping.

Trush said he's talked to residents who tell him the village has to fix its downtown, while others

said, "I've had a kid with a broken finger come in, and then I was out searching for a splint."

Besides the ministering to physical needs, Berlin sees students for their personal needs, as well.

"They're all just kids and want someone to listen to them," she said. "We have phenomenal kids here."

Berlin said when her dad died, about 10 years ago, she went to the wake in Racine.

"While I was there, a dozen Big Foot kids came

three-week window when they're all feeling homesick and come visit us here. I love that."

Because of her connection to all the students, Berlin said leaving is emotional.

"My husband is retiring this year, too," she said. "We're going to start doing all those things we've always talked about doing. My kids are having babies. It's time for me to be with my family."

Berlin has a son and a daughter and three grandchildren.

PLEASE SEE MAMA B PAGE 2B

PLEASE SEE TIF PAGE 2B

Kilkenny said the lost tax revenue probably won't be recouped.

"If you take this off the tax rolls for 37 years, there needs to be justification and there needs to be analysis," he said.

Kilkenny said the county could lose out on \$1.6 million in tax revenue.

say they live in Williams Bay because it's quiet, and if they want to shop they go to Lake Geneva.

The village's wish list includes a downtown delicatessen, or perhaps a grocery store with a fresh food component, Trush said.

"People really miss the coffee shop," said Trustee Don Parker. The last coffee shop closed its doors on Labor Day last year, he said. The historic buildings may be at the point where the only other things they could support would be office space for small businesses, said Trush.

PLEASE SEE TIF PAGE 4B

CIDER LIKE THEY USED TO BUILD

MADE STRONG

BUILT FOR APPLES • BUILT TO REFRESH

SAVE \$1.00 INSTANTLY

OFF THE PURCHASE OF
ONE (1) 4-PACK (16 OUNCE CANS)
OR ONE (1) 12-PACK OF
SMITH'S FORGE HARD
CIDER (6.66 FL. OZ.)

PLEASE ENJOY YOUR CIDER RESPONSIBLY

MANUFACTURER'S COUPON
DO NOT DOUBLE - EXPIRES 4/20/14

CONSUMER: Offer open only to authorized residents of WI who are of legal drinking age at time of purchase. Only one coupon per purchase of specific product. You pay sales tax. Cash value 1/20 cent. **RETAILER:** NCH Marketing Services will reimburse you for the face value of this coupon, plus \$0.08 per handling on product specified herein, in accordance with our coupon policy. Request for reimbursement must be received by NCH Marketing Services within 4 months of the expiration of this coupon. Coupon is void if assigned, sold, transferred, duplicated or reproduced in any way. Any other use constitutes fraud. Void where prohibited. Coupon will not be honored if it is not the property of the consumer. Agencies, brokers, or others who are not retailer distributors of our products. To redeem mail to: NCH, P.O. Box 880244, El Paso, TX 79858-0244.



1041571

TIF/The village will consider areas that are underused or vacant

But in terms of the village helping building owners renovate their buildings for commercial or office use, "there's absolutely nothing we can offer," he said.

Chris Pauley, a downtown property owner, said there are times when a property owner needs help attracting business.

Pauley said that a business owner once proposed putting a coffee shop in one of his properties.

But he said he could not afford all of the building renovations required by the county health department.

While Williams Bay is home to an active business community, the downtown has some vacant and underused sites, in particular the location of the former Kegroom Tavern. The Kegroom burned down more than 10 years ago, leaving behind what is still an empty lot.

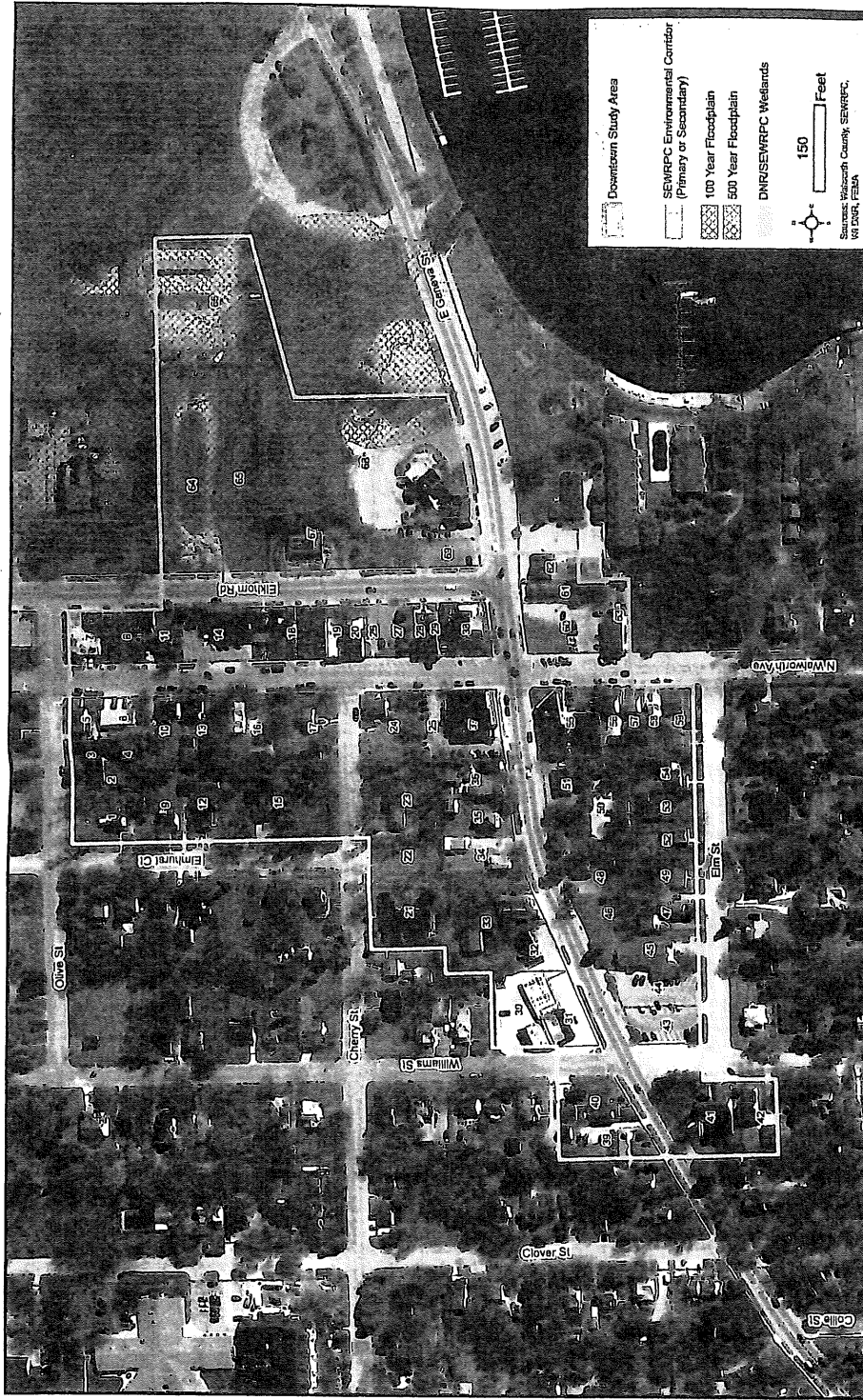
The village has also noted that the restaurant at the corner of Geneva and Williams streets has changed operators several times in a matter of a few years.

Past studies and architectural tours of the Williams Bay downtown have noted a lack of streetscaping and deteriorating curb and gutter in some areas.

And while Williams Bay is not Lake Geneva, and has no desire to be, Trustee Bill Duncan, who chairs the building, zoning and ordinance committee, said he's looking for more convenient parking for visitors.

Trush said the village is "financially delicate," with a very tight budget. He suggested that instead of borrowing money against the development potential within a village TIF district, the village create a "pay-as-you-go" TIF district.

"If the TIF has money, you



A POTENTIAL WILLIAMS BAY TIF DISTRICT, might be created within the area outlined in blue. Planners from Vandewalle & Associates will assess the practicality of creating a TIF district for the area centered on Geneva Street and the intersections of Elkhorn Road and Walworth Street during the study.

SUBMITTED

spend it," he said. "If not, you the TIF district.

Once created, a TIF district fund is created that collects all property taxes off the annual increase in property values within the district.

The property taxing bodies within the village, including the village, the school district, the county, the technical college and state, will continue to collect property taxes from the TIF district, but only from the value

of the properties before the TIF district was created.

According to Vandewalle's scope of services, the feasibility study will produce one or more potential TIF district maps, spreadsheets of potential property values and tax revenues, a list of possible public improvements and other TIF-eligible projects and costs and a memo summarizing the potential of creating a district.

Should the village decide to create a TIF district, Vandewalle would assist the village through the application process with the state DOR.

This is not the first time the village board has contemplated creating a tax increment finance district.

However, this is the furthest the village has come in exploring the possibility of creating a TIF district.